



**Legislative Bulletin.....August 1, 2014**

**Contents:**

**H. J. Res. 76 — Iron Dome Supplemental Funding**

**H. Res. 683- Expressing the sense of the House of Representatives on the current situation in Iraq and the urgent need to protect religious minorities from persecution from the Sunni Islamist insurgent and terrorist group the Islamic State in Iraq and Levant (ISIL) as it expands its control over areas in northwestern Iraq — (Vargas, D-CA)**

---

**H. J. Res. 76 — Iron Dome Supplemental Funding (Frelinghuysen, R-NJ)**

**Order of Business:** The House may consider H. J. Res. 76, as amended, on August 1, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage. A copy of the Senate amendment is attached with this email.

**Summary:** H. J. Res. 76, as amended, would provide \$225 million in emergency funding for the Israeli Iron Dome missile defense system.

**Additional Background:** According to the findings of [H. Con. Res. 107](#), which passed the House on July 30, 2014, since June 15, 2014, over 2,000 rockets have been fired by Hamas and other terrorist organizations from Gaza into Israel. Hamas has used civilian populations as human shields by placing their missile batteries in densely populated areas, near schools, hospitals, and mosques, and by urging Gaza residents to remain in their houses, to gather on the roofs of their homes to act as human shields, and to ignore Israeli warnings.

In response to the repeated rocket attacks, the United States and Israel have cooperated on missile defense projects, including [Iron Dome](#), [David's Sling](#), and the [Arrow Anti-Missile System](#), projects designed to thwart a diverse range of threats, including short-range missiles and rockets fired by non-state actors, such as Hamas. During the most recent rocket attacks from Gaza, Iron Dome has successfully intercepted dozens of rockets that were launched against Israeli population centers.

A Congressional Research Service report on U.S. foreign aid to Israel can be found [here](#). Hamas has been on the Department of State's designated [Foreign Terrorist Organizations list](#) since 1997 and has been accused of [kidnapping](#) and murdering three Israeli teenagers in June, 2014 including Naftali Frenkel, a dual Israeli-American citizen.

**Iron Dome Funding:** In the Fiscal Year 2014 Consolidated Appropriations Act, \$235 million was included for Iron Dome. Since 2011, more than \$720 million has been appropriated for Iron Dome.

The House-passed FY2015 Defense Appropriations Bill would provide \$351 million for the Israeli Iron Dome short-range rocket defense system next fiscal year. This is a \$175 million increase over the President's budget request of \$176 million.

According to the [Defense Secretary's letter](#) requesting supplemental funding, the \$225 million in this legislation would be "in addition to the proposed FY 2015 Congressional increase," not just above the President's budget request or current funding levels.

**Committee Action:** On August 1, 2014, the Senate adopted a Reid-McConnell-Mikulski amendment to H. J. Res. 76, making emergency supplemental appropriations to provide funding for the Israeli Iron Dome defense. H. J. Res. 76, as amended, was passed by the Senate on August 1, 2014, by [unanimous consent](#).

On July 23, 2014, Defense Secretary Chuck Hagel [wrote to Congressional leadership](#) requesting \$225 million in additional funding for Iron Dome. According to the letter, "These funds would be in addition to the \$176 million requested in the President's FY 2015 budget for Iron Dome and also in addition to the proposed FY 2015 Congressional increase of \$175 million."

H. J. Res. 76 was originally introduced by Rep. Frelinghuysen on October 3, 2013, as the National Nuclear Security Administration Continuing Appropriations Resolution, 2014. This measure was meant to provide funding for the National Nuclear Security Administration (NNSA) during last fall's government shutdown. On October 11, 2013, the House approved H. J. Res. 76 by a [248–176](#) vote. The Senate failed to act on this measure in a timely manner, withholding funding for the NNSA during the shutdown.

**Possible Conservative Concerns:** Some conservatives may be concerned that this legislation will allow new spending above the negotiated budget caps.

The \$225 million in new spending is designated as Emergency spending. This designation allows new discretionary spending above and beyond the bipartisan negotiated caps set forth in law by the Budget Control Act (BCA) and the Ryan-Murray Bipartisan Budget Act.

The BCA spells out the requirements for what spending can be designated as an emergency. An emergency situation must meet two tests: <sup>1</sup>

1. The spending must be "for the prevention or mitigation of, or response to, loss of life or property, or a threat to national security"
2. Unanticipated, defined as "sudden," "urgent," "unforeseen," and "temporary."

---

<sup>1</sup> Budget Control Act of 2011, [P.L. 112-25](#), §102.

**Cost to Taxpayers:** A CBO report is not available at this time. The legislation would add \$225 million in new emergency spending above the budget caps.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10<sup>th</sup> Amendment?:** No.

**Does the Bill Delegate Any Legislative Authority to the Executive Branch?:** No.

**Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** No.

**Constitutional Authority:** A Constitutional authority statement is not available at this time.

**RSC Staff Contact:** Matt Dickerson, [matthew.dickerson@mail.house.gov](mailto:matthew.dickerson@mail.house.gov), 6-9718

---

---

**H. Res. 683- Expressing the sense of the House of Representatives on the current situation in Iraq and the urgent need to protect religious minorities from persecution from the Sunni Islamist insurgent and terrorist group the Islamic State in Iraq and Levant (ISIL) as it expands its control over areas in northwestern Iraq — (Vargas, D-CA)**

**Order of Business:** [H. Res. 683](#) is scheduled to be considered on Friday, August 1, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

**Summary:** This resolution condemns acts of violence by ISIL against the Iraqi Christian population, and those who do not identify with the ISIL ideology of Sunni Islam. It calls upon the United States to work with the United Nations and the Government of Iraq to take steps to protect the safety of Iraqi civilians and reaffirm its commitment to protecting religious freedom worldwide.

The resolution reaffirms the House’s commitment to promoting and protecting religious freedom around the world, and condemns the religious bigotry, vandalism, and destruction of property by armed extremists. In addition, it calls on the State Department to work with the Kurdistan Regional Government, the Iraqi central government, neighboring countries, the diaspora community in the United States, the United Nations, and other stakeholders to help secure a safe haven for those claiming amnesty in Iraq.

Finally, it calls upon the Government of Iraq to take immediate steps to protect the safety and constitutional rights of all Iraqi citizens, and requests the addition of a Special Representative for Religious Minorities to be included in the reconstructed government of Iraq.

**Additional Background:** The Islamic State of Iraq and the Levant (ISIL) is a transnational Sunni insurgency whose ideological and organizational roots lie in both al Qaeda in Iraq and the Syria-based Jabhat al Nursa. This radical extremist group seeks civil unrest in Iraq and the surrounding region with the goal of establishing a single, transnational Islamic state based on [sharia](#), or a political movement of Radical Islam. The state department has [described](#) this group as no longer “simply a terrorist organization—it is now a full-blown army.”

Iraq’s population is 97% Muslim while the remaining 3% is comprised of Christians, Yezidis, Sabeian-Mandaeans, Bahais, Shabaks, Kakais, and Jews. While the Iraqi constitution provides for religious freedom, there is still a major concern for the safety and security of Iraq’s Christians and other minority religious populations. It has been [reported](#) ISIL has been giving non-Muslim Iraqis an ultimatum: leave the city and all possessions behind immediately; stay and pay a tax (known as jizya) of an unspecified amount; convert to Islam; or be killed. In addition to persecuting religious minorities, ISIL has also destroyed numerous [holy sites](#) including the tomb of Jonah.

On July 18, 2014, the State Department issued a [statement](#) which “condemns in the strongest terms the systematic persecution of ethnic and religious minorities by the terrorist group Islamic State of Iraq and the Levant (ISIL).”

In addition, the United National also condemned the systematic persecution of minorities. They [reiterated](#), “any systematic attack on the civilian population, or segments of the civilian population, because of their ethnic background, religious beliefs or faith may constitute a crime against humanity, for which those responsible must be held accountable. All armed groups, including IS and associated formations, must abide by international humanitarian law and protect civilians living in areas they control.”

**Committee Action:** H. Res. 683 was introduced by Representative Vargas on July 24, 2014, and referred to the House Foreign Affairs Committee. On July 30, 2014, the Committee considered the resolution and held a [mark-up](#) where the bill was ordered to be reported by unanimous consent.

**Administration Position:** No Statement of Administration Policy is available at this time.

**Cost to Taxpayers:** No statement from CBO is available at this time.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10<sup>th</sup> Amendment?:** No.

**Constitutional Authority:** House Rules do not require a statement of constitutional authority for resolutions.

**RSC Staff Contact:** Nicholas Rodman, [Nicholas.Rodman@mail.house.gov](mailto:Nicholas.Rodman@mail.house.gov), 202-226-8576

**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.*

###