**2018 Legislative Docket *Initial Release – April 20, 2018***

Each session will have its own theme. Chambers may only debate on legislation designated for that session. A caucus will determine the order of debate within that session. Any student may speak to sponsor legislation, since bills were written by alumni. Sponsors will be selected on the basis of recency, become responsible for the mechanics of the legislation, and must yield to two minutes of questioning following the speech.

**Congressional Debate procedures, a schedule, and other information will be at tabroom.com.**

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| **Session and Theme** | **Title** |
| **Session 1 – Labor Relations** | **1A A Bill to Promote National Occupational Licensing Standards** |
|  | **1B A Bill to Prohibit Confidential Arbitration Requirements to Protect the Dignity of American Workers** |
|  | **1C A Bill to Regulate On Call Scheduling Practices** |
| **Session 2 – Artificial Intelligence** | **2A An Act to Regulate the Use of Artificial Intelligence in Healthcare** |
|  | **2B A Bill to Amend the SELF DRIVE Act** |
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| **Session 3 – Foreign Relations** | **3A A Bill to Follow the President’s Directive** |
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|  | **3C The Puerto Rico Fair Representation Act of 2018** |
| **Finals – The Final Frontier** | **FA A Resolution to Withdraw from the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies (Outer Space Treaty) to Enhance Collaboration with the Chinese** |
|  | **FB A Bill to Institute a Civil Space Traffic Management Office (CTSO) to Ensure Safe Navigation of Outer Space** |
|  | **FC A Bill to Protect the Earth by Preventing the Accumulation of Space Debris** |

In the interest of offering an invigorating docket, the TOC solicits legislation from former competitors under the direction of a committee of coaches. This year’s “Board of Legislative Drafters” is:

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| ***Dr. Alexandra Sencer, chair*** |  |

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| ***Authors this year included:***  ***Kimberly Bayan-Berlat***  ***Christina Boworowsky***  ***Nicole Castillo***  ***Jonathan Fried***  ***Eric Katz*** | ***Adam Shaham***  ***Waaris Mohammad***  ***Josh Weiss***  ***Joshua Wurzman*** |

**A Bill to Promote National Occupational Licensing Standards**

BE IT ENACTED BY THE CONGRESS HERE ASSEMBLED THAT:

**Section 1**. The sum of $1 billion shall be appropriated to support the establishment of a Council on Interstate Compacts in Occupational Licensing Standards.

**Section 2**. Each state shall appoint a representative to the Council on Interstate Compacts in Occupational Licensing Standards, and within one year after the effective date of this act the members shall issue a report that recommends the adoption of new interstate compacts providing uniformed licensing standards for one or several occupations.

**Section 3.** A state shall receive federal aid in an among valued at an equal split among the states that opt to join an occupational licensing interstate compact to be allocated from the total appropriations made available to the Council, but no less than $20 million per state shall be awarded if all fifty states opt to participate in an interstate compact for occupational licensing in one or several occupations recommended by the Council.

**Section 4.** The Council on Interstate Compacts in Occupational Licensing may propose a new interstate compact in any occupational license it deems fit, subject to a majority vote of the representatives to the Council to be approved individually by each state’s legislative body, but the Council shall at a minimum investigate and decide whether to propose a new interstate compact to address occupational licenses for any occupation licensed and regulated by all fifty states. The Council may also recommend the elimination of licensing among the states in any industry it deems to be unnecessary.

**SECTION 5.** This act shall take effect immediately and shall be deemed to expire and be repealed on December 31, 2020.

**SECTION 6.** All laws in conflict are considered null and void.

*Introduced for Congressional Debate by the Tournament of Champions Board of Legislative Drafters*

**A Bill to Prohibit Confidential Arbitration Requirements to Protect the Dignity of American Workers**

BE IT ENACTED BY THE CONGRESS HERE ASSEMBLED THAT:

**Section 1**. Any predispute arbitration agreement that coerces parties to participate in binding, confidential arbitration in disputes involving sex discrimination will be declared void and unenforceable. Any company attempting to enforce these agreements or cajole disputants into confidentiality will be subject to penalties.

**Section 2**. A. Predispute arbitration agreements are any agreements to arbitrate any or all future disputes prior to an incident occurring.

B. Sex Discrimination disputes are disputes between employee and employer stemming from conduct that would establish a claim under the Civil Rights Act of 1964, Title VII, regardless of whether or not a formal complaint has been filed with the EOC.

**Section 3.** The Equal Employment Opportunity Commission will monitor and enforce this legislation by assessing fines against companies who are found to violate this law in letter or in spirit through intimidation tactics designed to coerce alleged victims into confidential arbitration.

1. Fines will be levied in an amount of no less than $100,000 and not to exceed $1,000,000 per incident. Larger fines may be assessed if there is found to be a continuing pattern or culture of intimidation into confidentiality regarding sex discrimination disputes.
2. All Federal, State, and Local courts will apply this law to future disputes arising within their jurisdiction.

**SECTION 4.** This law will become enforceable upon for all disputes initiated after enactment, regardless of the date of the alleged actions the dispute stems from.

**Section 5.** All laws in conflict with this legislation are hereby declared null and void.

*Introduced for Congressional Debate by the Tournament of Champions Board of Legislative Drafters*

# A Bill to Regulate On-Call Scheduling Practices

BE IT ENACTED BY THE CONGRESS HERE ASSEMBLED THAT:

**Section 1**. No business shall require that an employee call-in to a designated phone number or log-in to a designated website to determine whether he or she shall work any shift less than 24 hours before the scheduled start of the shift unless such an employee shall be paid at least four hours of minimum wage pay.

**Section 2**. A business shall be required to provide a schedule to an employee of their days of work on a weekly basis, and any change in an employee’s weekly schedule may not occur unless the employee shall be paid at least four hours of minimum wage pay, provided, however, that a change in schedule caused by a natural disaster, state of emergency, act of God, or as the result of a change in schedule caused by another employee shall not be cause for an employer to provide additional pay pursuant to this section.

**Section 3.** This section shall not apply to business with less than fifty employees nationwide.

**Section 4.** The Department of Labor shall be responsible for enforcement of this legislation.

**Section 5.** All laws in conflict with this legislation are hereby declared null and void, except that a state may pass into law and enforce a provision of law more protective to the rights of employees that this act.

**SECTION 6.** This act shall take effect on January 1, 2019.

*Introduced for Congressional Debate by the Tournament of Champions Board of Legislative Drafters*

**An Act to Regulate the Use of Artificial Intelligence in Healthcare**

BE IT ENACTED BY THE CONGRESS HERE ASSEMBLED THAT:

**Section 1**. The Food & Drug Administration (FDA) is granted the power to classify any clinical decision support (CDS) or artificial intelligence (AI) systems as a medical device, requiring formal FDA review before market sale. The FDA is not required to review all CDS or AI systems as medical devices but reserves the right to do so.

SECTION 2. A manufacturer of CDS or AI systems may not be held liable for harms that may come to a patient whose health care provider utilizes such a system so long as a clinician-patient relationship is determined to exist.

**Section 2**. The Commissioner of Food & Drugs shall be responsible for determining the definition of clinical decision support and artificial intelligence systems, and shall propose a definition no fewer than 90 days after passage of this bill, to be followed by a public comment period of no fewer than 90 days.

**Section 3.** The Secretary of Health and Human Services, in conjunction with the Commissioner of Food & Drugs and the White House Office of Science and Technology Policy, shall enforce the provisions of this law.

**SECTION 4.** This law shall go into effect one year after passage.

**Section 5.** All laws in conflict with this legislation are hereby declared null and void.

*Introduced for Congressional Debate by the Tournament of Champions Board of Legislative Drafters,*

**A Bill to Amend the SELF DRIVE Act**

BE IT ENACTED BY THE CONGRESS HERE ASSEMBLED THAT:

**Section 1**. Section 3 of HR3388 (115th Congress) is amended as follows:

1. Item (1) – HIGHLY AUTOMATED VEHICLES is struck and replaced with the following: “The NHTSA shall make or maintain no regulation regarding the design, construction, or performance of highly automated vehicles, automated driving systems, or components of automated driving systems. The individual states shall enforce their own regulations regarding such matters.” All other language regarding a regulatory role for the NHTSA in automated driving vehicles and systems is considered void.
2. Item (2) – MOTOR VEHICLE STANDARD – Strike completely and replace with the following: “The NHTSA shall quarterly collect data only regarding the rate of human intervention with automated driving systems. This shall be reported to Congress on a yearly basis.”

**Section 2**. Human intervention is defined as any time a human has to override an automated driving system and take control of a vehicle in order to prevent an accident or to correct errors in driving safety.

**Section 3.** The National Highway Traffic Safety Administration shall oversee the collection of data.

**SECTION 4.** This shall take effect on October 1, 2018.

**Section 5.** All laws in conflict with this legislation are hereby declared null and void.

*Introduced for Congressional Debate by Tournament of Champions Board of Legislative Drafters.*

**A Bill to Improve Federal Criminal Sentencing by Utilizing Artificial Intelligence**

BE IT ENACTED BY THE CONGRESS HERE ASSEMBLED THAT:

**Section 1**. The United States federal government shall appropriate funds to develop and implement artificial intelligence algorithms to make federal criminal sentencing decisions. The artificial intelligence algorithms shall replace, in its entirety, the current United States Sentencing Commission Guidelines Manual. Federal judges shall still adhere to current the three-step procedure described in *Gall v. United States* – including consideration of the factors enumerated in 18 U.S.C. § 3553(a) – but federal judges will rely on the artificial intelligence algorithms’ determination in lieu of determining an initial guideline range.

**Section 2**. Federal judges shall retain authority to apply departures and variances from initial sentencing determinations consistent with current law. The variables and other considerations relevant to the artificial intelligence algorithms’ determinations shall be determined by the implementing agencies.

**Section 3.** The artificial intelligence algorithms shall be developed, instituted, and maintained by the Administrative Office of the United States Courts and the United States Sentencing Commission.

**SECTION 4.** This bill shall take effect January 1, 2019. Implementation of the artificial intelligence algorithms shall occur no later than December 31, 2020. Sentence guideline determinations shall only apply to criminal offenses committed after the date of implementation.

**Section 5.** All laws in conflict with this legislation are hereby declared null and void.

*Introduced for Congressional Debate by the Tournament of Champions Board of Legislative Drafters.*

**A Bill to Follow the President’s Directive**

BE IT ENACTED BY THE CONGRESS HERE ASSEMBLED THAT:

**Section 1**. The Department of Defense shall immediately withdraw all military forces from Syria.

**Section 2**. All people currently being processed and vetted for refugee status as a result of the conflict in Syria shall be permitted to remain part of the process, but no new applications for refugee status shall be considered for any displaced Syrian citizen.

**Section 3.** The Department of Defense shall update Congress as to the strength of, influence of, and territory controlled by the Islamic State in Iraq and Syria (ISIS) every sixty days following the withdrawal of American forces.

1. In the event that the Secretary of Defense cannot corroborate that ISIS is currently diminishing in each of the above categories, Congress shall have the authority to direct the Department of Defense to deploy armed forces back into Syria in order to combat any threat ISIS may pose.
2. In the event that the Secretary of Defense cannot corroborate that ISIS is currently diminishing in each of the above categories, Congress shall have the authority to direct the Department of State to immediately begin processing displaced Syrians for refugee status, with a goal of resettling a minimum of 250,000 Syrians per year into the United States.

**SECTION 4.** This shall take effect upon passage.

**Section 5.** All laws in conflict with this legislation are hereby declared null and void.

*Introduced for Congressional Debate by Tournament of Champions Board of Legislative Drafters.*

**A Resolution to Restructure U.S. Foreign Assistance to El Salvador to More Effectively Combat Gang Crime**

**WHEREAS**, The United States has provided over $4.4 billion in development assistance to the country of El Salvador over the past fifty years, yet massive problems of poverty, gang violence, and emigration remain; and

**WHEREAS**,Gangs like MS-13 with roots in struggling Salvadoran communities perpetrate violent crime in both El Salvador and the United States; and

**WHEREAS**, In its aid to El Salvador, the United States Agency for International Development (USAID) has prioritized assistance to law enforcement and criminal justice reform over education, social programs, and economic development; and

**WHEREAS**, Strategies focusing on incarceration often backfire by allowing gang members to recruit and re-group while in prison; now, therefore, be it

**RESOLVED,** That the Congress here assembled urges USAID to restructure its assistance to El Salvador to prioritize funding of programs that deal holistically with poverty and crime, utilizing strategies such as education, micro-finance, and community policing over those programs that focus purely on punitive measures; and, be it

**FURTHER RESOLVED,** That all relevant US government agencies shall encourage their partners in the El Salvadoran government to reduce its levels of incarceration for drug and gang-related crime.

*Introduced for Congressional Debate by Tournament of Champions Board of Legislative Drafters.*

**The Puerto Rico Fair Representation Act of 2018**

BE IT ENACTED BY THE TOC STUDENT CONGRESS HERE ASSEMBLED THAT:

**Section 1**. The qualified voters of Puerto Rico shall, on the first Tuesday after the first Monday of November in 2020, choose two Non-Voting Senators, who shall be entitled to official recognition upon presentation to the Department of State of a certificate of election from the Governor of Puerto Rico, and who shall be entitled to an equal salary as Senators of States of the United States.

1. No person shall be eligible to such election who is not a resident of Puerto Rico and who has not reached thirty five years of age.
2. In the first election of Non-Voting Senators from Puerto Rico, the two Non-Voting Senators shall be separately identified and designated, and no person may be a candidate for both offices. No identification or designation of either of the two Non-Voting Senatorial offices, however, shall refer to or be taken to refer to the term of that office, nor shall any such identification or designation in any way impair the privilege of the Senate to determine the class to which each of the Non-Voting Senators elected shall be assigned.
3. The Non-Voting Senators shall be entitled to be admitted to seats in the Senate and to all the rights and privileges of Senators of States of the United States, pursuant to Senate Rules, except for voting privileges on the Senate floor.

**Section 2**. “Four years” shall be replaced by “two years” in 48 U.S.C. § 891.

**Section 3.** All laws in conflict with this legislation are hereby declared null and void.

*Introduced for Congressional Debate by the Tournament of Champions Board of Legislative Drafters.*

**A Resolution to Withdraw from the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (Outer Space Treaty)**

**to Enhance Collaboration with the Chinese**

**WHEREAS**, The Outer Space Treaty was signed at a time when only the United States and the Soviet Union were capable of launching vehicles into space; and

**WHEREAS**, Recent developments and the changing paradigm of space exploration has shifted from government programs to research and development driven by private companies; and

**WHEREAS**, The Outer Space Treaty makes every country directly responsible for any activities its citizens engage in above Earth; in particular, Article VI makes nation-states responsible for the activities of nongovernmental entities, requiring “authorization and continuing supervision” of space activities by commercial enterprises; and

**WHEREAS**,The passage of the Spurring Private Aerospace Competitiveness and Entrepreneurship (SPACE) Act in 2015 authorized domestic companies to mine inorganic resources from space; now, therefore, be it

**RESOLVED,** That the Congress here assembled urge President Trump to withdraw from the Outer Space Treaty; and, be it

**FURTHER RESOLVED,** That the United States enter immediately into a bilateral treaty with China that ensures that both “Old Space” and “New Space” are governed solely by the sovereign laws of our two nations.

*Introduced for Congressional Debate by the Tournament of Champions Board of Legislative Drafters.*

**A Bill to Institute a Civil Space Traffic Management Office (CSTO) to Ensure Safe Navigation of Outer Space**

BE IT ENACTED BY THE CONGRESS HERE ASSEMBLED THAT:

**Section 1**. A. The Office of Commercial Space Transportation shall establish a Civil Space Traffic Management Office to provide space situational awareness (SSA) data to domestic and international private entities.

B. All public-private partnerships established to provide the Office of Commercial Space Transportation with SSA data, software, and services shall be equally transferable to the Department of Defense.

C. The National Aeronautics and Space Administration’s (NASA) jet propulsion laboratory’s deep-space positioning system (DPS) shall be responsible for providing deep-space navigation to the CSTO.

**Section 2**. A. “Space situational awareness” shall be defined as the knowledge of near-space, including natural and man-made objects.

B. “Deep-space positioning system (DPS)” shall be defined as a navigation system that provide location and time information for deep-space travel.

**Section 3.** The Federal Aviation Administration shall be responsible for ensuring the implementation of this legislation.

**SECTION 4.** The Civil Space Traffic Management Office must be operational by September 30, 2020.

**Section 5.** All laws in conflict with this legislation are hereby declared null and void.

*Introduced for Congressional Debate by the Tournament of Champions Board of Legislative Drafters.*

**A Bill to Protect the Earth by Preventing the Accumulation of Space Debris**

BE IT ENACTED BY THE CONGRESS HERE ASSEMBLED THAT:

**Section 1**. All space launch activity, public and private, under US jurisdiction must provide a plan to safely remove from orbit all parts of the launch vehicle within 6 months of launch and identify payload to be removed from orbit within 18 months of the completion of its mission or term of service.

**Section 2**. A. According to the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (“Outer Space Treaty”), space launches are under the Jurisdiction of the United States if the launch occurs on US soil and/or is being conducted by an American company, including those that may choose to launch from outside the US or in international waters.

B. Launch vehicles include any components that are on the vehicle at the time of launch including boosters, rocket stages, heat shielding, and payload compartment housing.

**Section 3.** The Federal Aviation Administration will ensure that all companies conducting a launch have demonstrated compliance with this law.

1. Companies will be fined for any unexpected space debris remaining from their missions due to negligence or technical malfunction in the amount of $1,000,000 per piece larger than 4mm and $250,000 per piece smaller than 4mm, to be assessed and collected by the FAA for allocation on future space debris removal projects.
2. The United States will not enforce salvage rights on any space debris extending past the period specified in the bill and will permit nationals of any country to remove space debris of US origin.

**SECTION 4.** This Law will be in effect for all launches occurring in or after 2020.

**Section 5.** All laws in conflict with this legislation are hereby declared null and void.

*Introduced for Congressional Debate by Tournament of Champions Board of Legislative Drafters.*