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H.R. 3607 — To authorize the Secretary of the Interior to establish fees for medical services provided in units of the National Park System, and for other purposes, as amended (Rep. McClintock, R-CA)

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

FLOOR SCHEDULE:

Expected to be considered April 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3607](#) would allow the Secretary of the Interior to collect fees for the provision of medical services within a national park or by National Park Service personnel outside of a national park and would establish the National Park Medical Services Fund.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 3607 would not result in significant increases in offsetting receipts, but it could affect direct spending, so pay-as-you-go would apply. The administrative costs would be less than \$500,000, subject to appropriation. The bill would not increase net direct spending or on-budget deficits in the 4 consecutive 10year periods beginning in 2028.

CONSERVATIVE CONCERNS:

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. 3607 would allow the Secretary of the Interior to collect fees for the provision of medical services within a national park or by National Park Service personnel outside of a national park.

The bill would establish the National Park Medical Services Fund comprised of donations and collected fees. The funds would be available to the secretary, as appropriated, for: (1) the medical services described above; (2) assessing the costs of providing medical services; (3) developing management plans; (4) training; and, (5) obtaining or improving medical facilities and equipment.

According to [CBO](#), under current law the Park Service “typically contracts out the operation of its medical clinics, but operates medical clinics in 11 system units where third parties choose not to compete for contracts to do that work. The NPS pays for medical costs at those facilities, which total about \$4 million a year, using a mix of appropriated funds and direct spending of collections from park entrance fees and concession franchise fees.”

The House Report (H. Rept.-115-565) accompanying H.R. 3607 can be found [here](#).

COMMITTEE ACTION:

H.R. 3607 was introduced on July 28, 2017, and referred to the House Committee on Natural Resources. A mark-up was held on November 30, 2017, and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: "Article I, Section 9, Clause 7 of the United States Constitution, "The Appropriations Clause," which confers on Congress the power to control or to limit spending by the federal government."

H.R. 4609 — West Fork Fire Station Act of 2017 (Rep. Tipton, R-CO)

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

FLOOR SCHEDULE:

Expected to be considered April 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 4609](#) would require the Secretary of the Interior to convey 3.61 acres of National Forest System land to Dolores County.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 4609 would not affect direct spending or revenues.

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. 4609 would require the Secretary of the Interior to convey 3.61 acres of National Forest System land to Dolores County, Colorado, subject to term and conditions agreed upon by both parties.

The bill would require conveyance costs be borne by the county. The conveyed land must be used for a fire station, related infrastructure and access roads. If the land is not used for these purposes, the land will revert back to the federal government, at the discretion of the secretary.

According to the committee [report](#), the nearest fire station is currently located 26 miles away, which makes it difficult for current area residents to obtain insurance for their property. The new volunteer fire station will serve about 86 [homes](#).

The House Report (H. Rept.-115-624) accompanying H.R. 4609 can be found [here](#).

COMMITTEE ACTION:

H.R. 4609 was introduced on December 11, 2017. 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: "Article 1, Section 8, Clause 3".

H.R. 3961 — Kissimmee Wild and Scenic River Study Act of 2018, as amended (Rep. Soto, D-FL)

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

FLOOR SCHEDULE:

Expected to be considered April 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 3961](#) would add the Kissimmee River to the list of rivers designated for potential addition to the [National Wild and Scenic Rivers System](#).

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 3961 would cost less than \$500,000, subject to appropriation. The bill would not affect direct spending or revenues.

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 3961 would add the Kissimmee River to the list of rivers designated for potential addition to the [National Wild and Scenic Rivers System](#).

The bill requires the Secretary of the Interior to submit a report to the appropriate congressional committees within 3 years of funds being made available. The report must include: (1) the effect the national wild and scenic river designation would have on commercial and recreational activities, energy production, military operations, and the authority of the state and local management of these, as appropriate; (2) the authorities that will authorize or require the secretary to include local land use decisions or restrictions on nonfederal land; and, (3) a description of the private property located in the area.

The bill does not interfere with the [Kissimmee River Restoration Project](#), agricultural management or current management of the area. The bill may not be used as justification for more restrictive management.

The House Report (H. Rept.-115-634) accompanying H.R. 3961 can be found [here](#).

COMMITTEE ACTION:

H.R. 146 was introduced on October 4, 2017, and referred to the House Committee on Natural Resources. A mark-up was held on January 17, 2018, and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

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

H.R. 146 — Eastern Band of Cherokee Historic Lands Reacquisition Act, as amended (Rep. Fleischmann, R-TN)

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

FLOOR SCHEDULE:

Expected to be considered April 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 146](#) would take a total of 96 acres of Tennessee Valley Authority land into trust for the benefit of the Eastern Band of Cherokee Indians.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 146 would have a negligible effect on direct spending, so paygo would apply. The bill would not affect revenues.

CONSERVATIVE CONCERNS:

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. 146 would take 46 acres of Sequoyah Museum land, 11.9 acres of support property and 18.2 acres of Chota Memorial and Tanasi Memorial property, into trust for the Eastern Band of Cherokee Indians. The land and improvements, including memorials, would remain the property of the Eastern Band of Cherokee Indians.

The bill requires the Tennessee Valley Authority (TVA) to update the maps within one year of the land transaction, and to consult with the tribe and Secretary of the Interior in doing so. The maps must be submitted to the appropriate congressional committees.

The bill would also take the following permanent easements into trust for the Eastern Band of Cherokee Indians: 8.5 acres of the Chota Peninsula and 11.4 acres of the Chota-Tanasi Trail. The bill requires the TVA to update the maps within one year of the land transaction, and to consult with the tribe and Secretary of the Interior in doing so. The maps must be submitted to the appropriate congressional committees. This land must be used for recreational trails.

All the land except for the support land must be used for memorializing and interpreting the history and culture of Indians and for recreational activities. The support property must be used to support the programs offered by the tribe, including classrooms, educational programs, housing of guests participating in the programs and office space.

TVA is allowed to flood certain parts of the land temporarily. The Eastern Band of Cherokee Indians is allowed, with consent of TVA, to construct and operate water use facilities and nonhabitable structures and facilities that will not be damaged by the flooding.

The tribe may use the lands for ingress and egress to and from the land and to the Tellico Reservoir and to and from all structures and facilities.

This bill does not interfere with TVA's river control and development program. In addition, TVA reserves the right to draw down Tellico Reservoir, fluctuate the reservoir's water level, and flood certain lands permanently.

The bill provides the TVA with a reasonable right of entry to carry out the river control and development program. In addition, the tribe must allow TVA to enter the land for the promotion public health, flood control and navigation to the extent that the operations do not reasonable interfere with the tribe's functions.

Future development of the land is subject to compensation to the TVA for loss of hydropower capacity, unless otherwise agreed upon.

The U.S. is not liable for damages from temporary or permanent flooding or for wave action, or water level fluctuation of the Tellico Reservoir.

TVA retains federal responsibility and liability to fund and implement environmental remediation requirements, and to assess whether or not hazardous substances were stored on the land. If hazardous substances were stored there, TVA must notify the Secretary of the Interior and the tribe and include the following information: (1) whether or not the substances were stored there for over a year; (2) whether or not the substances were released or disposed of on the land; (3) if substances were released or disposed of on the land, the type and quantity of the substances; (4) if substances were released or disposed of on the land, the time at which this took place; and, (5) if substances were released or disposed of on the land, a description of remedial actions that were taken.

The bill does not allow for gambling to take place on the land.

The House Report (H. Rept.-115-584) accompanying H.R. 143 can be found [here](#).

COMMITTEE ACTION:

H.R. 146 was introduced on January 3, 2017, and referred to the House Committee on Natural Resources. A mark-up was held on January 17, 2018, and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: "Article IV, Section 3, Clause 2--The Congress shall have power to dispose of and make all needful Rules and Regulations respecting the Territory or other property belonging to the United States."

H.R. 443 — James K. Polk Presidential Home Study Act (Rep. DesJarlais, R-TN)

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

FLOOR SCHEDULE:

Expected to be considered April 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 443](#) would require the Secretary of the Interior to conduct a special resource study related to the possible inclusion of the [James K. Polk Home](#) located in Columbia, Tennessee, in the National Park System.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 443 would cost about \$200,000, subject to appropriation.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Some conservatives may be concerned the bill would require the Secretary of the Interior to consider the feasibility of adding the James K. Polk Home to the National Park System, though the secretary must also consider alternatives and a separate piece of legislation would be needed to establish the site as a National Park. 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. 443 would require the Secretary of the Interior to conduct a special resource study related to the possible inclusion of the [James K. Polk Home](#) located in Columbia, Tennessee, in the National Park System. A separate piece of legislation would be required to establish the site as a unit of the National Park System

The study must be conducted according to [54 U.S.C. 100507](#). The study must include an evaluation of the site's national significance, a determination of the feasibility of including the site in the National Park System and cost estimates for necessary acquisition, development, operation and maintenance of the site. The secretary must consult with federal, state, and local government entities, private and nonprofit organizations, and other interested individual and identify management alternatives.

The secretary must submit conclusions and recommendations within 3 years of the appropriations of funds to the appropriate congressional committees.

The House Report (H. Rept.-115-535) accompanying H.R. 443 can be found [here](#).

COMMITTEE ACTION:

H.R. 443 was introduced on January 11, 2017, and referred to the House Committee on Natural Resources. A markup was held on January 17, 2018, and the bill was reported by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: "Clause 2 of Section 3 of Article IV of the U.S. Constitution: The Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."

S. 167 — National Memorial to Fallen Educators Act (Rep. Moran, R-KS)

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

FLOOR SCHEDULE:

Expected to be considered April 16, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[S. 167](#) would designate the memorial at the [National Teacher's Hall of Fame](#) located in Emporia, Kansas as the National Memorial to Fallen Educators.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing S. 167, 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:

S. 167 would designate the memorial at the [National Teacher's Hall of Fame](#) located in Emporia, Kansas as the National Memorial to Fallen Educators. The memorial would not be included as part of the National Park System and the bill specifies that the designation will not require or permit federal funds to be expended for any purpose related to the memorial.

According to the Senate [report](#), from 1764 to March 30, 2017, 119 educators have lost their lives while teaching.

COMMITTEE ACTION:

S. 167 was introduced on January 17, 2017, in the Senate. The bill passed the Senate by voice vote and was sent to the House on December 21, 2017. The bill was referred to the House Committee on Natural Resources, which has not yet acted on the bill.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

Not required for bills that originate in the Senate.