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H.R. 306 — Energy Efficient Government Technology Act (Rep. Eshoo, D-CA)

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

FLOOR SCHEDULE:

Scheduled for consideration on January 9, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 306](#) would require each federal agency to develop an implementation strategy for the maintenance, purchase, and use by federal agencies of energy-efficient and energy-saving information technologies.

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.

CBO [estimated](#) that implementing H.R. 1268, passed in the 114th Congress and identical to H.R. , 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:

H.R. 306 would require each federal agency to coordinate with the Director of Office of Management and Budget (OMB), the Administrator of the Environmental Protection Agency (EPA), and the Secretary of Energy to develop an implementation strategy for the maintenance, purchase, and use of energy-efficient and energy-saving information technologies by federal agencies. The director would be mandated to establish performance goals for evaluating those efforts.

The Secretary of Energy would be mandated to maintain a data center energy practitioner program that leads to the certification of energy practitioners qualified to evaluate the energy usage and efficiency opportunities in federal data centers. Each agency would be required to consider having the data centers evaluated every 4 years by certified energy practitioners, whenever practicable using certified practitioners employed by the agency. The secretary would also be required to establish an open data initiative for federal data center energy usage information. The Secretary and the EPA administrator would be prohibited from disclosing any proprietary information or trade secrets provided by any individual or company for the purposes of carrying out the bill.

H.R. 306 contains identical language to [H.R. 1268](#) which passed the House by voice vote on March 14, 2016 in the 114th Congress. The RSC's legislative bulletin on H.R. 1268 can be found [here](#).

COMMITTEE ACTION:

H.R. 306 was introduced on January 5, 2017 and was referred to the House Committee on Energy and Commerce.

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 and Article IV, Section 3 of the Constitution." No enumerating clause was listed.

H.R. 288 — Small Business Broadband Deployment Act (Rep. Walden, R-OR)

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

FLOOR SCHEDULE:

Scheduled for consideration on January 9, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 288](#) would extend an exemption for five years, for small broadband Internet providers from certain reporting requirements about the performance and cost of their services to consumers required under the Federal Communications Commission (FCC)'s 2015 net neutrality rules. The bill would also expand the definition of small broadband provider from fewer than 100,000 subscribers to fewer than 250,000 subscribers.

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.

CBO [estimated](#) that net costs in implementing H.R. 4596, passed in the 114th Congress and identical to H.R. 288, would be negligible, assuming annual appropriation actions consistent with the FCC's authorities.

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. 288 would exempt for five years, any small broadband Internet providers from certain requirements of the enhancements to the transparency rule of the Federal Communications Commission (FCC). The exemption would cover any provider of broadband Internet service that has 250,000 or fewer subscribers.

According to [the report accompanying](#) the identical version of the bill passed in the 114th Congress (H.R. 4596), “[as] part of the Federal Communications Commission’s Open Internet Order, the Commission adopted [enhancements to the 2010 disclosure requirements for Internet service providers](#) (ISP), including in the required disclosures information such as promotional rates, pricing, and performance characteristics such as packet loss.” These disclosure requirements were intended to demonstrate whether and how ISPs were discriminating in the allocation of bandwidth against specific content based on agreements with content providers. The 2015 rulemaking included a one year exemption for small providers to prevent such providers from facing an unreasonable compliance burden.

The FCC would be required to report to Congress containing recommendations regarding whether the exception provided by bill should be made permanent, and whether the definition of the term “small business” for purposes of such exception should be modified.

H.R. 288 contains identical language to H.R. 4596 which passed the House in the 114th Congress by the yeas and nays: [411 - 0](#) on March 16, 2016. The RSC’s legislative bulletin for H.R. 4596 can be found [here](#).

COMMITTEE ACTION:

H.R. 288 introduced on January 4, 2017 and was referred to the House Committee on Energy and Commerce.

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 3 of the United States Constitution.”

H.R. 321—Inspiring the Next Space Pioneers, Innovators, Researchers, and Explorers (INSPIRE) Women Act (Rep. Comstock, R-VA)

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

FLOOR SCHEDULE:

To be considered on January 9, 2017 under a suspension of the rules, which requires 2/3 majority for passage

TOPLINE SUMMARY:

[H.R. 321](#) would require NASA to plan for the facilitation of retired scientists, engineers, innovators, and astronauts to engage with school-age female STEM students to encourage women to consider careers in math and the sciences and to pursue aerospace careers.

COST:

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

Rule 28 (a)(1) of [Rules of the House Republican Conference for the 114th Congress](#) states that the Republican Leader shall not schedule, or request to have scheduled, any bill or resolution for consideration under suspension of the Rules which fails to include a cost estimate. This rule may be waived by a vote 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. 321 would require NASA to encourage women and girls to study science, technology, engineering and math through the [NASA GIRLS and NASA BOYS](#) virtual mentoring programs, the [Aspire to Inspire](#) program, and the [Summer Institute in Science, Technology, Engineering and Research Program](#), all of which are ongoing NASA initiatives. The bill would require that within 90 days, the NASA Administrator submit a report to Congress on how NASA can facilitate and assist retired scientists, engineers, innovators, and astronauts to engage with school-age female STEM students to encourage women to consider careers in math and the sciences and to pursue aerospace careers.

Identical legislation passed the House in the 114th Congress, by a vote of [380-3](#).

COMMITTEE ACTION:

H.R. 321 was introduced on January 5, 2017 and was referred to the House Committee on Science, Space, and Technology.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

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. 255—Promoting Women in Entrepreneurship Act (Rep. Esty, D-CT)

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

FLOOR SCHEDULE:

To be considered on January 10, 2017 under a suspension of the rules, which requires 2/3 majority for passage

TOPLINE SUMMARY:

[H.R. 255](#) would authorize the National Science Foundation to use its existing entrepreneurial programs to support and recruit women, to help them extend their focus into the commercial world.

COST:

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

Rule 28 (a)(1) of [Rules of the House Republican Conference for the 114th Congress](#) states that the Republican Leader shall not schedule, or request to have scheduled, any bill or resolution for consideration under suspension of the Rules which fails to include a cost estimate. This rule may be waived by a vote of the elected leadership.

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. 255 would include congressional findings that women represent over 50% of the workforce but less than 25% of the STEM workforce and that women are less likely to pursue STEM related degree and to obtain jobs in the STEM field. This legislation would authorize the NSF to “encourage its entrepreneurial programs to recruit and support women to as they extend their focus beyond the laboratory into the commercial world.”

Identical legislation passed the House in the 114th Congress by a vote of [383-4](#).

COMMITTEE ACTION:

H.R. 255 was introduced on January 5, 2017 and was referred to the House Committee on Science, Space, and Technology.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 18.

H.R. 240 — Leveraging Emerging Technologies Act of 2017 (Rep. Ratcliffe, R-TX)

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

FLOOR SCHEDULE:

Scheduled for consideration on January 9, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 240](#) would direct the Secretary of Homeland Security to engage with innovative and emerging technology developers and firms to address homeland security needs, and identify geographic areas in the United States with high concentrations of such technology developers and firms to establish personnel and office space in such areas.

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.

CBO [estimated](#) that implementing H.R. 5389, passed in the 114th Congress and identical to H.R. 240, would cost less than \$500,000; such spending would be subject to the availability of appropriated funds.

CONSERVATIVE CONCERNS:

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

DETAILED SUMMARY AND ANALYSIS:

H.R. 240 would direct the Secretary of Homeland Security to engage with innovative and emerging technology developers and firms, including technology-based small businesses and startup ventures, to address homeland security needs, and identify geographic areas in the United States with high concentrations of such technology developers and firms to establish personnel and office space in such areas.

The Secretary of Homeland Security would be authorized to co-locate such personnel and office space with other existing assets of the Department where possible, or other federal facilities, and would be directed to inform Congress about the rationale for such establishment, its anticipated costs, and its specific goals.

H.R. 240 would direct the secretary to develop, implement, and submit to Congress, a Department of Homeland Security-wide strategy to proactively engage with innovative and emerging technology developers and firms, including technology-based small businesses and startup ventures. No additional funds would be authorized to carry out H.R. 240.

H.R. 240 contains identical language to H.R. 5389 which passed the House in the 114th Congress by the yeas and nays: [347 – 8](#) on June 21, 2016. The RSC's legislative bulletin for H.R. 5389 can be found [here](#).

COMMITTEE ACTION:

H.R. 240 introduced on January 4, 2017 and was referred to the House Committee on Homeland Security.

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 1, 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. 239 — Support for Rapid Innovation Act of 2017 (Rep. Ratcliffe, R-TX)

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

FLOOR SCHEDULE:

Scheduled for consideration on January 9, 2016 under suspension of the rules, which requires 2/3 vote for passage.

TOPLINE SUMMARY:

[H.R. 239](#) would direct the Under Secretary of Homeland Security for Science and Technology to support the research, development, testing, evaluation, and transition of cybersecurity technologies.

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.

CBO [estimated](#) that implementing H.R. 5388, passed in the 114th Congress and identical to H.R. 239, would not significantly affect Department of Homeland Security (DHS) spending. In recent years DHS has spent around \$0.7 billion annually on research and development activities.

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. 239 would direct the Under Secretary of Homeland Security for Science and Technology to support the research, development, testing, evaluation, and transition of cybersecurity technologies. Such research would: (1) advance the development and accelerate the deployment of more secure information systems; (2) improve and create technologies for detecting attacks or intrusions; (3) improve and create mitigation and recovery methodologies, including techniques and policies for real-time containment of attacks, and development of resilient networks and information systems; (4) support the review of source code that underpins critical infrastructure information systems; (5) develop and support infrastructure and tools to support cybersecurity research and development efforts for the assessment of new cybersecurity technologies; (6) assist the development and support of technologies to reduce vulnerabilities in industrial control systems; and (7) develop and support cyber forensics and attack attribution capabilities.

The Under Secretary for Science and Technology would be directed to: (1) support projects carried out under the bill through their full life cycle; (2) identify mature technologies that address existing or imminent cybersecurity gaps in public or private information systems and networks of information systems; and (3) target federally funded cybersecurity research that demonstrates a high probability of successful transition to the commercial market within two years and that is expected to have a notable impact on the public or private information systems and networks of information systems.

H.R. 239 would amend [section 831 of the Homeland Security Act of 2002](#) by reauthorizing until 2020, a Department of Homeland Security (DHS) basic, applied, and advanced research and development projects pilot program and by requiring the head of a DHS component or office to provide to the Secretary of Homeland Security a proposal that includes the rationale for the utilization the pilot program. In doing so, the Secretary would be required to submit a report to Congress detailing the projects for which the authority granted, and develop a training program for acquisitions staff on the utilization of the authority. No additional funds would be authorized by the bill.

H.R. 239 contains identical language to H.R. 5388 which passed the House in the 114th Congress by the yeas and nays: [351–4](#) on June 21, 2016. The RSC’s legislative bulletin for H.R. 5388 can be found [here](#).

COMMITTEE ACTION:

H.R. 239 introduced on January 4, 2017 and was referred to the House Committee on Homeland Security.

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 1, 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. 274 - Modernizing Government Travel Act (Moulton, D-MA)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

Scheduled for consideration January 9, 2017 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 274](#) would direct the prescription of regulations for federal employees to be reimbursed for using innovative mobility technology companies or a transportation network company such as ridesharing services like Uber and Lyft for official travel.

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:

In July 2016, the Government Services Administration (GSA) issued a [bulletin](#) stating federal agencies could reimburse employees who use ride-sharing companies like Uber and Lyft for any travel on official business.

This bill would direct the Administrator of General Services to prescribe regulations to provide for federal employees to be reimbursed for using innovative mobility technology companies or a transportation network company while on travel for official business. This bill defines an innovative mobility technology company as an organization that applies to expand and enhance available transportation choices, better manage demand for transportation services, and provide alternatives to driving alone. A transportation network company is a corporation that uses a digital network to connect riders to drivers affiliated with the entity in order for the driver to provide transportation services.

This bill would require agencies to submit to the Government Services Administration (GSA) data on the total number of agency payments for travel, employee relocation costs, and an analysis of the total costs of transportation services by type. This data would be made publically available and submitted to relevant congressional committees.

A similar bill, H.R. 5658, passed the House in the 114th Congress by vote of [415-0](#).

COMMITTEE ACTION:

This bill was introduced by Representative Moulton and referred to the House Committee on Oversight and Government Reform where it awaits further action.

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 of the United States Constitution. No specific enumerating clause was included.

H.R. 39 - TALENT Act (McCarthy, R-CA)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

Scheduled for consideration January 9, 2017 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 39](#) would make permanent the Presidential Innovation Fellows Program.

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:

This bill would make permanent the [Presidential Innovation Fellows \(PIF\) Program](#). The PIF Program was created by President Obama in 2012 to attract innovators and entrepreneurs into government. The fellows work for one year on various initiatives to create a more technologically-advanced and responsive government. In 2015, President Obama signed an [executive order](#) codifying the program; however, future presidents could rescind that order.

This bill would legislatively establish the Presidential Innovation Fellows Program to enable exceptional individuals with a proven track record to serve time-limited appoints in executive agencies. The program would be run by a director who would appoint fellows and place them in projects. In addition, an advisory board would advise the director; however, it may not participate in the selection process. The chair of the advisory board would be designated by the Administrator of General Services. The advisory board could consult with industry, academia, or non-profits to ensure the program is identifying opportunities to apply advanced skillsets in effective ways to address the nation's most significant challenges. No additional funds would be authorized for this program.

A similar bill, H.R. 5658, passed the House in the 114th Congress by vote of [409-8](#).

COMMITTEE ACTION:

This bill was introduced by Representative McCarthy and referred to the House Committee on Oversight and Government Reform where it awaits further action.

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 which grants to the Congress 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.

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