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# H.R. 2266 – Bankruptcy Judgeship Act of 2017 (Rep. Conyers, D-MI)

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

## FLOOR SCHEDULE:

Scheduled for consideration on May 16, under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 2266](#) would convert 14 temporary bankruptcy judgeships to permanent and create four new bankruptcy judgeships.

### 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?** The bill would convert 14 temporary judgeships to permanent and establish four additional new judgeships.
- **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 legislation would also authorize an increase in the U.S. Trustee's Quarterly Fees for large Chapter 11 cases if the balance of the [Trustee System Fund](#) falls below \$200 million, which would serve to offset the cost of the new and converted judgeships. Further, the bill would require that 2.5% of all such fees be deposited in the general fund of the Treasury.

The judgeships converted to permanent status include those in Delaware, Florida, Maryland, Eastern District of Michigan, Nevada, North Carolina, Puerto Rico, and Virginia.

## COMMITTEE ACTION:

H.R. 2266 was introduced on May 1, 2017 and was referred to the House Committee on the Judiciary.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

## CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: Congress has the power to enact this legislation pursuant to the following: "Article I, Section 8, Clause 4, of the United States Constitution."

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# S. 419 – Public Safety Officers’ Benefits Improvement Act of 2017 (Sen. Grassley, R-IA)

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

## FLOOR SCHEDULE:

Scheduled for consideration on May 16, under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[S. 419](#) would make several changes to Department of Justice programs that supply death and disability benefits to public safety officers and their families, including requiring the DOJ to utilize all investigative tools to obtain adjudicatory information for claims and to presume that no disqualifying factors apply to an application absent clear and convincing evidence to the contrary, as well as allowing additional years of eligibility for dependents of eligible individuals in the event of delayed processing of claims.

### COST:

The Congressional Budget Office (CBO) [estimates](#) “that implementing the bill would cost less than \$500,000 annually; such spending would be subject to the availability of appropriated funds.”

### CONSERVATIVE CONCERNS:

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

## DETAILED SUMMARY AND ANALYSIS:

This legislation would also require the Comptroller General to report to Congress, beginning no later than 2 years following enactment, on DOJ’s compliance with the requirements of the programs that supply death and disability benefits. Reports would continue biannually thereafter. It would also direct the Department of Justices to examine certain evidence and findings of fact from state, local, or federal administrative or investigative agencies in considering petitions for death or disability benefits for public safety officers or their families.

Within 30 days following enactment, the bureau would be required to make publicly available online, all death, disability, and educational assistance claims submitted, that are pending on the date the information is made available. This information would be updated weekly.

Further, the bill would allow for dependents of eligible individuals to receive an additional year of eligibility for benefits if the application for such benefits was not processed within one year of being filed. This extension would be further extended by any number of additional years the application was pending.

Finally, the bill would require the DOJ, in determining eligibility for benefits, to assume that an officer did not commit any act that would limit his or her eligibility. The DOJ would be required to demonstrate by clear and convincing evidence that such limitation applies, contrary to the presumption.

## COMMITTEE ACTION:

S. 419 was introduced on February 16, 2017 and was referred to the Senate Committee on the Judiciary, which ordered the bill reported on March 9.

**ADMINISTRATION POSITION:**

A Statement of Administration Policy is not available.

**CONSTITUTIONAL AUTHORITY:**

Constitutional Authority Statements are not required for Senate legislation.

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# H.R. 984 — Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2017 (Wittman, R-VA)

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

## FLOOR SCHEDULE:

Scheduled for consideration on May 17, under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 984](#) would extend federal recognition to six Indian tribes of Virginia.

### COST:

There is no Congressional Budget Office cost analysis 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:

Some conservatives may be concerned that this legislation would subvert the standard federal recognition process through which groups apply to be recognized as an Indian tribe, and allow six groups recognized by the Commonwealth of Virginia to be federally recognized without completing the established review process. Other conservatives may feel this bill is necessary, however, since all six tribes have been unsuccessful in their attempts to go through the standard recognition process since submitting applications in the [1990s](#).

In addition, some conservatives may be concerned the legislation does not require that the Secretary of the Interior verify that the groups' members actually descend from historic Virginia tribes.

▪ **Expand the Size and Scope of the Federal Government?** H.R. 984 would allow members of the Tribes to be eligible for federal services through the Indian Health Service (IHS) and the BIA.

While no CBO report has been made available for H.R. 984, in the 114<sup>th</sup> Congress CBO did release a report for an identical Senate bill. CBO [estimated](#) that providing federal services such as child welfare, community development and adult development would cost \$29 million over the 2016-2020 period. In addition, 2,650 people would receive benefits from the Indian Health Service, which would cost an additional \$49 million over the 2016-2020 period.

- **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. 984 would extend federal recognition to six Indian tribes in Virginia: the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe.

Federal recognition allows tribes to be eligible for all services and benefits provided to Indian tribes by the Federal Government. This bill designates service areas for each tribe for the delivery of federal services to tribal members

The bill leaves the tribes' existing governing bodies in place, or allows each tribe to elect a new governing body, as consistent with the tribe's governing documents.

The Secretary of the Interior may, at each tribe's request, take land that is currently held in fee by the tribe into trust, so long as the land was acquired before January 1, 2007 and if the land is within the boundaries defined by this bill for each respective tribe. After this request is submitted, the secretary has three years to make a final decision, which must be communicated to the tribe immediately. The land will then be considered part of the tribe's reservation.

H.R. 984 does not affect hunting, fishing, trapping, gathering or water rights. The bill also prohibits the tribes from conducting gaming activity. If the tribes were going to establish gambling facilities, they would be required to apply for a license under the same state-established requirements as any other non-Indian entity.

These groups are currently recognized as tribes by the Commonwealth of Virginia, and according to [CBO](#), their combined membership is approximately 4,800 individuals. Through federal recognition, members of these tribes would now be eligible for the same programs and services as other federally recognized Indian tribes, such as the Bureau of Indian Affairs and the Indian Health Service.

Each of the six tribes currently have petitions pending with the Bureau of Indian Affairs (BIA) for federal recognition as an Indian tribe. Through a standard federal recognition process, the Secretary of the Interior determines if a petitioner has met the seven criteria necessary to become a tribe. According to the Natural Resources Committee, although the initial petitions have been submitted, each tribe is at different stages in the application process, and none of the tribes have provided all of the necessary documentation for the secretary to review and make a final determination.

Proponents of the legislation contend that these groups should receive their federal recognition as tribes through the legislative process, since the destruction of records has made it difficult for the tribes to receive recognition through the standard procedure. According to the [National Park Service](#), all six tribes have been trying to gain federal recognition since the 1990s.

H.R. 984 contains similar language to Title II of [H.R. 3764](#), which was reported by the Committee on Natural Resources in the 114<sup>th</sup> Congress by a vote of 23-13. However H.R. 3764 included language that would have given Congress the sole authority to formally recognize Indian tribes. According to the [committee report](#), this language was the most contentious among dissenters. This language is not included in the current bill. The dissenting opinion states that the federal recognition of the six tribes is "long overdue and non-controversial... [and] would have passed out of Committee unanimously."

### **COMMITTEE ACTION:**

H.R. 984 was introduced on February 7, 2017 where it was referred to the Committee on Natural Resources.

### **ADMINISTRATION POSITION:**

A Statement of Administration Policy is not available.

### **CONSTITUTIONAL AUTHORITY:**

According to the bill's sponsor: Congress has the power to enact this legislation pursuant to the following: "The bill is enacted pursuant to Article I, Section 8 of the United States Constitution, which provides Congress with the power to regulate commerce and relations between the United States and Indian Tribes,

and to pass all laws necessary and proper for carrying into execution of the foregoing powers, as well as all other power vested by the Constitution.”.

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# H.R. 194 — Federal Agency Mail Management Act of 2017 (Russell, R-OK)

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

## FLOOR SCHEDULE:

Scheduled for consideration on May 17, under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 194](#) would amend the Presidential and Federal Records Act Amendments of 2014 to make a technical correction to ensure the federal archivist is responsible for providing guidance and assistance to federal agencies with regards to records management. In addition, it clarifies the General Services Administration (GSA) has the responsibility of promoting efficiency in processing mail at federal facilities.

### COST:

There is no Congressional Budget Office cost analysis available at this time.

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

CBO [estimated](#) that implementing H.R. 6009, passed in the 114<sup>th</sup> Congress and identical to H.R. 194 would have no significant effect on the federal budget. Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures would not apply.

### CONSERVATIVE CONCERNS:

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

## DETAILED SUMMARY AND ANALYSIS:

This bill would amend the Presidential and Federal Records Act Amendments of 2014 to make a technical correction to ensure the federal archivist is responsible for providing guidance and assistance to federal agencies with regards to records management. In addition, it clarifies the General Services Administration (GSA) has the responsibility of promoting efficiency in processing mail at federal facilities. According to the Congressional Budget Office, the GSA already performs this function. These changes would take effect as if they were included in the Presidential and Federal Records Act Amendments of 2014.

The House report (H115-66) accompanying H.R. 194 can be found [here](#).

H.R. 194 contains identical language to [H.R. 6009](#), which was passed the House in the 114<sup>th</sup> Congress by voice vote on November 30, 2016. The RSC's legislative bulletin for H.R. 6009 can be found [here](#).

## COMMITTEE ACTION:

H.R. 194 was introduced on January 3, 2017. It was referred to the Committee on Oversight and Government Reform where a mark-up session was held and it was reported by voice-vote.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.



**CONSTITUTIONAL AUTHORITY:**

According to the bill’s sponsor: Congress has the power to enact this legislation pursuant to the following: “Article I, Section 8, Clause 18”.

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# H.R. 195 — Federal Register Printing Savings Act of 2017 (Russell, R-OK)

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

## FLOOR SCHEDULE:

Scheduled for consideration on May 17, under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 195](#) would restrict the distribution of free printed copies of the Federal Register to members of Congress and other federal employees.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 195 would result in a \$1 million reduction in spending. Enacting the bill 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:

This bill would restrict the distribution of free printed copies of the Federal Register to members of Congress and other federal employees. Members of Congress could receive a printed copy if they request a specific issue of the Federal Register or if the member or office requested a subscription to printed copies of Federal Register for that year. These changes would take effect on January 1, 2018.

H.R. 195 contains identical language to [H.R. 5384](#), which was passed the House in the 114th Congress by voice vote on November 30, 2016. The RSC's legislative bulletin for H.R. 5384 can be found [here](#).

## COMMITTEE ACTION:

H.R. 195 was introduced on January 3, 2017. It was referred to the Committee on Oversight and Government Reform where a mark-up session was held and it was reported by voice-vote.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

## CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: Congress has the power to enact this legislation pursuant to the following: "Article I, Section 8". No specific enumerating clause was cited.

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# H.R. 653 — Federal Intern Protection Act of 2017 (Cummings, D-MD)

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

## FLOOR SCHEDULE:

Scheduled for consideration on May 17, under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 653](#) would offer the same protections against harassment and discrimination to unpaid interns at federal agencies as currently afforded to employees.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 653 would result in negligible increases in costs related to agency training or discrimination and harassment settlement claims. Pay-as-you-go procedures would apply, as the bill could affect direct spending from some agencies. However net changes in direct spending would be negligible. Revenues would not be affected.

CBO estimated net direct spending on on-budget deficits would not increase by more than \$5 billion in the four consecutive 10-year periods beginning in 2028.

### CONSERVATIVE CONCERNS:

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

## DETAILED SUMMARY AND ANALYSIS:

H.R. 653 would include unpaid interns and applicants for internships under the same protections federal employees have against workplace discrimination and harassment. Currently, paid interns are considered employees and are treated as such with regard to discrimination laws.

The House report (H115-78) accompanying H.R. 653 can be found [here](#).

H.R. 653 contains identical language to [H.R. 3231](#), which was passed the House in the 114th Congress by a vote of [414-0](#) on January 11, 2016. The RSC's legislative bulletin for H.R. 3231 can be found [here](#).

## COMMITTEE ACTION:

H.R. 653 was introduced on January 24, 2017. It was referred to the Committee on Oversight and Government Reform where a mark-up session was held and it was reported by voice-vote.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

## CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: Congress has the power to enact this legislation pursuant to the following: "Article 1, Section 8, Clause 18 [Page H5590]"

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# H.R. 2227 — Modernizing Government Technology (MGT) Act of 2017, as amended (Hurd, R-TX)

CONTACT: [Noelani Bonifacio](#), 202-226-9719; [Brittan Specht](#), 202-226-9413

## FLOOR SCHEDULE:

Scheduled for consideration on May 17, under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 2227](#) would establish within each agency an information technology modernization working capital fund and a government-wide information technology modernization fund at Treasury. Funds deposited into these accounts, either via discretionary appropriation or agency reprogramming, would be available at the discretion of agency heads for the purpose of introducing or developing new IT systems.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing this legislation would cost \$500 million over the 2017-2022 period, assuming appropriation of the specified amounts.

### CONSERVATIVE CONCERNS:

Some conservatives may be concerned that this bill authorizes a significant amount of new federal spending without a commensurate offset in existing spending or authorizations. This violates the Majority Leader's scheduling protocol requiring all new authorizations to be offset with an equal or greater reduction in existing authorizations.

Because of the limited jurisdiction of the Committee on Oversight and Government Reform, there are limited programs within the bill's authorizing committee to reduce for Cut-Go purposes. Offsets could be drawn from other committees' jurisdiction, but these changes could not have been made within OGR, though outside offsets could have been added as part of the amendment in the nature of a substitute slated for floor consideration.

Some Members may believe that, considering the jurisdictional limitations of the originating committee, the principle of Cut-Go would be better enforced as part of the appropriations process, where the Appropriations Committee could offset increases in funding for the purposes of the MGT Act by commensurately reducing other agency accounts that are outside of OGR's jurisdiction. While the total amount of annual appropriations is capped under the Budget Control Act, new authorizations potentially increase demands on appropriated resources. Further, the systemic inability of Congress to control federal spending via the appropriations process is largely the reason that structural policies like Cut-Go and statutory spending restraints have been advocated for by conservatives.

Some conservatives may be concerned that while the activities authorized by the bill are intended to produce efficiencies within the roughly \$80 billion per year federal IT budget, it is possible such savings are never produced.

- **Expand the Size and Scope of the Federal Government?** Yes, this bill would create a new fund within each agency and the Treasury to fund information technology projects within the federal government.
- **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 establish an information technology system modernization and working capital fund for necessary expenses for the following agencies:

1. The Department of Agriculture
2. The Department of Commerce
3. The Department of Defense
4. The Department of Education
5. The Department of Energy
6. The Department of Health and Human Services
7. The Department of Homeland Security
8. The Department of Housing and Urban Development
9. The Department of the Interior
10. The Department of Justice
11. The Department of Labor
12. The Department of State
13. The Department of Transportation
14. The Department of the Treasury
15. The Department of Veterans Affairs
16. The Environmental Protection Agency
17. The National Aeronautics and Space Administration

These funds could be deposited into the fund through the reprogramming of available funds for the operation and maintenance of legacy systems or amounts made available through discretionary appropriations. The fund could be used to improve or retire existing systems, transition to a cloud-based platform, or support efforts to provide information technology capabilities that address security threats. The chief information officer (CIO) would evaluate the use of funds based on technical design, and procurement strategy.

This bill would also establish at the Treasury a Technology Modernization Fund for technology related activities and to enhance cybersecurity across the federal government. The Technology Modernization Fund would be used to transfer amounts, to remain available until expended, to the head of an agency to improve, retire, or replace existing information technology systems.

H.R. 2227 authorizes a \$250 million appropriation for the Technology Modernization Fund in both F18 and FY19. In addition to any appropriated funds, the Technology Modernization Fund would be credited with all reimbursements, advancements, or refunds relating to information technology or services provided through the Fund. A Technology Modernization Board would be established to evaluate proposals for used of funding in the Technology Modernization Fund. The Board would provide input on the development of processes for agencies to submit modernization proposals and establish criteria to evaluate the proposals, and monitor the funding and execution of approved projects.

H.R. 2227 contains similar language to [H.R. 6004](#), which was passed the House in the 114th Congress by voice vote on September 22, 2016. The RSC's legislative bulletin for H.R. 6004 can be found [here](#).

Changes to H.R. 2227 from previously passed legislation (H.R. 6004 in the 114<sup>th</sup>)

- Includes a \$250 million appropriation authorization for FY18 and for FY19.
- No longer allows the transfer of funds for the operation and maintenance of legacy information technology systems.
- Changes the date when funds are to be returned from 3 years after deposit to 3 years after the end of the fiscal year during which the funds were deposited.
- Re-designates the administrator of the Technology Modernization Fund from the Administrator of General Services to the Commissioner of the Technology Transformation Service within the General Services Administration (GSA).

- Requires the senior official from the GSA who serves on the Technology Modernization Board to have technical experience in information technology development and to be approved by the respective agency's Director.
- Removes the inclusion of a National Institute of Standards and Technology employee under the Department of Commerce from the Technology Modernization Board.

### **COMMITTEE ACTION:**

H.R. 2227 was introduced on April 28, 2017. It was referred to the Committee on Oversight and Government Reform where a mark-up session was held and it was reported by voice-vote.

### **ADMINISTRATION POSITION:**

A Statement of Administration Policy is not available.

### **CONSTITUTIONAL AUTHORITY:**

According to the bill's sponsor: Congress has the power to enact this legislation pursuant to the following: "Article I, Section IX, clause VII, of the United States".

Article I, Section IX, clause 7 is known as the Appropriations Clause and states that "No Money may be drawn from the Treasury, but in consequence of Appropriations made by Law..." While this clause does create a requirement for Congressional approval of all federal spending, it does not grant Congress any authority to appropriate funds for any particular purpose. Such powers are appropriately found in the various enumerating clauses granting Congress or the government authority to undertake certain activities.

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# H.R. 2169 — Improving Fusion Centers' Access to Information Act, as amended (Rep. Katko, R-NY)

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

## FLOOR SCHEDULE:

Scheduled for consideration on May 17, 2017 under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 2169](#) would direct the Secretary of Homeland Security to improve information center between federal agencies and state and local agencies through fusion centers.

### COST:

A Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 2169 would not have a significant effect on spending by DHS.

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

### CONSERVATIVE CONCERNS:

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

## DETAILED SUMMARY AND ANALYSIS:

H.R. 2169 would amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to conduct outreach to [fusion centers](#) to identify any gaps in information sharing. The bill would further direct the secretary to identify and federal databases or datasets maintained by the Department of Homeland Security, the Federal Bureau of Investigation, or the Department of Treasury that could be incorporated into the information sharing environment to eliminate such gaps.

## COMMITTEE ACTION:

H.R. 2169 was introduced on April 26, 2017 and was referred to the House Committee on Homeland Security, which has not acted on the bill.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

## CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, clause 18 -- To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof. No specific enumerating clause was cited."

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# H.R. 2213 — Anti-Border Corruption Reauthorization Act of 2017, as amended (Rep. McSally, R-AZ)

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

## FLOOR SCHEDULE:

Scheduled for consideration on May 17, 2017 under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 2213](#) would allow the Commissioner of U.S. Customs and Border Protection (CBP) to waive polygraph requirements for some CBP applicants.

### COST:

A Congressional Budget Office (CBO) [estimates](#) that the report would have no significant effect on the agency's 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. 2213 would allow the Commissioner of U.S. Customs and Border Protection (CBP) to waive polygraph requirements for CBP applicants who: (1) is a current state or local law enforcement officer in good standing, with at least three years' experience, and who has completed a polygraph within the last ten years; (2) a federal law enforcement officer in good standing with a current [tier 4 or 5 background investigation](#); or (3) a veteran with at least three years' service who held a secret, top secret, or top secret/SCI security clearance.

The commissioner's waiver authority would expire five years after the date of enactment. The commissioner would be authorized to administer a polygraph to any individual eligible for a waiver at his discretion and any individual granted a waiver who holds a tier 4 background investigation would be required to complete a tier 5 background investigation.

### COMMITTEE ACTION:

H.R. 2281 was introduced on April 27, 2017 and was referred to the House Committee on Homeland Security, which has not acted on the bill.

### ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

### CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States. Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers vested by 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. 2281 — Border Enforcement Security Task Force Reauthorization Act of 2017, as amended (Rep. Vela, D-TX)

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

## FLOOR SCHEDULE:

Scheduled for consideration on May 17, 2017 under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 2281](#) would direct the Secretary of Homeland Security to consider additional factors when establishing [Border Enforcement Security Task Force](#) (BEST) units. The bill would also reauthorize and modify the content of the annual report on BEST activities.

### COST:

A Congressional Budget Office (CBO) [estimates](#) that the report would cost less than \$500,000 annually; such spending would be subject to the availability of appropriated funds.

### 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. 2281 would modify the criteria considered by the Secretary of Homeland Security in establishing new BEST units. Specifically, the Secretary would be directed to: (1) utilize a risk-based criteria; (2) consider the extent to which a BEST unit would advance the department's homeland and border security strategic priorities; and, (3) whether departmental Joint Task Force operations would be improved by the BEST unit. Further, the bill would modify the composition of a BEST formed with an port security nexus to include the Coast Guard Investigative Service and the relevant Coast Guard Sector Intelligence Officer.

The bill would also reauthorize the annual report on the activities and effectiveness of BEST units for five years.

## COMMITTEE ACTION:

H.R. 2281 was introduced on May 2, 2017 and was referred to the House Committee on Homeland Security, which has not acted on the bill.

## 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" No enumerating clause was provided.

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# H.R. 1177 – Removing Outdated Restrictions to Allow for Job Growth (Poliquin, R-ME)

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

## FLOOR SCHEDULE:

Expected to be considered on May 17 under a suspension of the rules, which requires a 2/3 majority for passage.

### TOPLINE SUMMARY:

[H.R. 1177](#) would remove a federal deed restriction related to the use of land next to the Old Town Municipal Airport in Old Town, Maine, allowing the city and airport to pursue economic development opportunities.

### COST:

The [Congressional Budget Office \(CBO\)](#) estimates, based on information provided by the Forest Service, that H.R. 1177 would have no effect on the federal budget.

### CONSERVATIVE CONCERNS:

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

## DETAILED SUMMARY AND ANALYSIS:

Deed restrictions imposed under the Bankhead-Jones Farm Tenant Act, which authorizes the federal government to acquire and rehabilitate damaged lands, prevent approximately 15 acres near the Old Town Municipal Airport in Old Town, Maine from being used to pursue economic development opportunities involving private businesses. The United States had previously acquired this land, but conveyed it to the city of Old Town in the 1980s, with Farm Tenant Act deed restrictions that prevent it from being used for anything other than public purposes.

H.R. 1177 directs the Secretary of Agriculture to “release, convey, and quitclaim, without monetary consideration, all rights, title, and interest” in the land if the City of Old Town, Maine makes such a request in writing, effectively lifting the deed restrictions. Materials produced by the Committee on Agriculture indicate this would allow the City of Old Town, Maine to move forward with development plans that would create 175 new jobs.

## COMMITTEE ACTION:

This bill was introduced by Representative Poliquin (R-ME) on February 16, 2017 and referred to the House Committee on Agriculture.

## 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 IV, Section 3, Clause 2 of the United States Constitution.

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# H.R. 2154 – To rename the Red River Valley Agricultural Research Center in Fargo, ND as the Edward T. Schaefer Agricultural Research Center (Cramer, R-ND)

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

## FLOOR SCHEDULE:

Expected to be considered on May 17 under a suspension of the rules, which requires a 2/3 majority for passage.

### TOPLINE SUMMARY:

[H.R. 2154](#) would rename the Red River Valley Agricultural Research Center in Fargo, ND as the Edward T. Schaefer Agricultural Research Center.

### COST:

The [Congressional Budget Office \(CBO\)](#) estimates that enacting this legislation would have no significant effect on the federal budget and 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. 2154](#) would rename the Red River Valley Agricultural Research Center in Fargo, ND as the Edward T. Schaefer Agricultural Research Center.

[Edward T. Schaefer](#) is the former Governor of North Dakota, serving from 1992 to 2000. Schaefer was also appointed by President George W. Bush to serve as the Secretary of Agriculture from 2008 to 2009.

### COMMITTEE ACTION:

This bill was introduced by Representative Cramer (R-ND) on April 26, 2017 and referred to the House Committee on Agriculture.

### 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 of the United States Constitution. No specific enumerating clause was identified.

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# H.R. 672 — Combating European Anti-Semitism Act of 2017, as amended (Rep. Lowey, D-NY)

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

## FLOOR SCHEDULE:

Scheduled for consideration on May 17, 2017 under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 672](#) would direct the Secretary of State to include additional information on European countries where there are attacks or threats against Jewish persons in the [Annual Report on International Religious Freedom](#).

### COST:

A Congressional Budget Office (CBO) [estimates](#) that implementing the bill would cost less than \$500,000 over the 2018-2022 period; such spending would be subject to the availability of appropriated funds.

### 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. 672 would amend the International Religious Freedom Act of 1998 to direct the Secretary of State to include additional and more detailed information about threats and attacks on Jewish persons in European countries in the Annual Report on International Religious Freedom. Specifically, the report would be required to include a description of: (1) the security challenges and needs of the European Jewish Community; (2) efforts of the U.S. government to partner with European law enforcement and civil society groups to combat anti-Semitism; (3) European educational programs to promote pluralism; and, (4) efforts by European governments to adopt and apply a working definition of anti-Semitism.

The bill would also express the sense of Congress that it is in the national interests of the U.S. to combat anti-Semitism at home and abroad and should be advocated for in multilateral bodies, as well as that the Department of State should continue to document acts of anti-Semitism worldwide and encourage the adoption of working definition of anti-Semitism similar to that adopted in the International Holocaust Remembrance Alliance Context.

### COMMITTEE ACTION:

H.R. 672 was introduced on January 24, 2017 and was referred to the House Committee on Foreign Affairs, which ordered the bill reported on March 29 by a voice vote.

### ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

### CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article I" No section or enumerating clause was provided.

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# H.Res. 145 — Expressing the sense of the House of Representatives regarding the fight against corruption in Central America, as amended (Sponsored by Rep. Torres, D-CA)

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

## FLOOR SCHEDULE:

Scheduled for consideration on May 17, 2017 under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.Res. 145](#) would express the sense of the House relating to addressing government corruption in El Salvador, Guatemala, and Honduras.

### COST:

A Congressional Budget Office (CBO) estimate is not required for House resolutions.

### CONSERVATIVE CONCERNS:

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

## DETAILED SUMMARY AND ANALYSIS:

H.Res. 145 would resolve that the House: (1) reaffirms that combating corruption in El Salvador, Guatemala, and Honduras in an important policy interest for the United States; (2) acknowledges that the [International Commission against Impunity in Guatemala](#) and the [Mission to Support the Fight against Corruption and Impunity in Honduras](#) are making important contributions to combating corruption; (3) urges the governments of Guatemala and Honduras to continue to cooperate with these organizations; and, (4) encourages the governments of Honduras, Guatemala, and El Salvador to publicly support efforts to fight corruption, respect the independence of their respective judiciaries, and ensure that the office of each respective country's attorney general is sufficiently funded.

## COMMITTEE ACTION:

H.Res. 145 was introduced on February 16, 2017 and was referred to the House Committee on Foreign Affairs, which ordered the resolution reported, with an amendment in the nature of a substitute, on March 29.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

## CONSTITUTIONAL AUTHORITY:

Constitutional authority statements are not required for House resolutions.

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# H.R. 1677 — Caesar Syria Civilian Protection Act, as amended (Rep. Engel, D-NY)

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

## FLOOR SCHEDULE:

Scheduled for consideration on May 17, 2017 under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 1677](#) would impose sanctions on people and entities responsible for the security and humanitarian crisis in Syria. The bill would further authorize the Department of State to assist entities that are investigating war crimes or crimes against humanity in Syria, and would require reports to the Congress on ongoing assistance programs for the Syrian people, and the feasibility of establishing a no-fly zone over Syria.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 1677 would cost \$3 million over the 2018-2022 period; such spending would be subject to the availability of appropriated funds.

### 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. 1677 would impose specified sanctions against the Central Bank of Syria. The president would be required to impose sanctions on individuals who knowingly provided support to the Government of Syria and the Central Bank of Syria. The bill would impose sanctions on any individual who knowingly sold or provided to Syria significant goods, services, or petroleum products that have a fair market value of \$500,000 or more, or \$2,000,000 or more during a 12-month period, in areas controlled by the Government of Syria. The bill would further sanction any individual who sold or provided good and services to a foreign person operating in the shipping transportation, or telecommunications sectors in areas controlled by the Government of Syria.

An alien who is subject to sanctions under this act would be inadmissible to the United States; and ineligible to receive a visa or other documentation to enter the United States. Sanctions would not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations.

The bill would further direct the president to impose sanctions on a foreign person that has knowingly exported, transferred, or provided significant financial, material, or technological support to the Government of Syria to: (1) acquire or develop chemical, biological, or nuclear weapons or related technologies; (2) acquire or develop ballistic or cruise missile capabilities; (3) acquire or develop destabilizing numbers and types of advanced conventional weapons; or, (4) acquire defense articles, defense services, or defense information.

The bill would further impose sanctions on certain persons who are responsible for or complicit in human rights abuses committed against citizens of Syria or their families to include the deliberate targeting of

civilian infrastructure to include schools, hospitals, markets, and other infrastructure that is essential to human life, such as power and water systems; and deliberate diversion, hindering, or blocking access for humanitarian purposes, including across conflict lines and borders.

H.R. 1677 would amend section 703(b)(2)(C) of the [Syria Human Rights Accountability Act of 2012](#) to further impose sanctions on those who facilitate the transfer of goods or technology that may be used by the Syrian government to commit human rights abuses against the people of Syria. The bill would additionally impose sanctions against those who hinder the prompt and safe access for the United Nations, its specialized agencies and implementing partners, engaged in humanitarian relief activities in Syria, including across conflict lines and borders.

H.R. 1677 would require several reports to Congress: (1) on the monitoring and evaluation of ongoing U.S. assistance programs in Syria and to the Syrian people; (2) on certain persons who are responsible for or complicit in certain human rights violations in Syria, including President Bashar al Assad and his regime; (3) including an assessment of the potential effectiveness of and requirements for the establishment of safe zones or a no-fly zone in Syria, including an assessment of non-military options to protect civilians; and, (4) on U.S. assistance to support entities taking actions relating to the gathering of evidence for investigations into war crimes or crimes against humanity in Syria since March 2011. The administration would be given authority to consolidate these report submissions.

The bill would allow the president to suspend sanctions for up to 240 days in 120 increments if he determines that either: (1) international peace negotiations have concluded in an agreement; or (2) negotiations have not concluded in an agreement, but the government of Syria has ended military attacks against the Syrian people and is no longer grossly violating human rights in Syria.

The bill would provide for a human rights and democracy waiver under specified conditions, allowing the president to waive on a case-by-case basis, for 120 days, and renewable for an additional 120 days, the application of sanctions if the president submits to a written determination that the waiver is necessary for humanitarian assistance purposes or for the support for democracy promotion to the Syrian people. The bill would also require the president to submit a strategy to Congress to ensure that humanitarian organizations can access financial services to ensure the safe and timely delivery of assistance to communities in need in Syria.

H.R. 1677 would provide a sense of Congress that a transitional government in Syria is a government that is taking verifiable steps to release all political prisoners and provided full access to Syrian prisons for investigations by appropriate international human rights organizations; and to remove former senior Syrian government officials who are complicit in the conception, implementation, or cover up of war crimes, crimes against humanity, or human rights abuses from government positions; and is in the process of organizing free and fair elections for a new government, as well as other steps relating to human rights and democratic governance.

No additional funds would be authorized to carry out H.R. 5732's requirements, which would be carried out using amounts otherwise authorized. The bill would sunset beginning on December 31, 2021.

H.R. 1677 would express a sense of Congress that: (1) Bashar al-Assad's murderous actions against the people of Syria have caused the deaths of more than 400,000 civilians, led to the destruction of more than 50 percent of Syria's critical infrastructure, and forced the displacement of more than 14,000,000 people, precipitating the worst humanitarian crisis in more than 60 years; (2) international actions to date have been insufficient in protecting vulnerable populations from being attacked by uniformed and irregular forces, including Hezbollah, associated with the Assad regime, on land and from the air, through the use of barrel bombs, chemical weapons, mass starvation campaigns, industrial-scale torture and execution of political dissidents, sniper attacks on pregnant women, and the deliberate targeting of medical facilities, schools, residential areas, and community gathering places, including markets; (3) Assad's use of chemical weapons,



including chlorine, against the Syrian people violates the Chemical Weapons Convention; (4) condemning recent additional chemical weapons attacks by the Assad regime; (5) holding attacks on humanitarian workers as in violation of international humanitarian law; and, (6) Assad's continued claim of leadership and actions in Syria are a rallying point for the extremist ideology of the Islamic State, Jabhat al-Nusra, and other terrorist organizations.

The bill would express a statement of policy that that all diplomatic and coercive economic means should be utilized to compel the government of Bashir al-Assad to immediately halt the wholesale slaughter of the Syrian people and actively work towards transition to a democratic government in Syria, existing in peace and security with its neighbors.

**COMMITTEE ACTION:**

H.R. 5732 was introduced on March 22, 2017 and was referred to the House Committee on Foreign Affairs. On May 11, 2017, the bill was ordered to be reported, as amended, by voice vote.

The report from the Committee on Foreign Affairs is available [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, clause 18 of the Constitution." No specific enumerating clause was cited.

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