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# H.R. 613 – Lieutenant Osvaldo Albarati Correctional Officer Self-Protection Act of 2017

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

## FLOOR SCHEDULE:

Expected to be considered May 15, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

### TOPLINE SUMMARY:

H.R. 613 would require the Bureau of Prisons to permit corrections officers at federal prisons to store firearms in a secure storage area or vehicle lockbox outside the security perimeter of the facility. It would also permit corrections officers at federal prisons to carry a concealed firearm on Bureau of Prison premises outside the facility security perimeter.

### COST:

The Congressional Budget Office (CBO) [estimates](#) “estimates that implementing H.R. 613 would have a negligible cost because BOP would probably opt to have the officers store their firearms in a lockbox within their vehicles.”

### 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:

[Thirteen](#) years ago President Bush signed the Law Enforcement Officers Safety Act into law, permitting law enforcement officers to carry concealed firearms throughout the nation for protection. It also permitted law enforcement officers to carry their firearms when off duty. This law, however, did not require the Bureau of Prisons to allow corrections officers to safely store firearms outside prison facilities leading to vulnerability.

H.R. 613 would require the Bureau of Prisons to permit corrections officers at federal prisons to store firearms in a secure storage area or vehicle lockbox outside the security perimeter of the facility. It would also permit corrections officers at federal prisons to carry a concealed firearm on Bureau of Prison premises outside the facility security perimeter.

### COMMITTEE ACTION:

H.R. 613 was introduced on January 23, 2017, and was referred to the House Committee on the Judiciary where it was [reported](#), by voice vote on April 27, 2017.

### ADMINISTRATION POSITION:

A Statement of Administration Policy is not available at this time.

### CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact H.R. 613 pursuant to: Article I, Section 8, Clause 18 of the U.S. Constitution.

# H.R. 4854 – Justice Served Act of 2018 (Rep. Carter, R-TX)

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

## FLOOR SCHEDULE:

Expected to be considered May 15, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

### TOPLINE SUMMARY:

H.R. 4854 would amend the DNA Analysis Backlog Elimination Act of 2000 adding an additional purpose area to the Debbie Smith DNA Backlog Grant Program to provide an increase in the capacity of prosecutors to address the violent crime case backlog involving suspects that have been identified through DNA evidence.

### COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibits 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 add an additional purpose to the 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. 4854 would add an additional purpose area to the Debbie Smith DNA Backlog Grant Program to provide an increase in the capacity of prosecutors to address the violent crime case backlog involving suspects that have been identified through DNA evidence. This legislation would allow for a minimum of 5% and maximum of 7% of grant amounts for each fiscal year to be awarded for such purposes.

This legislation would also require that of the amounts made available for FY 2019 - 2022 for a DNA analysis and capacity enhancement program, the Department of Justice provide at least 5% for grants geared at the prosecution of cold cases where the suspect was identified using DNA evidence.

### COMMITTEE ACTION:

H.R. 4854 was introduced on January 19, 2018, and was referred to the House Committee on the Judiciary.

### ADMINISTRATION POSITION:

A Statement of Administration Policy is not available at this time.

### CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact H.R. 4854 pursuant to: Article I, Section 8, Clause 1 of the U.S. Constitution.

# H.Res. 285 – Expressing the Sense of the United States House of Representatives that Congress and the President should empower the creation of police and community alliances designed to enhance and improve communication and collaboration between members of the law enforcement community and the public they serve (Rep. Taylor, R-VA)

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

## FLOOR SCHEDULE:

Expected to be considered May 15, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

### TOPLINE SUMMARY:

[H.Res. 285](#) would express a sense of Congress that the President and Congress should empower the creation of police and community alliances to improve public safety and communication between law enforcement and the communities they serve.

### COST:

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

### CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** While the resolution would not have an effect on law, some conservatives may believe that “the creation of community and police alliances” is a matter that would be most appropriately handled by state and local governments.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

## DETAILED SUMMARY AND ANALYSIS:

The resolution would express a sense of congress that the President and Congress should empower the creation of police and community alliances to improve public safety and communication between law enforcement and the communities they serve.

## COMMITTEE ACTION:

H.Res. 285 was introduced on April 26, 2017, and was referred to the House Committee on the Judiciary.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available at this time.

**CONSTITUTIONAL AUTHORITY:**

A Constitutional Authority Statement is not available.

# H.R. 5242 – School Resource Officer Assessment Act of 2018 (Rep. Higgins, R-LA)

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

## FLOOR SCHEDULE:

Expected to be considered May 15, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

## TOPLINE SUMMARY:

[H.R. 5242](#) would require the Attorney General and the Secretary of Education to conduct a mandatory survey of public schools in order to determine the number of school resource officers in the schools.

## COST:

A Congressional Budget Office (CBO) cost estimate is not available at this time.

Rule 28(a)(1) of the Rules of the Republican Conference prohibits 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 require a survey of public schools.
- **Encroach into State or Local Authority?** Some conservatives may believe school resource officers is a matter most appropriately handled by state and local governments.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

## DETAILED SUMMARY AND ANALYSIS:

H.R. 5242 would require the Attorney General and the Secretary of Education to conduct a mandatory survey of public schools in order to determine the number of school resource officers in the schools. The report must be submitted to Congress within one year following enactment, and shall detail the number of school resource officers assigned on or after January 1, 2018 and whether each assignment is full or part time.

## COMMITTEE ACTION:

H.R. 5242 was introduced on March 9, 2018, and was referred to the House Committee on the Judiciary and the House Committee on Education and the Workforce.

## ADMINISTRATION POSITION:

A Statement of Administration Policy is not available at this time.

## CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact H.R. 5242 pursuant to: Article I, Section 8, Clause 18 of the U.S. Constitution.



# H.R. 4895 — Medgar Evers Home National Monument Act (Rep. Thompson, D-MS)

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

## FLOOR SCHEDULE:

Expected to be considered May 15, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

### TOPLINE SUMMARY:

[H.R. 4895](#) would establish the [Medgar Evers Home](#) National Monument as part of the National Park System.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 4895 would cost about \$1 million over 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 add the Medgar Evers Home National Monument to the National Park System. 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. 4895 would establish the [Medgar Evers Home](#) National Monument in Jackson, Mississippi, as part of the National Park System once the Secretary of the Interior has entered into a written agreement with Tougaloo College providing for the donation of the parcels for the monument or the secretary has otherwise acquired enough land for the monument. The land may only be acquired by the secretary by donation, exchange, or purchase with donated funds.

The bill requires the Secretary of the Interior to create a management plan within 3 years of the date funds are made available. The plan must be submitted to Congress.

The bill requires the secretary to enter into a cooperative agreement with Tougaloo College to provide interpretative and educational programming related to the monument. The secretary is allowed to enter into cooperative agreements with the owners of nationally significant properties within the Medgar Evers Historic District to mark, interpret or restore the property.

The bill does not create buffer zones.

According to the committee [report](#) Medgar Evers was a civil rights leader and the first National Association for the Advancement of Colored People (NAACP) field officer in Mississippi. He was eventually shot and killed by a member of the White Citizens' Council in 1963.

The House Report (H. Rept.-115-632) accompanying H.R. 4895 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 4609 was introduced on January 29, 2018. 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 IV, Section 3, clause 2 Article I, Section 8, clause 18."

# S. 35 — Black Hills National Cemetery Boundary Expansion Act (Sen. Thune, R-SD)

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

## FLOOR SCHEDULE:

Expected to be considered May 15, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

### TOPLINE SUMMARY:

[S. 35](#) would provide for the transfer of administrative jurisdiction of 200 acres of Bureau of Land Management land to the Secretary of Veterans Affairs for the expansion of the [Black Hills National Cemetery](#) in Sturgis, South Dakota.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing S. 35, would have no effect on the federal budget.

### 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:

S. 35 would transfer administrative jurisdiction of 200 acres of Bureau of Land Management (BLM) land adjacent to the [Black Hills National Cemetery](#) in Sturgis, South Dakota, to the Secretary of Veterans Affairs for the expansion of the cemetery. Prior to the transfer the bill requires the Secretary of Veteran's Affairs to complete environmental, cultural resources and other due diligence activities to ensure the land is suitable for cemetery purposes.

The Secretary of Veterans Affairs is required to reimburse the Secretary of the Interior for any costs incurred by the transfer, including surveys. If the land is used for the cemetery, it is exempted from all forms of appropriation under the public land laws, including mining, mineral leasing, and geothermal leasing laws.

The House Report (H. Rept.-115-626) accompanying S. 35 can be found [here](#).

## COMMITTEE ACTION:

S. 1285 was introduced on January 5, 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 held a markup on March 14, 2018, and reported the bill by unanimous consent.

## ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

**CONSTITUTIONAL AUTHORITY:**

Not required for bills that originate in the Senate.

# S. 1285 — Oregon Tribal Economic Development Act (Sen. Merkley, D-OR)

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

## FLOOR SCHEDULE:

Expected to be considered May 15, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

### TOPLINE SUMMARY:

[S. 1285](#) would allow seven Indian tribes to sell, lease, or transfer interests in real property that is not held in trust by the U.S. for the benefit of the tribe.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing S. 1285, would have no effect on the federal budget.

### 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:

S. 1285 would allow the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of Siletz Indians of Oregon, the Confederated Tribes of Warm Springs, the Cow Creek Band of Umpqua Tribe of Indians, the Klamath Tribes, and the Burns Paiute Tribes to sell, lease, or transfer interests in real property that is not held in trust by the U.S. for the benefit of the respective tribe. The bill does not allow the tribes to transfer interests in land that is held in trust and does not affect any laws governing the transferring of trust land.

According to the committee [report](#), the Indian Trade and Intercourse Act prevents Indian tribes from transferring or selling any land owned by the tribe to a third party without federal approval. This was initially enacted to prevent tribes from losing their land, except by treaty, however it has made it difficult for tribes to demonstrate clear title and to secure financing, which, in turn, prevents tribes from being able to sell or transfer non-trust property. This bill would allow seven Indian tribes to be able to sell or transfer non-trust property. Similar measures have provided the Miami Tribe of Oklahoma, the Fond du Lac Band of Lake Superior Chippewa, and the Lower Sioux Indian Community in Minnesota with the same abilities.

The House Report (H. Rept.-115-507) accompanying S. 1285 can be found [here](#).

## COMMITTEE ACTION:

S. 1285 was introduced on May 25, 2017, in the Senate. The bill passed the Senate by unanimous consent and was sent to the House on November 29, 2017. The bill was referred to the House

Committee on Natural Resources, which held a markup on December 13, 2017, and reported the bill by unanimous consent.

**ADMINISTRATION POSITION:**

No Statement of Administration Policy is available at this time.

**CONSTITUTIONAL AUTHORITY:**

Not required for bills that originate in the Senate.

# H.R. 1417 — National Law Enforcement Museum Exhibits Act (Rep. Young, R-AK)

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

## FLOOR SCHEDULE:

Expected to be considered May 15, 2018, under suspension of the rules, which requires a 2/3 majority for passage.

### TOPLINE SUMMARY:

[H.R. 1417](#) would allow the [National Law Enforcement Museum](#) to acquire, possess, transport and display firearms for the purposes of the museum.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 1417 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?** H.R. 1417 would allow the National Law Enforcement Museum to transport and possess firearms notwithstanding any state law.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

### DETAILED SUMMARY AND ANALYSIS:

H.R. 1417 would allow the [National Law Enforcement Museum](#) in Washington, D.C., established under Public Law [106-492](#), to acquire, possess, transport and display firearms for the purposes of the museum, superseding any federal or state law.

The House Report (H. Rept.-115-548) accompanying H.R. 1417 can be found [here](#).

### COMMITTEE ACTION:

H.R. 4609 was introduced on March 7, 2017. The bill was referred to the House Committee on Natural Resources. The bill was marked up on January 17, 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 I, Section 8, Clause 18 & Article 4, Section 3, Clause 2  
"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."

“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; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.”