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H.R. 3750 — First Responders Passport Act of 2015 (Rep. Issa, R-CA)

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

FLOOR SCHEDULE:

Scheduled for consideration on under a suspension on December 16, 2015, which requires 2/3 majority for passage

TOPLINE SUMMARY:

[H.R. 3750](#) would amend the [Passport Act of June 4, 1920](#), to waive passport fees for individuals who have contracted with the U.S. government, including volunteer workers, who seek to aid foreign countries in the event of a natural disaster.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 3750 would cost less than \$500,000 for reporting requirements over the 2016-2020 period. It would not increase net direct spending or on-budget deficits by greater than \$5 billion in any of the four consecutive 10-year periods beginning in 2026.

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:

The Passport Act of June 4, 1920 ([22 U.S.C. 214](#)) details certain scenarios for which passport fees are waived for individuals, including for employees of the United States traveling on official business, widows or widowers traveling to the funeral of a deceased member of the Armed Forces, or to others for humanitarian or law enforcement purposes.

This legislation would extend the waiver of passport fees to individuals who have contracted with the U.S. Government. This would include volunteers who are traveling abroad to foreign countries suffering from a qualifying natural disaster.

This legislation would require the Secretary of State to submit a report to Congress within 90 days following the first fiscal year after enactment, on the number of waivers issued to first responders under the Passport Act.

In recent years, the U.S. Agency for International Development has [contracted](#) with search and rescue teams to assist in response to natural disasters abroad, including in Nepal. Individuals participating must be current passport holders, and this legislation would allow for the waiver of new or renewal passport fees.

COMMITTEE ACTION:

H.R. 3750 was introduced on October 9, 2015 and was referred to the House Committee on Foreign Affairs, where it was reported amended by Unanimous Consent on November 5, 2015.

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 Article I, Section 8. A specific enumerating clause was not provided.

H.R. 2241 — Global Health Innovation Act of 2015, as amended (Rep. Sires, D-NJ)

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

FLOOR SCHEDULE:

Scheduled for consideration on December 16, 2015 suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 2241](#) would require the United States Agency for International Development (U.S. AID) to submit to Congress a report on the agency's development and use of global health innovations in its programs, projects, and activities.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing that the bill's reporting requirement would cost less than \$500,000 over the 2016-2020 period; such spending would be subject to the availability of appropriated funds. Enacting H.R. 2241 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CONSERVATIVE CONCERNS:

There are no substantive concerns regarding this bill.

- **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. 2241 would require the Administrator of the United States Agency for International Development to submit to Congress a report on the agency's development and use of global health innovations in its programs, projects, and activities. The report would include: (1) a description of the extent to which global health innovations include drugs, diagnostics, devices, vaccines, electronic and mobile health technologies, and related behavior change and service delivery innovations; (2) how innovation has advanced the agency's commitments to achieving an HIV/AIDS-free generation; (3) how the agency both, independently and with partners, donors, and public-private partnerships is leveraging United States investments to achieve greater impact in health innovation; (4) a description of collaboration and coordination with other federal departments and agencies, including the Centers for Disease Control and Prevention, in support of global health product development; and (4) a description of how the agency is coordinating and aligning global health innovation activities between the [Global Development Lab](#), the [Center for Accelerating Innovation and Impact](#), and the [Bureau for Global Health](#).

COMMITTEE ACTION:

H.R. 2241 was introduced on May 5, 2015 and was referred to the House Committee on Foreign Affairs. The bill was then ordered to be reported and amended by unanimous consent on November 5, 2015.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Pursuant to clause 3(d) (1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution."

Concur in the Senate Amendment to H.R. 2297 — Hizballah International Financing Prevention Act of 2015 (Rep. Royce, R-CA)

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

FLOOR SCHEDULE:

Scheduled for consideration on December 16, 2015 suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

The [Senate amendment to H.R. 2297](#) would require the President to inform Congress of communications providers that transmit al-Manar TV, a Lebanese satellite television station affiliated with Hizballah.

COST:

The Congressional Budget Office (CBO) estimate is not available. The CBO estimate for H.R. 4411, a similar bill passed under suspension in the 113th Congress can be found [here](#).

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

CONSERVATIVE CONCERNS:

There are no substantive concerns regarding this bill.

- **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:

The Senate amendment to H.R. 2297 would direct the President to submit an unclassified report to Congress, not later than 90 days after the bill's enactment that includes a list of satellite, broadcast, or other providers that knowingly transmit the content of al-Manar TV, a Lebanese satellite television station affiliated with Hizballah.

The report would also include an identification of those providers that have or have not been sanctioned pursuant to [Executive Order 13224](#), and any information indicating that the provider has knowingly entered into a contractual relationship with al-Manar TV, and any affiliates or successors of al-Manar TV. The bill would also direct the President to prescribe regulations to prohibit, or impose strict conditions on, the opening or maintaining in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines knowingly: (1) facilitates a significant transaction or transactions for Hizballah or of a person identified on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury; (2) engages in money laundering on behalf of Hizballah; or (3) facilitates a significant transaction or provides significant financial services on behalf of Hizballah.

The bill would authorize the President to waive such requirements if such a waiver is deemed in the interest of U.S. national security, but requires congressional notification. The legislation would mandate

that the Secretary of the Treasury identify to Congress every 180 days each foreign central bank that carries out an activity prohibited under the bill and establish a set of penalty requirements for specified violations.

The Senate amendment to H.R. 2297 would also direct the President to submit a report to Congress on the activities of Hizballah related to narcotics trafficking worldwide. The President would determine whether or not Hizballah should be designated as a significant foreign narcotics trafficker under the [Foreign Narcotics Kingpin Designation Act](#), and as a significant transnational criminal organization. The Secretary of State would be required to submit to Congress a report that details actions taken by the Department of State through the rewards program to obtain information on fundraising, financing, and money laundering activities of Hizballah and its agents and affiliates. The bill would additionally require a report that includes a list of countries that support Hizballah, or in which Hizballah maintains important portions of its global logistics networks.

Hezbollah is a Shi'a Islamist terrorist organization based in Lebanon. The group has been [designated](#) as a foreign terrorist organization by the United States. The U.S. holds Hezbollah responsible for the largest number of American deaths by a terrorist organization prior to the attacks of September 11, 2001, including a number of hostage takings targeting Americans in Lebanon during the 1980s, the bombing of the United States Embassy in Beirut in April 1983, and the bombing of the United States Marine barracks in October 1983 which killed 241 American servicemen. Al-Manar TV, the Lebanese satellite station affiliated with Hezbollah, was officially designated as a [Specially Designated Global Terrorist](#) entity by the Department of the Treasury in 2004, but the station continues to propagate Hezbollah's propaganda.

The RSC's legislative bulletin for the House-passed H.R. 2297 can be found [here](#).

COMMITTEE ACTION:

H.R. 2297 was introduced on May 13, 2015 and was referred to the House Committee on Foreign Affairs. The bill passed the House on May 14, 2015 by the yeas and nays: [423 - 0](#). On November 17, 2015, the bill passed the Senate with an amendment and an amendment to the Title by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article I, section 8 of the United States Constitution." No specific enumerating clause was included.

H.R. 3878 — Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2015, as amended (Rep. Torres, D-CA)

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

FLOOR SCHEDULE:

Scheduled for consideration on under a suspension on December 16, 2015, which requires 2/3 majority for passage

TOPLINE SUMMARY:

[H.R. 3878](#) would require the Secretary of Homeland Security to develop risk assessment models and expand several initiatives to enhance the cybersecurity of U.S. ports.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 3878 would cost \$37 million over the 2016-2020 period, assuming appropriation of the necessary amounts. Pay-as-you-go procedures do not apply to this legislation because enacting it 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. 3878 would require the Secretary of Homeland Security to develop a maritime risk assessment model to evaluate current and future cybersecurity risks. The Secretary would further be required: (1) to evaluate the assessment's effectiveness; (2) to ensure participation of at least one information sharing and analysis organization representing the maritime community in the [National Cybersecurity and Communications Integration Center](#); (3) to establish guidelines for voluntary reporting of maritime-related cybersecurity risks and incidents; and (4) request the National Maritime Security Advisory Committee to report and make recommendations to the Secretary on enhancing the sharing of information related to cybersecurity risks and incidents.

The Secretary of Homeland Security would direct each [Area Maritime Security Advisory Committee](#) to facilitate the sharing of cybersecurity risks and incidents to address port-specific cybersecurity risks, and that any area maritime security plan and facility security plan include a mitigation plan to prevent, manage, and respond to cybersecurity risks.

The Department would be required to include cybersecurity risks to ports and the maritime border of the United States in maritime security risk assessments.

COMMITTEE ACTION:

H.R. 37878 was introduced on November 2, 2015 and was referred to the House Committee on Homeland Security, where it was reported amended by voice vote on November 4, 2015.

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 of the U.S. Constitution." No specific enumerating clause was included.

Senate Amendment to H.R. 2820 — Stem Cell Therapeutic and Research Authorization Act of 2015 (Rep. Smith, R-NJ)

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

FLOOR SCHEDULE:

December 16, 2015 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

H.R. 2820 would reauthorize the National Cord Blood Inventory program and the C.W. Bill Young Cell Transplantation program through fiscal year (FY) 2020.

COST:

The [Congressional Budget Office](#) (CBO) estimated that implementing the bill as reported out of the house Energy and Commerce Committee would cost \$220 million over the 2016-2020 period.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes. The bill expands the Secretary's authority to enter into one-time contracts to assist in the collection of cord blood into a recurring authority for the duration of the authorization.
- **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 reauthorize the [National Cord Blood Inventory program](#) and the [C.W. Bill Young Cell Transplantation program](#) through FY 2020. The National Cord Blood Inventory program is part of the Stem Cell Therapeutic and Research Act of 2005 and provides funding for the collection and storage of at least 150,000 cord blood units which are available through the C.W. Bill Young Cell Transplantation Program. The C.W. Bill Young Cell Transplantation Program provides support to those who need a bone-marrow transplant or umbilical cord blood transplant.

This bill would authorize for appropriation \$23,000,000 for the Cord Blood Inventory Program and \$30 million for the Bill Young Transplantation program each of FY through 2020. The House-passed bill would have extended a three-year demonstration project for the collection and storage of cord blood units for a family where a first-degree relative has been diagnosed with a condition that would benefit from transplantation for an additional five years. The funding for this three-year demonstration project was to conclude at the end of its original five-year authorization in FY 2015. Instead, the Senate amendment would eliminate the demonstration project and extend the Secretary's one-time contract authority to assist in cord-blood collection to a recurring authority.

The Senate amendment would also require HHS to conduct a review of the use of adult stem cells and birthing tissues to develop new medical therapies and whether to include these new therapies under the C.W. Bill Young Transplantation program. The amendment would also require HHS to make determinations as to whether peripheral blood stem cells and umbilical cord blood should be included in the definition of "human organ".

The RSC legislative bulletin for the House-passed version of H.R. 2820 is available [here](#).

COMMITTEE ACTION:

This bill was introduced by Representative Smith on June 18, 2015, and referred to the House Committee on Energy and Commerce. The Subcommittee on Health and the full committee both held a [mark-up](#) where the bill was passed out by voice vote. The bill was passed out of the House under suspension of the Rules by voice vote on September 8, 2015.

The Senate Committee on Health, Education, Labor, and Pensions reported the bill with an amendment in the nature of a substitute on December 12, 2015 and the Senate passed the measure by unanimous consent on December 9, 2015.

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 clause citing an enumerated power of Congress was included.

House Amendment to S. 1347 — The Electronic Health Fairness Act (Sen. Isakson, R-GA)

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

FLOOR SCHEDULE:

December 16, 2015 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

The [House Amendment to S. 1347](#) would exempt all health care providers in 2017 and ambulatory surgical centers indefinitely from meaningful-use standards for electronic health record usage, delays the Center for Medicare and Medicaid Services (CMS) ability to terminate low-rating Medicare Advantage plans through 2019, requires CMS to annually report Medicare Advantage enrolment data, and modifies Medicare payment schedules for wheelchair accessories and radiation therapy. The measure would also direct \$3 million into the Medicare improvement fund, which has been used to pay for unrelated legislation repeatedly in recent years.

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:

Under the 2009 stimulus law, health care providers were provided incentive payments to adopt electronic health care records (HER) systems and required that providers adopt HER systems by 2017 or face reduced Medicare payments. The permanent “Doc Fix” passed earlier this year ([H.R. 2](#)) required these incentive payments to be sunset and after 2018. The House Amendment to S. 1374 would exempt all providers from the requirement to meet HER standards in 2017 and would indefinitely exempt ambulatory surgical centers until HHS makes a determination through a rule making process that these centers can meet the standards.

The Center for Medicare and Medicaid Services uses the STARS rating system to evaluate Medicare Advantage plans. Under current law, CMS has the authority to terminate low-ranking plans. However, plans that provide coverage to low-income individuals or individuals in particularly poor-health may struggle to receive high rankings as a result of their covered populations. In order to prevent these plans from being eliminated and leaving the covered populations without an Advantage plan that fits their needs, the bill delays any terminations through the end of plan year 2019.

The House amendment would also allow wheelchair accessories to continue to be reimbursed on a competitive bidding basis rather than based on the Medicare fee schedule through 2017 and provide for a transitional payment structure to reach the fee schedule for radiation therapy services over 2017 and 2018.

The House Amendment would further require HHS to annually report enrollment data for Medicare Advantage.

Finally, the bill would direct \$3 million to the Medicare Improvement Fund. In the past, the Medicare Improvement Fund has been used to temporarily locate savings achieved by legislation in order to use these savings to offset other new spending at a later date. For example, the fund was used to locate \$2.3 billion savings from legislation freezing Member salaries and extending the mandatory sequester for one additional year, 2024 ([PL 113-82](#), 128 STAT 1009-1010). These saving were then used to offset the Sustainable Growth Rate adjustment (“Doc Fix”) enacted in April, 2014 ([PL 113-93](#), 128 STAT 1040 et seq.).

COMMITTEE ACTION:

This bill was introduced on May 14, 2015, and referred to the Senate Committee on Finance, which reported the bill on July 30, 2015. The Senate passed the bill by unanimous consent on August 5, 2015. The bill was held at the desk upon receipt in the House and has not been referred to or acted on by any House committees.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

Measures originating in the Senate do not require a constitutional authority statement.

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.*