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S. 2030 — Ceiling fan Energy Conservation Harmonization Act (Sen. Tillis, R-NC)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on March 19, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[S. 2030](#) would delay the requirement that manufacturers of light kits for ceiling fans fully comply with certain energy conservation standards until January 21, 2020.

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.

[H.R. 3477](#), the identical House version of the bill's CBO estimate can be found [here](#). CBO estimates that enacting H.R. 3477 would not significantly affect 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:

S. 2030 would delay the compliance date for the amended energy conservation standards established for ceiling fan light kits in the final rule entitled "[Energy Conservation Program: Energy Conservation Standards for Ceiling Fan Light Kits](#)" until January 21, 2020.

COMMITTEE ACTION:

S. 2030 was introduced on October 30, 2017, and was referred to the Senate Committee on Energy and Natural Resources. On December 21, 2017, the bill passed the Senate without an amendment by unanimous consent. The bill was then referred to the House Committee on Energy and Commerce.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

A constitutional authority statement is not required for bills that originate in the Senate.

H.R. 5074 — DHS Cyber Incident Response Teams Act of 2018 (Rep. McCaul, R-TX)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on March 19, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 5074](#) would clarify certain responsibilities of hunt and incident response teams (HIRT's) under the authority of the National Cybersecurity and Communications Integration Center (NCCIC) within the Department of Homeland Security (DHS).

COST:

The Congressional Budget Office (CBO) [estimates](#) that enacting H.R. 5074 would cost less than \$500,000 over the 2018-2022 period; such spending would be subject to the availability of appropriated funds. Enacting H.R. 5074 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 5074 would not increase net direct spending or on-budget deficits in any of 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. 5074 would mandate that the National Cybersecurity and Communications Integration Center maintain cyber hunt and incident response teams to provide assistance including: assistance to asset owners and operators in restoring services following a cyber-incident; the identification of cybersecurity risk and unauthorized cyber activity; and the mitigation strategies to prevent, deter, and protect against cybersecurity risks; recommendations to asset owners and operators for improving overall network and control systems security to lower cybersecurity risks. The department would be authorized to include cybersecurity specialists from the private sector on cyber hunt and incident response teams. The NCCIC would be required to submit information to Congress on the metrics used for the evaluation and assessment of the cyber incident response teams. No additional funds would be authorized to be appropriated to carry out the requirements of the legislation.

COMMITTEE ACTION:

H.R. 5074 was introduced on February 20, 2018, and was referred to the House Committee on Homeland Security. On [March 7, 2018](#), the bill was ordered to be reported by unanimous consent.

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: 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.”

H.R. 4176 — Air Cargo Security Improvement Act of 2017 (Rep. Thompson, D-MS)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on March 19, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 4176](#) would establish an air cargo security division within the Transportation Security Administration (TSA).

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 establish an air cargo security division within the Transportation Security Administration (TSA).
- **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. 4176 would establish an air cargo security division within TSA to carry out all policy and engagement with air cargo security stakeholders. TSA would staff the air cargo security division with existing TSA personnel. The bill would require a feasibility study to Congress regarding expanding the use of computed tomography technology for the screening of air cargo transported on passenger aircraft operated by an air carrier or foreign air carrier in air transportation, interstate air transportation, or interstate air commerce. H.R. 4176 would additionally require TSA to initiate a two-year pilot program to achieve enhanced air cargo security screening outcomes through the use of new or emerging screening technologies, such as computed tomography technology, as identified through such study.

The bill would further require a report to Congress on actions to improve the Certified Cargo Screening Program as established by the agency in September 2009, and a Government Accountability Office (GAO) review of the Department of Homeland Security's analysis and intelligence pre-screening processes and procedures for air cargo entering the United States; a review of the pilot program on enhanced air cargo security screening outcomes; an assessment of the effectiveness of the Department's risk-based strategy for examining air cargo and ensuring compliance with air cargo security rules and regulations; and a review of the Department of Homeland Security's information sharing procedures and practices for disseminating information to relevant stakeholders on preventing, mitigating, and responding to air cargo related threats. The bill would direct TSA to request the Air Cargo Subcommittee of [Aviation Security Advisory Committee](#) to conduct a comprehensive review and security assessment of the [known shipper program](#).

COMMITTEE ACTION:

H.R. 4176 was introduced on October 31, 2017, and was referred to the House Committee on Homeland Security. On [March 7, 2018](#), the bill was ordered to be reported (amended) by unanimous consent.

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 United States Constitution Article 1, Section 8, Clause 18, that Congress shall have the power to make all laws which shall be necessary and proper."

H.R. 5099 — Enhancing DHS’ Fusion Center Technical Assistance Program Act (Rep. Estes, R-KS)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on March 19, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 5099](#) would require the Department of Homeland Security (DHS) to establish a fusion center technical assistance program, in consultation with officials from the National Network of Fusion Centers.

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?** [H.R. 5099](#) would require the Department of Homeland Security (DHS) to establish a fusion center technical assistance program.
- **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. 5099 would require DHS to establish a fusion center technical assistance program, in consultation with officials from the National Network of Fusion Centers and, to the greatest extent practicable, other relevant stakeholders. The Department would be required to provide technical assistance to fusion centers regarding certain homeland security grants, terrorism prevention activities, and intelligence and information sharing; as well as make available best practices regarding fusion center operations, information sharing and analysis of homeland security threats, including cyber threats, protecting privacy, civil rights, and civil liberties.

COMMITTEE ACTION:

H.R. 5099 was introduced on February 27, 2018, and was referred to the House Committee on Homeland Security. On [March 7, 2018](#), the bill was ordered to be reported by unanimous consent.

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: 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.”

H.R. 4227 — Vehicular Terrorism Prevention Act of 2017 (Rep. Latta, R-OH)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on March 19, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 4227](#) would require the Secretary of Homeland Security to examine what actions the Department of Homeland Security is undertaking to combat the threat of vehicular terrorism.

COST:

No Congressional Budget Office (CBO) estimate is available.

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

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 4227 would direct the Secretary of Homeland Security to assess the activities the Department is undertaking to support emergency response providers and the private sector to prevent, mitigate, and respond to the threat of vehicular terrorism; and based on such assessment, develop and submit a strategy to Congress to improve the Department's efforts to support the efforts of emergency response providers and the private sector to prevent, mitigate, and respond to such threat.

COMMITTEE ACTION:

H.R. 4227 was introduced on November 2, 2017, and was referred to the House Committee on Homeland Security. On [March 7, 2018](#), the bill was ordered to be reported by the committee.

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: Article I, Section 8, Clause 18: The Congress shall have Power 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."

H.R. 5079 — DHS Field Engagement Accountability Act (Rep. Bacon, R-NE)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on March 19, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 5079](#) would require the Department of Homeland Security (DHS) to develop an engagement and information sharing strategy with fusion centers.

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?** [H.R. 5079](#) would require the Department of Homeland Security (DHS) to develop an engagement and information sharing strategy with fusion centers.
- **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. 5079 would require DHS to develop an engagement and information sharing strategy with fusion centers. The strategy would be developed and updated in consultation with the heads of intelligence components of the Department, the Chief Privacy Officer of the Department, the Officer for Civil Rights and Civil Liberties of the Department, officials of fusion centers, officers designated as Homeland Security Advisors, and the heads of other relevant agencies.

The bill would require the Under Secretary for Intelligence and Analysis of the Department of Homeland Security to consider the effectiveness of existing processes to identify and prepare field personnel for deployment to support fusion centers and internal mechanisms to ensure oversight and accountability of field personnel, including field personnel assigned to one center and field personnel assigned to multiple centers; and publish and disseminate performance metrics, taking into account, as appropriate, regional and threat diversity. The Under Secretary for Intelligence and Analysis would be directed to develop and implement a formalized training module for fusion center personnel regarding the classified Homeland Secure Data Network of the Department, or any successor system.

The Chief Intelligence Officer of the Department of Homeland Security would be directed to develop policies and metrics to ensure effective use by components of the Department of the Department's unclassified Homeland Security Information Sharing Network, or any successor system; and develop policies for posting unclassified products on the Homeland Security Information Sharing Network, or any successor system.

COMMITTEE ACTION:

H.R. 5079 was introduced on February 23, 2018, and was referred to the House Committee on Homeland Security. On [March 7, 2018](#), the bill was ordered to be reported (amended) by unanimous consent.

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: 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."

H.R. 5131 — Surface Transportation Security Improvement Act of 2018 (Rep. Watson Coleman, D-NJ)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on March 19, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 5131](#) would require a series of reports, assessments, and strategies regarding the security of surface transportation assets.

COST:

No Congressional Budget Office (CBO) estimate is available.

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

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 5131 would require the Government Accountability Office (GAO) to evaluate the degree to which the 2016 Biennial National Strategy for Transportation Security is reflected in Federal transportation security programs, budgets, research, staffing levels, and related efforts. DHS would be required to develop risk-based priorities based on risk assessments conducted or received by the Secretary of Homeland Security across all transportation modes that consider threats, vulnerabilities, and consequences.

The bill would require the Inspector General of the Department of Homeland Security to report to Congress on the status of regulations requiring assessments and security plans as specified in sections 1405, 1512, and 1531 of the [Implementing Recommendations of the 9/11 Commission Act of 2007](#) (6 U.S.C. 1134, 1162, and 1181); and the status of regulations for a security training program to prepare transportation employees for potential security threats and conditions required by the 9/11 Commission Act.

The bill would further require the Under Secretary for Science and Technology of the Department of Homeland Security to submit a feasibility assessment to Congress of modifying the security of surface transportation assets by introducing next generation technologies to be integrated into systems of surface transportation assets to detect explosives; providing surface transportation asset operators with access to the Transportation Security Administration (TSA)'s Secure Flight Program or a similar passenger vetting system maintained by TSA; deploying a credential authentication technology or other means of identification document inspection to high-risk surface transportation assets to assist operators conducting passenger vetting; and deploying scalable, cost-effective technology solutions to detect chemical, biological, radiological, nuclear, or explosive threats within high-risk surface transportation assets that are capable of

passive, continuous, and real-time sensing and detection of, and alerting passengers and operating personnel to, the presence of such a threat.

TSA would be authorized to establish a task force to collaborate with public and private sector stakeholders to identify and develop an innovative technology or capability with the potential to enhance transportation security.

The Under Secretary for Intelligence and Analysis of the Department of Homeland Security would be required to submit an assessment to Congress of terrorist and other threats to the transportation sector, including surface transportation assets, posed by the use of security technologies, including software and networked technologies, developed or manufactured by firms that are owned or closely linked to the governments of countries that are known to pose a cyber or homeland security threat. The bill would further require TSA to submit a strategy to Congress to guide operations of surface transportation security inspectors that addresses any limitations in data systems for such inspectors, as identified by GAO; alignment of operations with risk assessment findings, including an approach to identifying and prioritizing entities and locations for inspections; and measurable objectives for the surface transportation security inspectors program.

COMMITTEE ACTION:

H.R. 5131 was introduced on February 27, 2018, and was referred to the House Committee on Homeland Security. On [March 7, 2018](#), the bill was ordered to be reported (amended) by unanimous consent.

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: Article I, Section 8, Clause 1; Article I, Section 8, Clause 18.”

H.R. 4467 — Strengthening Aviation Security Act of 2017 (Rep. Hice, R-GA)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on March 19, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 4467](#) would require the Federal Air Marshal Service to utilize a risk-based strategy when allocating resources between international and domestic flight coverage.

COST:

No Congressional Budget Office (CBO) estimate is available.

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

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 4467 would require the Federal Air Marshal Service to utilize a risk-based strategy when allocating resources between international and domestic flight coverage, including when initially setting its annual target numbers of average daily international and domestic flights to cover. The bill would additionally require the Federal Air Marshal Service to utilize a risk-based strategy to support domestic allocation decisions; to utilize a risk-based strategy to support international allocation decisions; and to ensure that the seating arrangements of Federal air marshals on aircraft are determined in a manner that is risk-based and most capable of responding to current threats to aviation security.

COMMITTEE ACTION:

H.R. 4467 was introduced on November 28, 2017, and was referred to the House Committee on Homeland Security. On [March 7, 2018](#), the bill was ordered to be reported (amended) by unanimous consent.

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: Article I, Section 8, Clause 18 of the United States Constitution."

H.R. 5089 — Strengthening Local Transportation Security Capabilities Act of 2018 (Rep. Barragán, D-CA)

CONTACT: [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Scheduled for consideration on March 19, 2018, under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 5089](#) would require the Department of Homeland Security (DHS) to prioritize the assignment of officers and intelligence analysts to locations with participating State, local, and regional fusion centers in jurisdictions with a high-risk surface transportation asset in order to enhance the security.

COST:

No Congressional Budget Office (CBO) estimate is available.

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

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 5089 would require DHS to prioritize the assignment of officers and intelligence analysts to locations with participating State, local, and regional fusion centers in jurisdictions with a high-risk surface transportation asset in order to enhance the security, including by improving timely sharing of classified information regarding terrorist and other threats. Officers and intelligence analysts assigned to locations with participating State, local, and regional fusion centers would be directed to participate in the generation and dissemination of transportation security intelligence products, with an emphasis on terrorist and other threats to surface transportation assets that assist State, local, and tribal law enforcement agencies in deploying their resources, promote more consistent and timely sharing of threat information among jurisdictions; and enhance DHS's situational awareness.

The Secretary of Homeland Security would be directed make available the process of applying for security clearances to appropriate owners and operators of surface transportation assets, and any other person that the Secretary determines appropriate to foster greater sharing of classified information relating to terrorist and other threats to surface transportation assets. TSA would be mandated to make available to public and private sector stakeholders a framework for establishing an integrated and unified operations center responsible for overseeing daily operations of a transportation facility that promotes coordination for responses to terrorism, or other serious incidents.

DHS would be authorized to develop through the Federal Law Enforcement Training Centers, a training program to enhance the protection, preparedness, and response capabilities of law enforcement agencies with respect to terrorism and other serious incidents at a surface transportation asset.

COMMITTEE ACTION:

H.R. 5089 was introduced on February 26, 2018, and was referred to the House Committee on Homeland Security. On [March 7, 2018](#), the bill was ordered to be reported by unanimous consent.

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: Article I Section I of the U.S. Constitution “All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.”

H.R. 4851 — Kennedy-King Establishment Act of 2018 (Rep. Carson, D-IN)

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

FLOOR SCHEDULE:

Expected to be considered March 19, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 4851](#) would designate the [Landmark for Peace Memorial](#) located in Indianapolis's Martin Luther King, Jr. Park as the Kennedy-King National Commemorative Site, establish it as part of the U.S. Civil Rights Network, and instruct the Secretary of the Interior to conduct a study on the feasibility of adding the site to the National Park System.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 4851 would cost less than \$500,000; such spending would be subject to the availability of appropriated funds. Enacting H.R. 4851 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 4851 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Some conservatives may be concerned the bill would designate the Kennedy-King National Commemorative Site and would require the Secretary of the Interior to consider the feasibility of adding the site to the National Park System, though the secretary must also consider alternatives. The federal government's landholding constitutes over one-quarter of the U.S. landmass, and much of it is poorly managed. The National Park Service, in particular, suffers from a severe backlog of maintenance requirements on existing lands.
- **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. 4851 would designate the [Landmark for Peace Memorial](#) located in Indianapolis's Martin Luther King, Jr. Park as the Kennedy-King National Commemorative Site. The site would be made part of the U.S. Civil Rights Network as established by [54 U.S.C. 308401 et al.](#), which was passed by the 115th Congress.

The Secretary of the Interior is allowed to enter into cooperative agreements with public and private entities for educational purposes related to the site.

The bill does not make the site a unit of the National Park System and the secretary is not authorized to interfere with property rights, zoning or land use plans, or to acquire the land through condemnation.

The bill requires the secretary to conduct a special resource study to determine the feasibility of designating the site as part of the National Park System. The secretary is further instructed to consider alternatives for protection of the site. The study must be conducted according to [54 U.S.C. 100507](#) and the secretary must submit a report to congress within three years.

COMMITTEE ACTION:

H.R. 4851 was introduced on January 19, 2018. The bill was referred to the House Committee on Natural Resources. The bill was marked up on March 14, 2018, and was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: "Congress has the power to enact this legislation pursuant to the following: Clause 18 of section 8 of Article I of the Constitution."

H.R. 835 — To update the map of, and modify the maximum acreage available for inclusion in, the Florissant Fossil Beds National Monument (Rep. Lamborn, R-CO)

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

FLOOR SCHEDULE:

Expected to be considered March 19, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 835](#) would allow the National Park Service (NPS) to expand the [Florissant Fossil Beds National Monument](#), located in Teller County Colorado, by an additional 300 acres.

COST:

The Congressional Budget Office's (CBO) [estimate](#) states that the cost of implementing H.R. 835 would depend on how the federal government acquires the 280-acre parcel. If the landowner donates the land, which, according to the National Park Service (NPS), the landowner is willing to do, the administrative costs would be negligible. However, if NPS purchases the parcel, it would cost about \$1 million during the 2018-2022 period, subject to appropriation.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Some conservatives may be concerned that the bill would allow the National Park Service to add an additional 300 acres to the Florissant Fossil Beds National Monument. The federal government's landholding constitutes over one-quarter of the U.S. landmass, and much of it is poorly managed. The National Park Service, in particular, suffers from a severe backlog of maintenance requirements on existing lands.
- **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. 835 would allow the National Park Service (NPS) to expand the [Florissant Fossil Beds National Monument](#), located in Teller County Colorado, by an additional 300 acres.

In May 2016, the landowner of a 280-acre parcel adjacent to the monument offered to donate the parcel to the NPS so the land could be included in the monument. [Public Law 91-60](#) limits the size of the monument, which is currently 5,998 acres, to 6,000 acres. This bill would allow NPS to accept the land donation and expand the monument's boundaries.

The House Report (H.R. 115-580) accompanying H.R. 835 can be found [here](#).

COMMITTEE ACTION:

H.R. 835 was introduced on February 2, 2017. The bill was referred to the House Committee on Natural Resources. The bill was marked up on February 14, 2018, and was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: "Article 1, Section 8." No specific enumerating clause was cited.

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.*