



## CONTENTS:

1. [Concur in the Senate Amendment to H.R. 23 - the National Windstorm Impact Reauthorization Act](#)
2. [Concur in the Senate Amendment to H.R. 720 - Gerardo Hernandez Airport Security Act of 2015](#)
3. [H.R. 487 - To allow the Miami Tribe of Oklahoma to lease or transfer certain lands](#)
4. [H.R. 959 - Medgar Evers House Study Act, as amended](#)
5. [H.R. 1214 - National Forest Small Tracts Amendments Act of 2015, as amended](#)
6. [H.R. 1289 - John Muir National Historic Site Expansion Act](#)
7. [H.R. 1554 - Elkhorn Ranch and White River National Forest Conveyance Act of 2015](#)
8. [H.R. 1949 - National Liberty Memorial Clarification Act of 2015, as amended](#)
9. [H.R. 2223 - Cragg, Colorado Land exchange Act of 2015](#)
10. [H.R. 2791 - Western Oregon Tribal Fairness Act](#)
11. [S. 501 - New Mexico Navajo Water Settlement Technical Corrections Act](#)
12. [S. 230 - To provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska](#)

# Concur in the Senate Amendment to H.R. 23 - National Windstorm Impact Reauthorization Act (Neugebauer, R-TX)

CONTACT: Jennifer Weinhart, 202-226-0706

## FLOOR SCHEDULE:

SCHEDULED FOR CONSIDERATION ON SEPTEMBER 16, 2015, UNDER A SUSPENSION OF THE RULES WITH REQUIRES 2/3 MAJORITY FOR PASSAGE.

## TOPLINE SUMMARY:

[The Senate Amendment to H.R. 23](#) would reauthorize the [National Windstorm Impact Reduction Program](#) (NWIRP), which is designed to achieve major reductions in the losses of life and property from windstorms through a coordinated Federal effort. Its goal is to develop and encourage the implementation of cost-effective mitigation measures to reduce the impacts of windstorms. The program would be coordinated by the National Institute of Standards and Technology (NIST).

## COST:

The Congressional Budget Office (CBO) [estimates](#) that implementation for each of fiscal years 2016 and 2017, H.R. 23 would authorize appropriation roughly \$21 million for the federal agencies that participate in the program. Each year, the act would authorize appropriations of \$5.3 million for the Federal Emergency Management Agency (FEMA), \$9.7 million for the National Science Foundation (NSF), \$4.1 million for the National Institute of Standards and Technology (NIST), and \$2.3 million for the National Oceanic and Atmospheric Administration (NOAA) to carry out the NWIRP. Assuming appropriations of those amounts, CBO estimates that implementing the act would cost \$42 million over the 2016-2020 period.

## CONSERVATIVE CONCERNS:

Some conservatives believe that local building codes, and more importantly, market forces including insurance premiums are the appropriate tools to incentivize sound building practices, rather than federal programs and taxpayer dollars. Moreover, some conservatives may be concerned that this temporary program first authorized in 2004 would now be in place for at least 14 years. This program continues to cost a staggering amount of money to study windstorms, with no end in sight.

- **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. 23 was passed by the House of Representatives by a recorded [vote of 381-39](#) on January 7, 2015. The legislative bulletin for the House-passed version can be found [here](#).

Senate changes to the House-passed bill would require NIST to: support the creation of performance-based engineering tools; request the assistance of Federal agencies, other than NWIRP agencies; and to coordinate Federal post-windstorm investigations to the best of their ability.

The Senate Amendment would also require the Interagency Coordinating Committee to be chaired by the Director of NIST, or a designee of the director, and would be comprised of the heads of FEMA, NOAA, NSF, OSTP, the Office of Management and Budget (OMB) or their designees, and the head of any other agency

that the Chair deems appropriate. The Committee would be required to meet at least once per year to produce and submit a strategic plan, progress report, and coordinated budgets for NWIRP for Congress. The budget would be due within 60 days after Congress receives the President's budget request.

Lastly, the Senate Amendment would reauthorize the existing advisory committee for NWIRP to include at least 7, and not more than 15 members, who are qualified to advise on windstorm impact reduction. The advisory committee would offer recommendations and analysis on developments on windstorm impact mitigation and NWIRP strategic plan priorities, effectiveness, and coordination.

Appropriations for each agency would be as follows:

- For FEMA: \$5,332,000 for each fiscal year 2015 through 2017.
- For NSF: \$9,682,000 for each fiscal year 2015 through 2017.
- For NIST: \$4,120,000 for each fiscal year 2015 through 2017.
- For NOAA: \$2,266,000 for each fiscal year 2015 through 2017.

H.R. 1786, the National Windstorm Impact Reduction Act Reauthorization of 2014, an identical bill with the exception of several technical changes, was passed by the House by voice vote on July 14, 2014. The RSC's legislative bulletin for H.R. 1786 can be found [here](#). The National Windstorm Impact Reduction Program was first created in 2004 as a multi-agency program to mitigate the harmful effects of windstorms through targeted research.

A Senate Committee Report for this legislation can be found [here](#).

#### **COMMITTEE ACTION:**

H.R. 23 was passed by the House by a recorded [vote](#) of 381-39 on January 7, 2015. This legislation passed the Senate by Unanimous Consent on July 23, 2015.

#### **ADMINISTRATION POSITION:**

No statement of administration policy is available.

#### **CONSTITUTIONAL AUTHORITY:**

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3. To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; 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 the Constitution in the Government of the United States or in any Department or Officer thereof.

# Concur in the Senate Amendment to H.R. 720 - Gerardo Hernandez Airport Security Act of 2015 (Rep. Katko, R-NY)

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

## FLOOR SCHEDULE:

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

### TOPLINE SUMMARY:

The [Senate Amendment to H.R. 720](#) would direct the Assistant Secretary of Homeland Security for Transportation Security to conduct outreach and provide technical assistance for security incidents response plans to all airports at which the Transportation Security Administration (TSA) performs or oversees the performance of security measures.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that that implementing the House-passed H.R. 720 would cost \$2.5 million in 2016, assuming appropriation of the necessary amounts.

**CONSERVATIVE CONCERNS:** There are no major substantive concerns.

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

### DETAILED SUMMARY AND ANALYSIS:

The legislation would strengthen security measures at U.S. airports in the wake of the November 1, 2013 shooting rampage which left Transportation Security Officer [Gerardo Hernandez](#) dead and three other individuals wounded at Los Angeles International Airport. H.R. 720 was passed by [411-1](#) on February 10, 2015 on the motion to suspend the rules. The RSC's legislative bulletin for the House passed H.R. 720 can be found [here](#).

Section 3 of the bill would mandate that the Assistant Secretary submit a report to Congress on the current level of preparedness at airports to deal with an active shooter scenario or other security incident not later than **180** days after the bill's enactment (H.R. 720 as passed in the House had a 90 day requirement);

Section 4 would require the Assistant Secretary to identify and share best practices for security incident planning, management, and training with airports nationwide;

Section 5 would require the Assistant Secretary to certify annually to specified congressional committees that all screening personnel have participated in practical training exercises for active shooter scenarios;

Section 6 would mandate that the Assistant Secretary report to Congress on how the TSA can increase available funding for the reimbursement of law enforcement support at screening checkpoints over the next five years, using savings achieved through efficiencies; and

Section 7 would require the Assistant Secretary to conduct outreach to all passenger transportation agencies and providers with high-risk facilities, to verify plans to respond to active shooters, acts of

terrorism, or other security-related incidents, and identify best practices. (H.R. 720 as passed in the House did not include this provision);

Section 9 would require the Assistant Secretary to conduct a review of the interoperable communications capabilities of the law enforcement, fire, and medical personnel responsible for responding to a security incident at all airports in the United States at which the TSA performs security. The Senate Committee report (S. Rept. 114-92) accompanying H.R. 720 can be found [here](#).

**COMMITTEE ACTION:**

This bill was introduced by Representative Katko on February 4, 2015, and referred to the House Committee on Homeland Security. After House passage in February, the bill was referred to the Senate Committee on Commerce, Science, and Transportation and was passed by with an amendment by unanimous consent in the Senate on August 5, 2015.

**ADMINISTRATION POSITION:**

No statement of administration policy is available at this time.

**CONSTITUTIONAL AUTHORITY:**

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1 of the Constitution of the United States.

# H.R. 487: To allow the Miami Tribe of Oklahoma to lease or transfer certain lands (Rep. Mullin, R-OK)

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

## FLOOR SCHEDULE:

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

### TOPLINE SUMMARY:

[H.R. 487](#) would allow the Miami Tribe of Oklahoma to lease, or sell all, or any part of its interests in any real property that is not held in trust by the United States for the benefit of the tribe.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing the legislation would have no effect on the federal budget, based on information provided by the Bureau of Indian Affairs.

### CONSERVATIVE CONCERNS:

There are no substantive 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 not authorize the Miami Tribe of Oklahoma to lease, or sell any part of an interest in any real property that is held in trust by the United States; or affect the operation of any law governing leasing, selling, or conveying any interest in the trust land.

The House report accompanying H.R. 487 (H. Rept. 114-250) can be found [here](#). According to the report, “H.R. 487 would allow the Miami Tribe of Oklahoma to have more control over land that the tribe owns in fee without further Congressional approval.” The bill would seek to ensure “that the [Non-intercourse Act](#) does not interfere with the ability to convey fee land owned by the [Miami] Tribe, which is viewed by the tribe as an interference with economic development and the creation of jobs. The tribe has stated that title insurance companies may not issue title commitments to either lenders or prospective purchasers due to uncertainties raised by an old act of Congress.”

### COMMITTEE ACTION:

This bill was introduced by Representative Mullin on January 22, 2015, and referred to the House Committee on Natural Resources.

### 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: This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3: The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

# H.R. 959: Medgar Evers House Study Act, as amended, (Rep. Thompson, D-MS)

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

## FLOOR SCHEDULE:

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

### TOPLINE SUMMARY:

[H.R. 959](#) would require the Secretary of the Interior to study the suitability and feasibility of designating the [Medgar Evers House](#) in Jackson, Mississippi, as a unit of the National Park System.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that that carrying out the proposed study would cost about \$200,000. Enacting H.R. 959 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

### CONSERVATIVE CONCERNS:

The National Park System faces a significant deferred maintenance backlog. Some Conservatives may be concerned that resources would be diverted from managing existing property to consider potential new federal acquisitions and designations.

- **Expand the Size and Scope of the Federal Government?** No. However, the study could lead to the eventual purchase or designation of the home, which would expand the size of the Federal estate and NPS management area.
- **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 direct the Secretary of the Interior to conduct a special resource study of the home of the late civil rights activist [Medgar Evers](#), located at 2332 Margaret Walker Alexander Drive in Jackson, Mississippi, to determine if the property should be added as a unit of the National Park System.

The Secretary would: (1) evaluate the national significance of the site; (2) determine the suitability and feasibility of designating the site as a unit of the National Park System; (3) consider other alternatives for preservation, protection, and interpretation of the site by governmental entities, or private and nonprofit organizations; (4) consult with interested governmental entities, or private and nonprofit organizations; (5) determine the effect of the designation of the site as a unit of the National Park System on existing commercial and recreational uses; (6) identify any authorities, including condemnation, that will compel or permit the Secretary to influence or participate in local land use decisions (such as zoning) or place restrictions on non-federal land if the site is designated a unit of the National Park System; and (7) identify cost estimates for any federal acquisition, development, operation, and maintenance associated with the alternatives. The study results would be required to be submitted to Congress not later than 3 years after funds are made available. The House report (H. Rept. 114-251) accompanying H.R. 959 can be found [here](#).

### COMMITTEE ACTION:

This bill was introduced by Representative Thompson on February 12, 2015, and referred to the House Committee on Natural Resources.

**ADMINISTRATION POSITION:**

No statement of administration policy is available at this time.

**CONSTITUTIONAL AUTHORITY:**

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Clause 2 of Section 3 of Article IV of the Constitution: The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or any particular State.

# H.R. 1214: National Forest Small Tracts Amendments Act of 2015, as amended 2015, (Rep. Amodei, R-NV)

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

## FLOOR SCHEDULE:

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

### TOPLINE SUMMARY:

[H.R. 1214](#) would increase the amount of land the Forest Service could sell or exchange under the [Small Tracts Act](#) by increasing the value threshold of available land for sale from \$150,000 to \$500,000.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that that enacting the legislation would increase offsetting receipts, which are treated as reductions in direct spending, by about \$1 million over the 2016-2025 period. Therefore, pay-as-you-go procedures apply. Enacting the bill would not affect revenues.

### CONSERVATIVE CONCERNS:

Some conservatives may be concerned that the funds from land sales are not directed solely to deficit reduction.

- **Expand the Size and Scope of the Federal Government?** No. The bill will likely lead to less federal land holdings overall.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

### DETAILED SUMMARY AND ANALYSIS:

The Small Tracts Act grants the Secretary of Agriculture the authority to sell certain small parcels of land without specific congressional authorization. H.R. 1214 would amend the statute covering what types of parcels are available for sale to include: (1) parcels of 40 acres or less which are determined by the Secretary of Agriculture (overseeing the U.S. Forest Service) to be physically isolated, to be inaccessible, or to have lost their National Forest character; (2) parcels of 10 acres or less which are not eligible for conveyance, but which are encroached upon by permanent habitable improvements for which there is no evidence that the encroachment was intentional or negligent; (3) parcels used as a cemetery, a landfill, or a sewage treatment plant under a special use authorization issued by the Secretary.

The bill would direct the net proceeds from a sale to be deposited in the fund established by the [Sisk Act](#) and made available for: (1) the acquisition of land or interests in land for National Forest System (NFS) administrative sites in the state from which the amounts were derived; (2) the acquisition of land or interests in land for the inclusion in the NFS in that state; (3) the performance of deferred maintenance on administrative sites for the NFS; or (4) the reimbursement of the U.S. Department of Agriculture for costs incurred in preparing a competitive sale conducted under this legislation.

The House report (H. Rept. 114-140) accompanying H.R. 1214 can be found [here](#). A corresponding Senate bill (S. 1712) can be found [here](#).

**COMMITTEE ACTION:**

This bill was introduced by Representative Amodei on March 3, 2015, and referred to the House Committee on Natural Resources.

**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: The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

*H.R. 1214 does not affect the armed forces of the United States, the regulation of which is provided for by the above-cited authority. However, Congress does derive authority for this measure under Article IV, Section 3, Clause 2, which states "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be construed to prejudice any claims of the United States, or of any particular state."*

# H.R. 1289: John Muir National Historic Site Expansion Act, (Rep. DeSaulnier, D-CA)

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

## FLOOR SCHEDULE:

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

### TOPLINE SUMMARY:

[H.R. 1289](#) would allow the Secretary of the Interior to acquire approximately 44 acres of land in Martinez, California, expanding the boundary of the [John Muir National Historic Site](#).

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 1289 would not have a significant impact on the federal budget. Under the legislation, the additional acres could only be acquired through donation.

### CONSERVATIVE CONCERNS:

Some conservatives may be concerned that the bill would increase the overall size of federal land holdings.

- **Expand the Size and Scope of the Federal Government?** Yes. The measure would add 44 acres to the federal estate.
- **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 stipulates that the Secretary of the Interior may acquire by donation the approximately 44 acres of land around the John Muir National Historic Site. The land would be administered by the Department of the Interior as part of the site.

The House report (H. Rept. 114-213) accompanying H.R. 1289 can be found [here](#). According to the findings of the report, “[the] acreage to be donated by the John Muir Land Trust is directly adjacent to the current property boundary and will allow for better public access to trails.” The corresponding Senate version of the bill (S. 651) can be found [here](#). A similar bill [H.R. 5699](#) passed the House in the 113<sup>th</sup> Congress by the yeas and nays: [361 – 39](#). The RSC’s legislative bulletin for H.R. 5699 can be found [here](#).

## COMMITTEE ACTION:

H.R. 1289 was introduced by Representative DeSaulnier on March 4, 2015, and referred to the House Committee on Natural Resources. The bill was reported (amended) by the Committee on July 21, 2015.

## ADMINISTRATION POSITION:

No statement of administration policy is available at this time.

## CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8. No specific clause citing an enumerated power of Congress was included.

# H.R. 1554: Elkhorn Ranch and White River National Forest Conveyance Act of 2015, (Rep. Tipton, R-CO)

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

## FLOOR SCHEDULE:

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

### TOPLINE SUMMARY:

[H.R. 1554](#) would authorize a land conveyance of approximately 148 acres around the Elkhorn Ranch and the White River National Forest in Colorado to a private limited liability partnership.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that enacting the bill would reduce receipts by less than \$500,000 over the 2022-2025 period. Enacting the bill would not affect revenues.

### CONSERVATIVE CONCERNS:

There are no substantive 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. 1554 would convey a parcel of land consisting of approximately 148 acres of the Elkhorn Ranch and White River National Forest to the Gordman-Leverich Partnership, a Colorado Limited Liability Partnership. The conveyance would not modify the exterior boundary of the White River National Forest and would be required to be completed not later than 180 days after the bill's enactment.

The House report (H. Rept. 114-257) accompanying H.R. 1554 can be found [here](#). According to the House report, the bill "would correct a discrepancy in the survey of 148 acres in Garfield County, Colorado, currently known as Elkhorn Ranch, and require the U.S. Forest Service (USFS) to convey by patent the area to the Gordman-Leverich Partnership (GLP). The corresponding Senate bill (S. 1942) can be found [here](#). A letter in support of the conveyance from Garfield County, Colorado can be found [here](#).

### COMMITTEE ACTION:

This bill was introduced by Representative Tipton on March 23, 2015, and referred to the House Committee on Natural Resources.

### 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 Constitution: to make rules for the government and regulation of the land.

*H.R. 1554 does not affect the armed forces of the United States, the regulation of which is provided for by the above-cited authority taken from Article I, Section 8, Clause 14. However, Congress does derive authority for*

*this measure under Article IV, Section 3, Clause 2, which states “The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be construed to prejudice any claims of the United States, or of any particular state.”*

# H.R. 1949: National Liberty Memorial Clarification Act of 2015, as amended (Rep. Butterfield, D-NC)

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

## FLOOR SCHEDULE:

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

## TOPLINE SUMMARY:

[H.R. 1949](#) would revise the site and design approval process for the National Liberty Memorial by making the Secretary of Agriculture, rather than the Secretary of the Interior or the Administrator of General Services, responsible for the consideration of site and design proposals from the National Mall Liberty Fund D.C. (the sponsor of the monument) to the Commission of Fine Arts and National Capital Planning Commission.

## COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 1949 would have no significant impact on the federal budget because it would just shift certain responsibilities from one agency of the government to another. Enacting H.R. 1949 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

## CONSERVATIVE CONCERNS:

There are no substantive 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 amend [section 2860\(c\) of the Military Construction Authorization Act for Fiscal Year 2013](#) by making the Department of Agriculture, rather than the Department of the Interior or the General Services Administration, responsible for the consideration of site and design proposals for the [National Liberty Memorial](#).

The House report accompanying H.R. 1949 (H. Rept. 114-252) can be found [here](#). According to the report, the “National Liberty Memorial would honor the slaves and free black persons who served as soldiers and sailors or provided civilian assistance during the American Revolution. The site and design approval process [would be] revised to make the Secretary of Agriculture, rather than the Secretary of the Interior or the Administrator of General Services, responsible for consideration of these site and design proposals and their submission, on behalf of the sponsor, to the Commission of Fine Arts and National Capital Planning Commission.”

## COMMITTEE ACTION:

This bill was introduced by Representative Butterfield on April 22, 2015, and referred to the House Committee on Natural Resources.

## ADMINISTRATION POSITION:

No statement of administration policy is available at this time.

**CONSTITUTIONAL AUTHORITY:**

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 17 of the Constitution of the United States of America.

# H.R. 2223: Craggs, Colorado Land exchange Act of 2015 (Rep. Lamborn, R-CO)

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

## FLOOR SCHEDULE:

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

### TOPLINE SUMMARY:

[H.R. 2223](#) would authorize a land exchange within the Pike National Forest, in El Paso County, Colorado, between the Forest Service and Broadmoor Hotel, Inc., (BHI) a Colorado corporation.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that enacting H.R. 2223 would reduce offsetting receipts, which are treated as reductions in direct spending, by about \$350,000 over the 2016-2025 period; therefore, pay-as-you-go procedures apply. Enacting H.R. 2223 would not affect revenues.

### CONSERVATIVE CONCERNS:

There are no substantive 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 authorize the Forest Service to convey approximately 83 acres of land within the Pike National Forest to BHI, in return for approximately 320 acres of non-federal land within the Pike National Forest, Teller County, Colorado. The values of the lands to be exchanged under the bill would be determined by the Secretary of Agriculture. If the final appraised value of the Federal land exceeds the final appraised value of the non-federal land, BHI would be obligated to make a cash equalization payment to the United States as necessary to achieve equal value. The land acquired by the Secretary of Agriculture under H.R. 2223 would become part of the [Pike-San Isabel National Forest](#) and be managed under the National Forest System.

The corresponding Senate bill (S. 1941) sponsored by Sen. Gardner can be found [here](#). The House report accompanying H.R. 2223 (H. Rept. 114-258) can be found [here](#). According to the report, “the exchange would provide increased recreational opportunities for the public on the Pike National Forest, including securing perpetual access on the portion of the Barr Trail located on private lands outside the Pike National Forest. Acquiring the Craggs property would complement management of the Pikes Peak West Roadless Area and other adjacent National Forest System lands and would eliminate management encumbrances and liability to the United States”.

## COMMITTEE ACTION:

This bill was introduced by Representative Lamborn on May 1, 2015, and referred to the House Committee on Natural Resources.

## ADMINISTRATION POSITION:

No statement of administration policy is available at this time.

**CONSTITUTIONAL AUTHORITY:**

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8. No specific clause citing an enumerated power of Congress was included.

# H.R. 2791: Western Oregon Tribal Fairness Act (Rep. DeFazio, D-OR)

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

## FLOOR SCHEDULE:

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

### TOPLINE SUMMARY:

[H.R. 2791](#) would require the conveyance of certain federal lands in Oregon to the Cow Creek Band of Umpqua Tribe of Indians, and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that that implementing the legislation would have no significant effect on spending subject to appropriation. Enacting H.R. 2791 would affect direct spending by less than \$500,000 over ten years; therefore, pay-as-you-go procedures apply.

### CONSERVATIVE CONCERNS:

There are no substantive 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. 2791 would require the federal government to hold in trust for the benefit of the Cow Creek Band of Umpqua Tribe of Indians, approximately 17,519 acres of land. The export of unprocessed logs harvested from the land, and gaming would be prohibited. The bill would additionally remove the requirement that the Department of Interior manage the Coquille Forest in accordance with state and federal forestry, but rather under the laws pertaining to the management of Indian trust land.

The bill would further require the federal government to hold in trust or convey approximately 14,408 acres of Oregon coastal land to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. The export of unprocessed logs harvested from the land, and gaming would additionally be prohibited.

The House report accompanying H.R. 2791 (H. Rept. 114-254) can be found [here](#). According to the report, “a substantial amount of the public land placed in trust for the tribe is currently part of the Oregon and California (O&C) railroad land grant, managed by the Bureau of Land Management.” The Secretary of the Interior would be “required to reclassify as O&C land an equal acreage of public domain land located in the vicinity of the land given to the [Cow Creek Band of Umpqua Tribe of Indians].”

### COMMITTEE ACTION:

This bill was introduced by Representative DeFazio on June 16, 2015, and referred to the House Committee on Natural Resources.

### 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: Section 1 of Article I of the U.S. Constitution. No specific clause citing an enumerated power of Congress was included.

# S. 501: New Mexico Navajo Water Settlement Technical Corrections Act (Sen. Udall, D-NM)

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

## FLOOR SCHEDULE:

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

### TOPLINE SUMMARY:

[S. 501](#) would allow the Bureau of Reclamation to participate in planning and designing groundwater well projects in the Navajo Nation in New Mexico and would make additional technical corrections to the Navajo water rights settlement.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing the legislation would not have a significant effect on the federal budget. Because enacting S. 501 would not affect revenues or direct spending, pay-as-you-go procedures do not apply.

### CONSERVATIVE CONCERNS:

There are no substantive 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 a series of technical and conforming corrections and would authorize for the construction, rehabilitation, and operation and maintenance of conjunctive use wells in the San Juan River Basin, Little Colorado River Basin, and Rio Grande Basin in New Mexico. The legislation would amend section 10609 of the [Omnibus Public Land Management Act of 2009](#) (Public Law 111-11; 123 Stat. 1395) by revising the percentages of funds authorized for the Navajo-Gallup Water Supply Project and other specified irrigation projects from 2% to 4% for the portion of funds that may be used for the survey, recovery, protection, preservation, and display of archaeological resources in the area of a Project facility or conjunctive use well; and from 4% to 2% the portion of funds that may be used for purchasing land and constructing facilities to mitigate the loss of fish and wildlife.

The corresponding House bill (H.R. 1406) can be found [here](#). The Senate and House reports accompanying S. 501 (S. Rept. 114-41 and H. Rept. 114-255) can be found [here](#) and [here](#). According to the House report, S. 501 would “[rearrange] spending ceilings for cultural resource assessments and fish and wildlife facilities affiliated with the water infrastructure.”

### COMMITTEE ACTION:

This bill was introduced by Senator Udall on February 12, 2015, and referred to the Senate Committee on Indian Affairs. On May 21, 2015, the bill was passed by the Senate without amendment by unanimous consent.

### ADMINISTRATION POSITION:

No statement of administration policy is available at this time.

**CONSTITUTIONAL AUTHORITY:**

Senate rules do not require the inclusion of a constitutional authority statement.

# S. 230: To provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska (Sen. Murkowski, R-AK)

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

## FLOOR SCHEDULE:

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

### TOPLINE SUMMARY:

[S. 230](#) would authorize the federal government to convey a specified 23-acre parcel of federal land in Bethel, Alaska, to the [Yukon Kuskokwim Health Corporation](#) (YKHC).

### COST:

The Congressional Budget Office (CBO) [estimates](#) that enacting S. 230 would have no significant effect on the federal budget and would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

### CONSERVATIVE CONCERNS:

There are no substantive 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 require the Secretary of Health and Human Services to convey 22.98 acres of federal land to the Yukon Kuskokwim Health Corporation not later than 180 days after the bill's enactment. The legislation also stipulates that the Yukon Kuskokwim Health Corporation would not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal of any environmental contamination on any portion of the property before the conveyance occurs.

The corresponding House bill (H.R. 521) can be found [here](#). The Senate report accompanying S. 230 (S. Rept. 114-38) can be found [here](#). According to the report, the Yukon Kuskokwim Health Corporation "includes community clinics, sub-regional clinics, a regional hospital, dental services, mental health services, substance abuse counseling and treatment, health promotion and disease prevention programs, and environmental health services." Furthermore, the report states that "the corporation must significantly expand its health care facilities, including the renovation of a 30-plus-year-old hospital, to meet present and future needs of residents in the region. To finance the costs of expansion and renovation, the corporation must demonstrate evidence of sufficient site control to secure the project with any financial partners. To secure the site, [YKHC] must own or control the land. The conveyance of land in S. 230 is intended to address the corporation's need to secure the site."

### COMMITTEE ACTION:

This bill was introduced by Senator Murkowski on January 21, 2015, and referred to the Senate Committee on Indian Affairs. On June 25, 2015, the bill was passed by the Senate with amendment by unanimous consent.

**ADMINISTRATION POSITION:**

No statement of administration policy is available at this time.

**CONSTITUTIONAL AUTHORITY:**

Senate rules do not require the inclusion of a constitutional authority statement.

---

**NOTE:** *RSC Legislative Bulletins are for informational purposes only and should not be taken as statements of support or opposition from the Republican Study Committee.*

###