



**THE REPUBLICAN  
STUDY COMMITTEE**

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MARK WALKER, CHAIRMAN

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# H.R. 276 - A bill to amend title 49, United States Code, to ensure reliable air service in American Samoa. (Del. Radewagen, R-AS)

CONTACT: [Matt Dickerson](#), 202-226-7819

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 276](#) would extend to 180 days (from 30 days) for when the foreign air carrier emergency service capability needs to be reviewed and renewed by the Department of Transportation for service between American Samoa islands.

## 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:

No U.S. airlines currently provide air service within American Samoa between the islands of [Tutuila](#) and [Manu'a](#).

Current law allows the U.S. Department of Transportation to grant a foreign air carrier emergency service capability to provide such service, which it has done. The designation must be reviewed and renewed every 30 days.

H.R. 276 would extend the length of time for when the foreign air carrier emergency service capability needs to be reviewed and renewed for service between Tutuila and Manu'a to every 180 days.

## COMMITTEE ACTION:

H.R. 276 was introduced on January 4, 2017 and was referred to the House Committee on Transportation and Infrastructure Committee. The Committee took no further action on the bill.

Similar legislation was included as a part of S. 2360, the Omnibus Territories Act of 2015, which passed the Senate on September 29, 2016, by unanimous consent.

**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 1, Section 8 of the United States Constitution.” No specific enumerating clause was cited.

# H.R. 58 — FRIENDS Act (Rep. Jackson Lee, D-TX)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 58](#) would direct the Government Accountability Office to submit a report to Congress on state and local programs and policies related to the preparedness and protection of first responders.

## 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. 58, passed in the 114th Congress and identical to H.R. 2795, would cost about \$1 million over the 2016-2017 period; 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. 58 would require the Government Accountability Office (GAO) to submit a report to Congress on state and local programs and policies related to the preparedness and protection of first responders.

The report would include information on: (1) the degree to which such programs and policies include consideration of the presence of a first responder's family in an area impacted by a terrorist attack; (2) the availability of personal protective equipment for first responders; and, (3) the availability of home Medkits for first responders and their families for biological incident response. The GAO report may include information on the extent to which state and local policies were developed or are executed using federal funding from the Department of Homeland Security, including the use of various DHS grant programs.

The bill would additionally require the Secretary of Homeland Security to consider the findings of the report and assess its applicability for federal first responders.

H.R. 58 contains language similar to [H.R. 2795](#) which passed the House in the 114th Congress by the yeas and nays: [396 - 12](#), on December 10, 2015. The RSC's legislative bulletin for H.R. 2795 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 58 was introduced on January 3, 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: This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3 and 18 of the United States Constitution."

# H.R. 666 — Department of Homeland Security Insider Threat and Mitigation Act of 2017 (Rep. King, R-NY)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 666](#) would authorize the Secretary of Homeland Security to create an Insider Threat Program within the Department to protect its critical assets from harmful activities by department employees with access to classified information.

## 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. 3361, passed in the 114th Congress and similar to H.R. 666, would not significantly affect spending by the Department of Homeland Security.

## 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. 666 would establish a Department of Homeland Security (DHS) Insider Threat Program to: (1) provide training and education for personnel to identify, prevent, and respond to insider threat risks to the department's critical assets; (2) provide investigative support regarding potential insider threats that may pose a risk to critical assets; and (3) conduct risk mitigation activities for insider threats. The Secretary of Homeland Security would additionally be authorized to create a steering committee chaired by the Under Secretary for Intelligence and Analysis to discuss cases and issues related to insider threats, and would be required to submit a report to Congress on how the department has implemented mandated strategies to prevent insider threats.

H.R. 666 contains similar language to [H.R. 3361](#) which passed the House in the 114th Congress by voice vote on November 2, 2015. The RSC's legislative bulletin for H.R. 3361 can be found [here](#).

## COMMITTEE ACTION:

H.R. 666 was introduced on January 24, 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. 697 — Department of Homeland Security Clearance Management and Administration Act (Rep. Thompson, D-MS)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 697](#) would amend the [Homeland Security Act of 2002](#) by adding requirements for the management and administration of security clearances within the Department of Homeland Security (DHS).

## 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. 3505, passed in the 114th Congress and identical to H.R. 697, would cost about \$1 million over the 2016-2020 period; 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. 697 would require the Secretary of Homeland Security to designate the sensitivity level of national security positions within the department in accordance with federal guidelines by implementing uniform designation tools. The secretary would additionally be required to review all sensitive level designations not later than July 6, 2017. The bill would require the DHS Inspector General to conduct regular audits regarding the department's compliance with such federal standards.

The secretary would be mandated to develop a plan to achieve greater uniformity within the department with respect to the adjudication of eligibility of an individual's access to classified information, and would be required to submit such plan to Congress. The bill would stipulate that the secretary ensure all information received for the adjudication of eligibility of an individual's access to classified information is consistent with specified federal guidelines and is protected against misappropriation.



H.R. 697 contains identical language to [H.R. 3505](#) which passed the House in the 114th Congress by voice vote on November 2, 2015. The RSC's legislative bulletin for H.R. 3505 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 697 was introduced on January 24, 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: The U.S. Constitution including Article 1, Section 8." No enumerating clause was listed.

# H.R. 642 — Fusion Center Enhancement Act of 2017 (Rep. Barletta, R-PA)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 642](#) would create a Department of Homeland Security (DHS) Fusion Center Partnership Initiative in order to facilitate information sharing among federal, state, and local authorities.

## 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. 3598, passed in the 114th Congress and identical to H.R. 642, would not have a significant effect on spending by DHS.

## 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. 642 would aim at solidifying fusion centers as a key component of homeland security policy, including by encouraging further integration of centers across local, state, and federal platforms and by giving centers preferential treatment in competing for grant-based funding. The bill would also require the secretary to ensure that appropriate privacy oversight policies are in place to prevent abuses by fusion center personnel.

H.R. 642 would require the Secretary of Homeland Security to: (1) coordinate with the heads of other federal departments and agencies to provide operational and intelligence advice and assistance to the [National Network of Fusion Centers](#); (2) support the integration of fusion centers into the information sharing environment; (3) reduce inefficiencies and maximize the effectiveness of federal resource support; (4) provide analytic and reporting advice and assistance to the network of centers; (5) review information within the scope of the information sharing environment, including homeland security, terrorism, and weapons of mass destruction information, gathered by the National Network of Fusion Centers; (6) provide for the effective dissemination of information within the scope of the information sharing environment to the National Network of Fusion Centers; (7) provide the centers with expertise on department resources and operations; (8) coordinate the provision of training and technical assistance to the

centers and encourage such fusion centers to participate in terrorism threat-related exercises; (9) ensure that support for the centers is included as a national priority in applicable homeland security grant guidance; (10) ensure that each fusion center in the National Network of Fusion Centers has a privacy policy approved by the Chief Privacy Officer of the Department and a civil rights and civil liberties policy approved by the Officer for Civil Rights and Civil Liberties of the Department; and (11) coordinate the nationwide suspicious activity report initiative.

The Under Secretary for Intelligence and Analysis would be required to negotiate memoranda of understanding between the Department and a state or local government, regarding the exchange of information between DHS and the fusion centers. The under secretary would additionally be required to coordinate with appropriate officials throughout the federal government to ensure the deployment of representatives with relevant expertise to fusion centers in the National Network of Fusion Centers. The bill would require the Secretary of Homeland Security to prioritize the allocation of resources, including deployed personnel, from U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and the Coast Guard to support fusion centers along land or maritime borders.

According to the Department of Homeland Security, [fusion centers](#) are primary focal points within the state and local environment for the analysis, gathering, and sharing of threat-related information among federal, state, local, tribal partners. Centers are located in states and major urban areas throughout the country.

H.R. 642 contains identical language to [H.R. 3598](#) which passed the House in the 114th Congress by voice vote on November 2, 2015. The RSC's legislative bulletin for H.R. 3598 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 642 was introduced on January 24, 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. 526 — Counterterrorism Advisory Board Act of 2017 (Rep. Katko, R-NY)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 526](#) would codify the authorization for the counterterrorism advisory board in the Department of Homeland Security (DHS) consisting of senior representatives of operational agencies within the department.

## 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. 4407, passed in the 114th Congress and identical to H.R. 526, would have no significant effect on DHS spending.

## 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. 526 would formally direct DHS to establish a board to be composed of senior representatives of departmental operational components and headquarters elements, to coordinate and integrate departmental intelligence, activities, and policy related to the counterterrorism mission and functions. This advisory board already exists within the department, though without statutory authorization.

A charter would be issued to govern the structure and mission of the board, and would direct the board to focus on the current threat environment and the importance of aligning departmental counterterrorism activities under the Secretary's guidance. The charter would be reviewed and updated every four years. The Secretary of Homeland Security would be mandated to appoint a Coordinator for Counterterrorism within the Department who would serve as the chair of the board.

The board would be directed to meet on a regular basis to discuss intelligence and coordinate ongoing threat mitigation efforts and departmental activities, including coordination with other federal, state, local, tribal, territorial, and private sector partners, and would make

recommendations to the Secretary; and would advise the Secretary on the issuance of terrorism alerts.

No additional funds would be authorized to carry out the bill.

H.R. 526 contains identical language to [H.R. 4407](#) which passed the House in the 114th Congress by the yeas and nays: [389 – 5](#) on May 16, 2016. The RSC’s legislative bulletin for H.R. 4407 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 526 was introduced on January 13, 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 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. 665 — Airport Perimeter and Access Control Security Act (Rep. Keating, D-MA)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 665](#) would require the Administrator of the Transportation Security Administration (TSA) to update aviation sector and airport security risk assessments.

### 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. 5056, passed in the 114th Congress and identical to H.R. 665, would cost less than \$500,000 annually; any 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. 665 would direct the TSA Administrator to update the Transportation Sector Security Risk Assessment for the aviation sector and update, with the latest and most currently available intelligence information, the Comprehensive Risk Assessment of Perimeter and Access Control Security and determine a regular timeframe and schedule for further updates to the assessment. The bill would require TSA to conduct a system-wide assessment of airport access control points and airport perimeter security. The Department of Homeland Security would be directed to report the results of the assessments to Congress.

The TSA Administrator would additionally be required to update the 2012 National Strategy for Airport Perimeter and Access Control Security to include information from the Risk Assessment of Airport Security, the status of TSA efforts to address the goals and objectives, finalized outcome-based performance measures, and input from airport operators. H.R. 665 would require TSA Administrator to implement a process for determining when additional updates to the strategy are needed.

H.R. 665 contains identical language to [H.R. 5056](#) which passed the House in the 114th Congress by voice vote on July 11, 2016. The RSC's legislative bulletin for H.R. 5056 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 665 was introduced on January 24, 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 of the United States Constitution." No enumerating clause was listed.

# H.R. 366 — DHS Stop Asset and Vehicle Excess Act (Rep. Perry, R-PA)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 366](#) would require the Under Secretary of Management for the Department of Homeland Security (DHS) to manage vehicle fleets throughout the department. Under current law, agencies within the department manage fleets independently, potentially failing to enforce federal guidelines for vehicle use.

## 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. 4785, passed in the 114th Congress and identical to H.R. 366, would cost about \$2 million in fiscal year 2017 and about \$1 million annually thereafter, assuming appropriation of the necessary amounts.

## 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. 366 would require the Under Secretary for Management of the Department of Homeland Security to oversee all vehicle fleets within the Department, including: (1) ensuring that components are in compliance with federal law, federal regulations, executive branch guidance, and department policy; (2) developing and distributing a standardized vehicle allocation methodology and fleet management plan for components to use to determine optimal fleet size; (3) ensuring that components formally document fleet management decisions; (4) approving component fleet management plans, vehicle leases, and vehicle acquisitions.

The Under Secretary for Management would be directed: (1) to collect quarterly information on component fleet size, composition, cost, and vehicle utilization; (2) to seek to achieve a capability to collect quarterly, automated information regarding component vehicle fleets, including the number of trips, miles driven, hours and days used, and the associated costs of such mileage for leased vehicles; and (3) to track and monitor component information provided to ensure that component vehicle fleets are the optimal fleet size and cost effective.



The bill would require that component heads to annually submit to the Under Secretary for Management a vehicle allocation tool and fleet management plan beginning in FY 2018. The Under Secretary for Management would be directed to review and make a determination on the results of each component's vehicle allocation tool and fleet management plan to ensure each such component's vehicle fleets are the optimal fleet size and that components are in compliance with applicable federal law, federal regulations, executive branch guidance, and department policy. The Under Secretary for Management would be directed to review and make determinations regarding annual component requests for funding for vehicle fleets. If component heads have not taken steps in furtherance of achieving optimal fleet size in the prior fiscal year, the under secretary would be required to provide rescission recommendations to Congress.

Beginning in FY 2019, the Under Secretary for Management and component heads would be prohibited from approving a vehicle lease, acquisition, or replacement request if such component heads did not comply in the prior fiscal year with the stipulated conditions. No department official with vehicle fleet management responsibilities would be allowed to receive annual performance compensation pay in any fiscal year beginning with FY 2019 if such official did not comply with the stipulated conditions in the previous fiscal year. No senior executive service official of the department whose office has a vehicle fleet would be allowed to receive access to a car service in any fiscal year beginning with FY 2019 if such official did not comply in the prior fiscal year. The under secretary would be authorized to determine the feasibility of operating a vehicle motor pool to permit components to share vehicles to reduce the number of excess vehicles in the department.

H.R. 366 would require the Government Accountability Office (GAO) to report to Congress on the department's efforts at achieving a capability to collect automated information; the extent to which the Under Secretary for Management has identified and addressed any relevant security concerns, including cybersecurity risks, related to such automation; and the extent to which the under secretary collects, assesses, and reports on vehicle fleet event data recorder data. The bill would require the Inspector General of the Department of Homeland Security to review the implementation of vehicle allocation tool and fleet management plan requirements for fiscal years 2018 and 2020, and submit a report to Congress regarding the effectiveness of such requirements with respect to cost avoidance, savings realized, and component operations.

H.R. 366 contains identical language to [H.R. 4785](#) which passed the House in the 114th Congress by voice vote on July 11, 2016. The RSC's legislative bulletin for H.R. 4785 can be found [here](#).

#### **COMMITTEE ACTION:**

H.R. 366 was introduced on January 6, 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 of Officer thereof."

# H.R. 347 — DHS Acquisition Documentation Integrity Act of 2017 (Rep. Watson Coleman, R-NJ)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 347](#) would direct the Department of Homeland Security (DHS) to prepare cost estimates and schedules for its major acquisition programs, and to submit an annual report of such estimates to Congress.

## 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. 4398, passed in the 114th Congress and identical to H.R. 347, would cost less than \$500,000 annually; 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. 347 would direct the Secretary of Homeland Security to require the head of a relevant component or office, for each major acquisition program, to: (1) maintain acquisition documentation that is complete, accurate, and timely; (2) prepare cost estimates and schedules for major acquisition programs in a manner consistent with Government Accountability Office (GAO) best practices; and, (3) submit certain acquisition documentation to the secretary to produce an annual comprehensive report to Congress on the status of departmental acquisitions. The secretary would be authorized to waive the requirement regarding supplying documentation to the report to Congress if the program has not entered the full rate production phase in the acquisition lifecycle and had a reasonable cost estimate established, or if the program does not meet the definition of capital asset, defined by the Office of Management and Budget (OMB). The bill defines “major acquisition program” as a Department of Homeland Security acquisition program that is estimated by the Secretary to require an eventual total expenditure of at least \$300,000,000 over its lifecycle

cost.

H.R. 347 contains identical language to [H.R. 4398](#) which passed the House in the 114th Congress by voice vote on February 23, 2016. The RSC's legislative bulletin for H.R. 4398 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 347 was introduced on January 5, 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 1; Article 1, Section 8, Clause 18."

# H.R. 549 — Transit Security Grant Program Flexibility Act (Rep. Donovan, R-NY)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 549](#) would expand the authorized use of certain funds under a public transportation security assistance grant program to include paying the cost of covering staffing needs during security training covered by the grant and extend the time period of performance for the grant funds to not fewer than 36 months in general, and to 55 months for large-scale projects.

## 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. 5943, passed in the 114th Congress and identical to H.R. 549, would cost about \$1 million in 2017 and a negligible amount over the remainder of the 5-year period.

## CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** The bill would expand the scope of cost eligible for the use of grant funding and extend the time period during which funds are available.
- **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. 549 would amend [section 1406\(b\)\(2\) of the Implementing Recommendations of the 9/11 Commission Act of 2007](#) by clarifying the allowable use of funds under a public transportation security assistance grant program to include for security training and associated backfill staffing needs during such training. The bill would allow funds to remain available for a grant recipient for not fewer than 36 months and would allow the funds to be available for longer (not fewer than 55 months) under two exceptions: security improvements for public transportation systems and infrastructure.

The bill would further require the Government Accountability Office (GAO) conduct a review of the transit security grant program under [section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007](#), to include assessments of: (1) the type of projects funded under the transit security grant program; (2) the manner in which such projects address threats to transportation infrastructure; (3) the impact, if any, of the bill on types of projects funded under the transit security grant program; (4) the management and administration of transit security grant

program funds by grantees. The review would additionally include recommendations to improve the manner in which transit security grant program funds address vulnerabilities in transportation infrastructure, and to improve the management and administration of the transit security grant program. The GAO would be required to submit the review to Congress.

H.R. 549 contains identical language to [H.R. 5943](#) which passed the House in the 114th Congress by voice vote on September 26, 2016. The RSC's legislative bulletin for H.R. 5943 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 549 was introduced on January 13, 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 of the Constitution of the United States." No enumerating clause was listed.

# H.R. 687 — First Responder Access to Innovative Technologies Act (Rep. Payne, D-NJ)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 687](#) would establish a Federal Emergency Management Agency (FEMA) uniform process for reviewing applications that contain explanations to use grants provided under the Urban Area Security Initiative or the State Homeland Security Grant Program to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards.

## 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. 5460, passed in the 114th Congress and similar to H.R. 687, would not have a significant 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:

H.R. 687 would amend [subsection \(f\) of section 2008 of the Homeland Security Act of 2002](#) (6 U.S.C. 609) to establish a Federal Emergency Management Agency (FEMA) uniform process for reviewing applications that contain explanations to use grants provided under the Urban Area Security Initiative or the State Homeland Security Grant Program to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards, developed under [section 647 of the Post-Katrina Emergency Management Reform Act of 2006](#) (6 U.S.C. 747).

The FEMA Administrator would be directed to consider: (1) current or past use of proposed equipment or systems by federal agencies or the Armed Forces; (2) the absence of a national voluntary consensus standard for such equipment or systems; (3) the existence of an international consensus standard for such equipment or systems, and whether such equipment or systems meets such standard; (4) the nature of the capability gap identified by the applicant and how such equipment or systems will address such gap; (5) the degree to which such equipment or systems will serve the needs of the applicant better than equipment or systems that meet or exceed existing consensus standards; (6) any other factor determined appropriate by the administrator.

The FEMA Administrator would be required to implement a uniform process for reviewing applications to use grants provided under section 2003 or 2004 of the Homeland Security Act of 2002 to purchase equipment or systems not included on the Authorized Equipment List maintained FEMA.

The bill would require the Inspector General of the Department of Homeland Security to submit a report to Congress assessing the implementation of the review, including: (1) the number of requests to purchase equipment or systems that do not meet or exceed any applicable consensus standard evaluated under such review process; (2) the capability gaps identified by applicants and the number of such requests granted or denied; (3) the processing time to review requests.

H.R. 687 contains similar language to [H.R. 5460](#) which passed the House in the 114th Congress by voice vote on September 26, 2016. The RSC's legislative bulletin for H.R. 5460 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 687 was introduced on January 24, 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 I, Section 8." No enumerating clause was listed.

# H.R. 584 — Cyber Preparedness Act of 2017 (Rep. Donovan, R-NY)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 584](#) would require the Department of Homeland Security (DHS) to provide cybersecurity assistance to, and share cybersecurity risk information with, state, local, and regional fusion centers, and would expand the authorized use of Urban Area Security Initiative Grants and State Homeland Security Grants to include enhancing cybersecurity.

## 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. 5459, passed in the 114th Congress and identical to H.R. 584, would have no significant effect on the federal budget over the 2017-2021 period.

## CONSERVATIVE CONCERNS:

Some conservatives might be concerned that the bill codifies the sharing of information with fusion centers that could serve a duplicative role, at the expense of FBI Joint Terrorism Task Force offices.

- **Expand the Size and Scope of the Federal Government?** The bill would expand the authorized uses for two DHS grant programs.
- **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. 584 would amend the [Homeland Security Act of 2002](#) by requiring the Department of Homeland

Security (DHS) to provide cybersecurity assistance to and share cybersecurity risk information with, state, local, and regional fusion centers, in coordination with the national cybersecurity and communications integration center, to assist in accessing timely technical assistance, risk management support, and incident response capabilities with respect to cyber threat indicators, defensive measures, cybersecurity risks, and incidents, which may include attribution, mitigation, and remediation, and the provision of information and recommendations on security and resilience, including implications of cybersecurity risks to equipment and technology related to the electoral process.



H.R. 584 would amend the [subsection \(a\) of section 2008 of the Homeland Security Act of 2002](#) by authorizing recipients of the Urban Area Initiative or State Homeland Security grants to use those funds to enhance cybersecurity, including to prepare for and respond to cybersecurity risks and incidents and develop state-wide cyber threat information analysis and dissemination activities. The bill would express a sense of Congress that to facilitate the timely dissemination to appropriate state, local, and private sector stakeholders of homeland security information related to cyber threats, the Secretary of Homeland Security should, to the greatest extent practicable, work to share actionable information related to cyber threats in an unclassified form.

H.R. 584 contains identical language to [H.R. 5459](#) which passed the House in the 114th Congress by voice vote on September 26, 2016. The RSC's legislative bulletin for H.R. 5459 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 584 was introduced on January 17, 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 of the Constitution of the United States." No enumerating clause was listed.

# H.R. 690 — Gains in Global Nuclear Detection Architecture Act (Rep. Richmond, D-LA)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 690](#) would direct the [Domestic Nuclear Detection Office](#) in the Department of Homeland Security (DHS) to develop and maintain documentation, such as a technology roadmap and strategy, that provides information on how the office's research investments align with gaps in the enhanced global nuclear detection architecture.

## 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. 5391, passed in the 114th Congress and identical to H.R. 690, would not significantly affect DHS spending.

## 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. 690 would direct the Domestic Nuclear Detection Office in the Department of Homeland Security (DHS) to develop and maintain documentation, such as a technology roadmap and strategy that provides information on how the office's research investments align with gaps in the enhanced global nuclear detection architecture, and research challenges identified by the director of the office. The bill would direct the Director of the Domestic Nuclear Detection Office to document the rationale for prioritizing and selecting research topics; and develop a systematic approach, which may include annual metrics and periodic qualitative evaluations, for evaluating how the outcomes of the office's individual research projects collectively contribute to addressing the office's research challenges.

The Government Accountability Office [has found](#) that it is not possible to determine if research projects funded by the Defense Nuclear Detection Office meet the goals and objectives of the agency due to lack of documentation on such projects.

H.R. 690 contains identical language to [H.R. 5391](#) which passed the House in the 114th Congress by voice vote on September 27, 2016. The RSC's legislative bulletin for H.R. 5391 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 690 was introduced on January 24, 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: This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18). Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

# H.R. 655 — Securing the Cities Act of 2017 (Rep. Donovan, R-NY)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 655](#) would require the Department of Homeland Security (DHS) to formally establish the Securing the Cities initiative, a program to detect illicit nuclear and radiological material in urban areas that has been active since 2006.

## 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. 3493, passed in the 114th Congress and similar to H.R. 655, would not significantly affect spending by the Department of Homeland Security.

## 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. 655 would require the Director for Domestic Nuclear Detection within DHS to formally establish the "[Securing the Cities](#)" (STC) program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or radiological materials. In carrying out the program, the director would be required to designate jurisdictions from among high-risk urban areas, and other cities and regions, and to notify Congress not later than three days before the designation of new jurisdictions. The director would additionally be required to provide augmenting resources, as appropriate, enabling state, local, tribal, and territorial governments to sustain and refresh their capabilities developed under the STC program.

The bill would additionally require the Government Accountability Office to conduct an assessment of the STC program and submit it to Congress. The bill would not authorize any funds to be appropriated. The Director for Domestic Nuclear Detection would also be required to report to Congress on the feasibility of the director developing model exercises to test the preparedness of jurisdictions participating in the STC program in meeting the challenges that may be posed by a range of nuclear and radiological threats.

No additional funds would be authorized to carry out the bill's requirements.

The Securing the Cities Initiative began in 2006 as a DHS pilot project in New York City. In 2012, the project was expanded Los Angeles and to the Washington, D.C. region in 2014.

H.R. 655 contains similar language to [H.R. 3493](#) which passed the House in the 114th Congress by the yeas and nays: [411 - 4](#) on October 20, 2015. The RSC's legislative bulletin for H.R. 3493 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 655 was introduced on January 24, 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 of the Constitution of the United States." No enumerating clause was listed.

# H.R. 437 — Medical Preparedness Allowable Use Act (Rep. Bilirakis, R-FL)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 437](#) would amend the Homeland Security Act of 2002 to codify the allowance for grant funds from the Federal Emergency Management Agency (FEMA) to be used for enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities. Examples of permissible activities include the purchase of medical kits and diagnostics to protect first responders and victims. This bill would simply codify existing authority.

## 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. 1791, passed in the 113th Congress and identical to H.R. 437, and H.R. 361 passed in the 114<sup>th</sup> Congress, would not affect federal expenditures for grants and would have no impact on the federal budget over the next five years.

## 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. 437 would clarify that SHSGP and UASI funds may be used for medical preparedness. FEMA's Urban Area Security Initiative (UASI) and State Homeland Security Grant Program (SHSGP) provide grants to state and local governments to prevent, prepare for, protect against, and respond to acts of terrorism.

H.R. 437 contains identical language to [H.R. 361](#) which passed the House in the 114th Congress by the yeas and nays: [377 – 2](#) on February 2, 2015. The RSC's legislative bulletin for H.R. 361 can be found [here](#).

## COMMITTEE ACTION:

H.R. 437 was introduced on January 11, 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: This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States, which grants Congress the power to provide for the common Defense of the United States, and Article I, Section 8, Clause 18 of the Constitution of the United States, which provides Congress the power to make "all Laws which shall be necessary and proper" for carrying out the constitutional powers vested in the Government of the United States."

# H.R. 612 — United States-Israel Cybersecurity Cooperation Enhancement Act of 2017 (Rep. Langevin, D-RI)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 612](#) would establish a grant program at the Department of Homeland Security to promote cooperative research and development, as well as the demonstration and commercialization of cybersecurity technology, between the United States and Israel.

## 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. 5843, passed in the 114th Congress and identical to H.R. 612, would cost about \$1 million annually; such spending would be subject to the availability of appropriated funds.

## CONSERVATIVE CONCERNS:

Some conservatives may be concerned that the bill would allow for funding of commercialization research, which would be more appropriately conducted by the private sector entities that stand to profit from such activities. Some conservatives may also be concerned that the bill restricts the use of grants for any program considered classified by either the U.S. or Israel, potentially reducing the national security benefits of research funded by the program.

- **Expand the Size and Scope of the Federal Government?** The bill would create a new federal grant program to fund cybersecurity technology research.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** The bill would allow the Secretary of Homeland Security to use funds contributed by a government or private entity for the grant program without further appropriation from Congress.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

## DETAILED SUMMARY AND ANALYSIS:

H.R. 612 would require the Department of Homeland Security (DHS) to establish a grant program to support cybersecurity research and development, and the demonstration and commercialization of cybersecurity technology, in accordance with the [Agreement between the Government of the United States of America and the Government of the State of Israel on Cooperation in Science and](#)



[Technology for Homeland Security Matters](#), dated May 29, 2008. The Secretary of Homeland Security would require cost sharing of at least 50% by non-federal partners for activities funded under the legislation. Grant awards would be made only after an impartial review of the scientific and technical merit of the proposals has been carried out by or for the Department. H.R. 5843 would further clarify specific conditions for applying for the grant.

H.R. 612 would establish an advisory board, composed of three Department-appointed members, to monitor the method by which grants are awarded, and provide to the Secretary of Homeland Security periodic performance reviews of actions taken to carry out the legislation. One member would be a

representative of the federal government; one would be selected from a list of nominees provided by the United States Israel Binational Science Foundation; and one would be selected from a list of nominees provided by the United States-Israel Binational Industrial Research and Development Foundation. The Secretary of Homeland Security would be authorized to accept, retain, and use funds contributed by any person, government entity, or organization for purposes of carrying out this grant program, without further appropriation, and without fiscal year limitation.

Grants would be awarded only for projects considered unclassified by both the United States and Israel, and would terminate seven years after the bill's enactment.

No additional funds would be authorized to be appropriated to carry out the requirements of the legislation.

H.R. 612 contains identical language to [H.R. 5843](#) which passed the House in the 114th Congress by voice vote on November 29, 2016. The RSC's legislative bulletin for H.R. 5843 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 612 was introduced on January 23, 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: clause 18 of section 8 of article I of the United States Constitution." No specific enumerating clause was listed.

# H.R. 505 — Border Security Technology Accountability Act of 2017 (Rep. McSally, R-AZ)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 505](#) would require the Department of Homeland Security to improve the acquisition and management of border security technology by requiring written documentation of an approved acquisition baseline for any acquisition program with a lifecycle cost of \$300 million or more.

## 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. 1634, passed in the 114th Congress and identical to H.R. 505, would cost less than \$500,000, 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. 505 would require the Department of Homeland Security, for each border security technology acquisition program, to ensure that each program has a written acquisition program baseline approved by the relevant acquisition decision authority; to document that each program is meeting cost, schedule, and performance thresholds; and to have a plan for meeting program implementation objectives by managing contractor performance.

The bill would additionally mandate that the Under Secretary for Management and the Commissioner of U.S. Customs and Border Protection ensure that border security technology acquisition program managers adhere to relevant internal control standards identified by the Government Accountability

Office (GAO), and ensure that the Commissioner provide information to assist the Under Secretary in monitoring proper program management. H.R. 505 would further direct the Department of Homeland Security to submit a plan to Congress for the testing and evaluation of border security technology.

H.R. 505 contains identical language to [H.R. 1634](#) which passed the House in the 114th Congress by voice vote on July 27, 2015. The RSC's legislative bulletin for H.R. 1634 can be found [here](#). Similar requirements would be mandated by H.R. 347, which is also scheduled to be considered under suspension of the rules this week.

**COMMITTEE ACTION:**

H.R. 505 was introduced on January 12, 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 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. 677 — CBRN Intelligence and Information Sharing Act of 2017 (Rep. McSally, R-AZ)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 677](#) would direct the Department of Homeland Security (DHS) to gather and analyze intelligence on terrorist threats involving chemical, biological, radiological, and nuclear (CBRN) materials.

## 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. 2200, passed in the 114th Congress and similar to H.R. 677, would not significantly affect spending by DHS.

## 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. 677 would require DHS's Office of Intelligence and Analysis to: (1) support homeland security-focused intelligence analysis of terrorist actors, their claims, and their plans to conduct attacks involving chemical, biological, radiological, and nuclear materials; (2) support homeland security-focused intelligence analysis of global infectious disease, public health, food, agricultural, and veterinary issues; (3) support homeland security-focused risk analysis and risk assessments of homeland security hazards; (4) leverage existing and emerging homeland security intelligence capabilities and structures to enhance prevention, protection, response, and recovery efforts with respect to a chemical, biological, radiological, or nuclear attack; (5) share information and provide tailored analytical support on these threats to state, local, and tribal authorities as well as other national biosecurity and biodefense stakeholders and other federal agencies, as appropriate; and, (6) perform other responsibilities, as assigned by the Secretary of Homeland Security.

The Office of Intelligence and Analysis would additionally be directed to coordinate with other relevant DHS components, others in the intelligence community, and other federal, state, local, and tribal authorities, as well as major urban area fusion centers, and local public health departments. The bill would also require the Secretary of Homeland Security to ensure that homeland security

information analyzed by DHS concerning terrorist threats is provided to state, local, private entities and the public.

H.R. 677 contains similar language to [H.R. 2200](#) which passed the House in the 114th Congress by the yeas and nays: [420 - 2](#) on June 25, 2015. The RSC's legislative bulletin for H.R. 2200 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 677 was introduced on January 24, 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 1--The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; 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. 678 — Department of Homeland Security Support to Fusion Centers Act of 2017 Act (Rep. McSally, R-AZ)

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

## FLOOR SCHEDULE:

Scheduled for consideration on January 31, 2017 under suspension of the rules, which requires 2/3 vote for passage.

## TOPLINE SUMMARY:

[H.R. 678](#) would require the Government Accountability Office (GAO) to assess the Department of Homeland Security (DHS) personnel assigned to 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.

CBO [estimated](#) that implementing H.R. 3503, passed in the 114th Congress and similar to H.R. 678, would cost about \$1 million in fiscal year 2016, assuming appropriation of the necessary amounts.

## 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. 678 would require the Government Accountability Office (GAO) to conduct an assessment of DHS personnel assigned to fusion centers, including an assessment of whether deploying additional DHS personnel to such fusion centers would enhance the department's mission under [the National Network of Fusion Centers](#). The bill would further express a sense of Congress that any program established by the DHS Under Secretary for Intelligence and Analysis provide eligibility for access to information classified as Top Secret for state and local analysts located in fusion centers consistent with the need to know requirements pursuant to [Executive Order 13526](#).

The bill would additionally require the under secretary to conduct an assessment of information systems used to share homeland security information between the department and fusion centers in the National Network of Fusion Centers and make upgrades to such systems. The under secretary would be required to enter into a memorandum of understanding with each fusion center in the National Network of Fusion Centers regarding the type of information.

The bill would amend [section 210A of the Homeland Security Act of 2002](#), regarding the Department of Homeland Security State, Local, and Regional Information Fusion Center Initiative to support efforts and assist in the dissemination of information to tribal and territorial governments.

H.R. 678 contains similar language to [H.R. 3503](#) which passed the House in the 114th Congress by voice vote on November 2, 2015. The RSC's legislative bulletin for H.R. 3503 can be found [here](#).

**COMMITTEE ACTION:**

H.R. 678 was introduced on January 24, 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."

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**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.*