



Legislative Bulletin.....December 31, 2012

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S. 3454 – Intelligence Authorization Act for Fiscal Year 2013
(Sen. Feinstein, D-CA)

Order of Business: The bill is scheduled to be considered on Monday, December 31, 2012, under a motion to suspend the rules requiring two-thirds majority vote for passage.

Summary: [S. 3454](#) would authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System and for other purposes.

This legislation is mainly in a classified annex.

Specific Sections:

Personal Ceiling Adjustments

Section 103 provides that the Director of National Intelligence may authorize the employment of civilian personnel in excess of the number of positions for FY 2013 under the classified Schedule of Authorizations – by up to 3%. But they must notify the congressional intelligence committees in writing at least 15 days prior to the initial exercise of this power.

Central Intelligence Agency Retirement and Disability System

S. 3454 would authorize an appropriation of \$514,000,000 for the CIA’s Retirement and Disability Fund for FY 2013.

This was part of the CIA’s federal budget request. The request stated that “Independent actuarial projections show the CIARDS fund going bankrupt by the end of 2012 with an unfunded liability of \$6.4 billion.”

The requested funds reflect the amortized cost of recapitalizing the system over 20 years, according to the budget request. In an [article](#) in Pensions & Investments by Tim Inklebarger, CIA spokesman Preston Golson declined to reveal the size of the assets or liabilities of the pension plan, or the location of the fund. “The CIA cannot address your specific questions because details associated with the CIARDS budget are classified.”

Security Clearance Reciprocity:

Section 306 of the legislation requires the President to develop a strategy and process to carry out the requirements outlined in the Intelligence Reform and Terrorism Prevention Act of 2004 for reciprocity of security clearances access determinations across agencies. The President is required to inform Congress within 180 days after the date of enactment.

Repeal of Certain Reporting Requirements:

Section 310 removes statutory requirements to report on:

1. Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions (Repealing 50 U.S.C. 2366)
2. Safety and Security of Russian Nuclear Facilities and Nuclear Military Forces (Amending 50 U.S.C 404i)
3. Intelligence Community Business Systems Budget Information (Amending 50 U.S.C. 415a-6)
4. Measures to Protect the Identities of Covert Agents (Amending 50 U.S.C. 421)

New Reporting Requirements:

Section 305 requires the chief information officer for each element of the intelligence community to conduct an inventory of software licenses held by their element, including utilized and unutilized licenses, and the Chief Information Officer of the Intelligence Community shall provide a comprehensive report to the congressional Intelligence Committees.

Section 308 requires that the Director of National Intelligence submit to the Intelligence Committees a report assessing the method by which contractors under a contract with a

member of the intelligence community are granted security clearances and notified of classified contracting opportunities within the Federal Government and recommendations for the improvement of such method.

Section 503 requires the Director of National Intelligence to submit a report to the Intelligence Committees on the topic of protecting the information technology supply chain. Specifically it should identify major foreign suppliers of information technology (equipment, software and servers) that are linked “directly or indirectly to a foreign government” to assess the vulnerability to malicious activity (e.g., cyber-crime or espionage).

Notification Regarding the Authorized Public Disclosure of National Intelligence:
In the event of an authorized disclosure of national intelligence to media personnel (or others for which the intent was public disclosure), the government official responsible for authorizing the disclosure shall submit to the congressional intelligence committees a notification of the disclosure if the information is classified at the time of disclosure, or is declassified for the purpose of disclosure.

Background: On May 31, 2012, the House passed Chairman Mike Rogers’ (R-MI) legislation, [H.R. 5743](#) (our legislative bulletin on that can be found [here](#)). There are a number of differences between H.R. 5743 and S. 3454 – most of the summarized sections listed above are not in H.R. 5743 (with the exception of the section on security clearances). H.R. 5743 also included a provision on the CIA’s Inspector General to allow him to designate certain positions as law enforcement officer positions for the purpose of retirement benefits.

Minimizing potentially unnecessary reporting requirements is seen as important to alleviate the burden on the intelligence community. From the committee report, “congressional reporting requirements, and particularly recurring reporting requirements, can place a significant burden on the resources of the Intelligence Community. The Committee is therefore reconsidering these reporting requirements on a periodic basis to ensure that the reports that have been requested are the best mechanism for the Congress to receive the information it seeks. In some cases, annual reports can be replaced with briefings or notifications that provide the Congress with more timely information and offer the Intelligence Community a direct line of communication to respond to congressional concerns.

In response to a request from the DNI, the Committee examined a set of recurring reporting requirements nominated by the Intelligence Community, including those which arise from legislation reported or managed by committees other than the congressional intelligence committees.”

Several controversial provisions were removed in the Manager’s amendment. One particularly controversial amendment would have dealt with whistleblowers, and critics argued that it would punish whistleblowers coming forward with allegations of unlawful activity – that provision and others have been removed.

Committee Action: Senator Dianne Feinstein (D-CA) introduced S. 3454 on July 30, 2012, and it was referred to the Senate Committee on Intelligence. It was reported out of Committee on July 30, 2012 (Report No. [112-192](#)) and then on December 28, 2012, it passed the Senate with an amendment by Voice Vote. It should be noted that this manager's amendment made significant changes to the legislation that were not addressed in the Committee report. The House has not taken action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report for S. 3454 is unavailable.

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 Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: None available.

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H.R. 6612 - To redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range (McCarthy, R-CA)

Order of Business: The bill is scheduled to be considered on Monday, December 31, 2012, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 6612 would redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range

Additional Information: Neil Alden Armstrong (August 5, 1930 – August 25, 2012) was an American astronaut and the first person to walk on the Moon. He was also an aerospace engineer, naval aviator, test pilot, and university professor. Before becoming an astronaut, Armstrong was an officer in the U.S. Navy and served in the Korean War. (Source: [Wikipedia](#))

Hugh Latimer Dryden (July 2, 1898 – December 2, 1965) was an American aeronautical scientist and civil servant. He held the position of Director of NACA, NASA's predecessor, from 1947 until October 1958. In addition he served on numerous government advisory committees, including the Scientific Advisory Committee to the

President. He served as NASA Deputy Administrator from August 19, 1958 until his death. (Source: [Wikipedia](#))

Committee Action: H.R. 3220 was introduced on November 29, 2012, and referred to the House Committee on Science, Space, and Technology. No further committee action was taken.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No CBO score was available at press time, but the only costs associated with naming U.S. federal facilities are those for sign and map changes, none of which significantly affect the federal budget.

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 Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: Rep. Cravaack's statement of constitutional authority states: "Congress has the power to enact this legislation pursuant to the following: Article IV, Section 3, Clause 2 of the Constitution." The statement can be [viewed here](#).

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Concur in the Senate Amendment to H.R. 443 - To provide for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska (Young, R-AK)

Order of Business: The legislation is scheduled to be considered on Monday, December 31, 2012, under a motion to suspend the rules and pass the legislation.

Summary: This legislation originally passed the House on December 15, 2011, by a [roll call vote of 407-4](#). The Senate Amendment made minimal amendments to the legislation.

H.R. 443 directs the Secretary of Health and Human Services to convey to the Maniilaq Association located in Kotzebue, Alaska, three parcels of land totaling approximately 14.619 acres. This property is to be used by the Maniilaq Association for health and social services programs. This property is to be transferred within 180 days after enactment.

H.R. 443 states that the Maniilaq Association will not be held liable for any soil, surface water, groundwater, or other contamination that currently exists on the conveyed property.

Committee Action: H.R. 443 was introduced on January 25, 2011, and referred to the Natural Resources Subcommittee on Indian and Alaska Native Affairs. A full committee markup was held on October 5, 2011, and the legislation was favorably reported by unanimous consent. The legislation passed the House on December 15, 2011, by a [roll call vote of 407-4](#). The legislation passed the Senate on December 20, 2012, with an amendment, by unanimous consent. The RSC Legislative Bulletin for the House passed bill can be [viewed here](#).

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that enactment of H.R. 443 would not have a significant impact on the federal budget. CBO's report can be [viewed here](#). This score does not reflect the Senate Amendment.

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?: House Report 112-318 states, "H.R. 443 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments."

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

Constitutional Authority: Rep. Young's statement of constitutional authority states: "Congress has the power to enact this legislation pursuant to the following: Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 3." The statement can be [viewed here](#).

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

Concur in the Senate Amendment to H.R. 2076 — Investigative Assistance for Violent Crimes Act of 2011 (Gowdy, R-SC)

Order of Business: The bill is scheduled to be considered on Monday, December 31, 2012, under a motion to suspend the rules requiring two-thirds majority vote for passage.

Summary: The Senate Amendment to H.R. 2076 amends current federal law to provide authority to the Department of Justice (and the Federal Bureau of Investigation) and the Department of Homeland Security^[1] (through the Secret Service or U.S. Immigration and

^[1] The original House-passed bill only gave such authority to the Attorney General.

Customs Enforcement), *upon request from an appropriate state or local law enforcement authority*, to respond to a violent crime when that violent crime does not appear to violate any federal law. Specifically, under the bill, federal officials “...*may assist in the investigation of violent acts and shootings occurring in a place of public use, and in the investigation of mass killings and attempted mass killings.*”

Current federal law defines “mass killings” to mean three or more killings in a single incident. Also, the bill defines a “place of public use” as those parts of any building, land, street, waterway, or other location that are accessible or open to members of the public, whether continuously, periodically, or occasionally, and encompasses any commercial, business, cultural, historical, educational, religious, governmental, entertainment, recreational, or similar place that is so accessible or open to the public—as defined under current federal law (*section 2332f(e)(6) of title 18, United States Code*).

Secondly, the bill increases the maximum reward amount that the Department of Justice can pay pursuant to public advertisements for assistance in a criminal investigation from \$2,000,000 to \$3,000,000. According to the Judiciary Committee report, the offering or awarding of an amount of \$250,000 or more requires the personal approval of the President (or Attorney General) and written notice to the Chairman and Ranking Member of the House Judiciary Committee.

The House passed the original bill on September 12, 2011 by a vote of [358-9](#) (64 not voting). The RSC Legislative Bulletin for the original, House-passed bill can be found [here](#).

Additional Background: The Federal Bureau of Investigation (FBI) does not have the statutory authority to assist in the investigation of crimes that do not violate federal law. However, while the FBI receives requests from state and local law enforcement for investigatory assistance of violent crimes, federal officers could potentially be found to be acting outside of their scope of employment. Based on a letter to the House Judiciary Committee from the FBI Agents Association, an association representing over 12,000 active and retired-duty agents, despite “...a long history of working closely with state and local law enforcement officials to investigate crimes...the FBI must often find indirect grants of authority in order to assist with investigations.”

Committee Action: Representative Trey Gowdy (SC-04) introduced H.R. 2076 on June 1, 2011. On July 20, 2011, the Judiciary Committee reported the bill out of Committee by voice vote. The U.S. Senate passed the amended version by unanimous consent on December 17, 2012.

Administration Position: As of press time, no Statement of Administration Policy (SAP) has been released.

Cost to Taxpayers: The Congressional Budget Office (CBO) released a cost estimate for H.R. 2076 on July 28, 2011. The estimate states that implementing the bill would have no significant cost to the Federal government. Based on information from the Department of Justice about rewards for assistance in investigating crimes in recent years, the CBO

expects very few rewards to exceed \$2 million. Payments for rewards are paid out of appropriated funds.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill increases the reward amount that could be paid pursuant to a public advertisement for investigatory assistance from the Department of Justice from \$2,000,000 to \$3,000,000.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No. The CBO report states that the bill does not contain any intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not impose any costs on state, local, or tribal governments.

Does the Bill Contain any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: According to House Report 112-186, H. R. 2076 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

Constitutional Authority: The Constitutional Authority Statement accompanying the bill upon introduction states, “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3 of the Constitution [the Interstate Commerce Power].”

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H.R. 6019 – Juvenile Accountability Block Grant Reauthorization and the Bullying Prevention and Intervention Act of 2012, as amended (*Jackson Lee, D-TX*)

Order of Business: The bill is scheduled to be considered on Monday, December 31, 2012, under a motion to suspend the rules requiring two thirds majority vote for passage.

Summary: H.R. 6019 reauthorizes funding for the Juvenile Accountability Block Grant Program (JAG) at \$40 million per year for FY2014 through FY 2018. The previous four-year reauthorization at \$350 million per year expired in FY2009, yet it has continued to receive appropriations in the subsequent unauthorized years (\$46 million in FY2011, and \$30 million in FY2012, according to the Judiciary Committee).

According to its [website](#), this Department of Justice Office of Juvenile Justice and Delinquency Prevention program funds block grants to “states for programs promoting greater accountability in the juvenile justice system.” Local and tribal governments apply to the states for funds to support local juvenile programs. The program currently includes [17 program purpose areas](#) including an anti-bullying purpose area that seeks to address school safety through bullying and cyberbullying prevention.

A previous version of [H.R. 6019](#) was originally scheduled for floor consideration this summer before being pulled off of the House floor calendar. In addition to reauthorizing the JAG program, that bill also *expanded* the existing anti-bullying purpose area to include intervention as well as prevention.

Additional Information: In 2005, Congress created a new JAG, school-safety purpose area that includes bullying and cyberbullying prevention for eligible state, local, and tribal governments to receive federal grants. Note: the original program began in 2002.

According to the [U.S. Department of Education](#), 46 states have anti-bullying laws in place that address bullying and related behaviors in schools. 36 states prohibit cyberbullying, and 13 have laws that grant schools the authority to address off-campus behavior that creates a hostile school environment.

Potential Conservative Concerns: With nearly all states having laws on their books to address bullying and school safety and at a time of record federal deficits and debts, some conservatives may question the appropriateness and constitutionality of the federal government dealing at all with matters so obviously local.

Outside Groups Opposing: Eagle Forum (key scoring) opposed the original version of the bill that was scheduled to be considered this past July.

Committee Action: Representative Sheila Jackson Lee (*D-TX*) introduced H.R. 6019 on June 26, 2012. The Judiciary Committee reported the amended bill out favorably by voice vote on July 9, 2012. The reported bill included the creation of a new JAG purpose area, while the bill on the floor today does not.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report detailing the cost to taxpayers is unavailable.

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 Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: The Constitutional Authority Statement upon introduction of the bill states, “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 1, Section 8, Clause 1 of the United States Constitution.”

RSC Staff Contact: Joe Murray, Joe.Murray@mail.house.gov, (202) 226-0678

S. 3666 - A bill to amend the Animal Welfare Act to modify the definition of “exhibitor” (Vitter, R-LA)

Order of Business: The legislation is scheduled to be considered on Monday, December 31, 2012, under a motion to suspend the rules and pass the legislation.

Summary: S. 3666 amends the definition of “exhibitor” in the Animal Welfare Act. The legislation exempts the following from being classified as an exhibitor, thus providing an exemption from the Animal Welfare Act: an owner of a common, domesticated household pet who derives less than a substantial portion of income from a nonprimary source (as determined by the Secretary) for exhibiting an animal that exclusively resides at the residence of the pet owner.

The full definition of “exhibitor” is below. The language in *red italics* will be added by this legislation. The term “exhibitor” means any person (public or private) exhibiting any animals, which were purchased in commerce or the intended distribution of which affects commerce, or will affect commerce, to the public for compensation, as determined by the Secretary, and such term includes carnivals, circuses, and zoos exhibiting such animals whether operated for profit or not; but such term excludes retail pet stores, *an owner of a common, domesticated household pet who derives less than a substantial portion of income from a nonprimary source (as determined by the Secretary) for exhibiting an animal that exclusively resides at the residence of the pet owner*, organizations sponsoring and all persons participating in State and country fairs, livestock shows, rodeos, purebred dog and cat shows, and any other fairs or exhibitions intended to advance agricultural arts and sciences, as may be determined by the Secretary;

Committee Action: S. 3666 was introduced on December 6, 2012, and was not referred to a particular Senate Committee. The legislation passed the Senate on December 6, 2012, by unanimous consent. The legislation was then referred to the House Agriculture Subcommittee on Livestock, Dairy, and Poultry, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No CBO report is available.

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 Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: Senate rules do not require a statement of constitutional authority for legislation introduced in the Senate.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 6364 – Frank Buckles World War I Memorial Act (Poe, R-TX)

Order of Business: The bill is scheduled to be considered on, December 31, 2012, under a motion to suspend the rules requiring two thirds majority vote for passage.

Summary: [H.R. 6364](#) would establish a World War I Centennial Commission. The Commission shall plan, develop, and execute programs, projects, and activities to commemorate the centennial of World War I. The Commission shall also encourage private organizations and state and local governments to organize and participate in activities commemorating the centennial of World War I. The Commission is directed to facilitate and coordinate activities throughout the United States relating to the centennial of World War I, and serve as a clearinghouse for the collection and dissemination of information about events and plans for the centennial of World War I. Additionally, the Commission shall also develop recommendations for Congress and the President for commemorating the centennial of World War I.

The Commission is allowed to hold hearings, take testimony, procure supplies, services and property. The Commission is also allowed to use the U.S. postal service in the same manner and under the same conditions as other departments and agencies of the federal government. The Commission shall terminate by July 28, 2019.

The legislation would also designate the Liberty Memorial of Kansas City at America’s national World War I Museum in Kansas City, Missouri as the “National World War I Museum and Memorial.”

Section 9 of the legislation prohibits the use of any federal funds to carry out this legislation.

Committee Action: Representative Ted Poe (R-TX) introduced H.R. 6364 on September 10, 2012 and it was referred to the House Oversight and Government Reform Committee and the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. A mark-up was held ([Mark-up report](#)) and it was reported out by unanimous consent on December, 5, 2012. The legislation passed the House on December 12, 2012, by voice vote. The legislation was then received by the Senate and passed on December 21, 2012, by unanimous consent, as amended.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: According to the CBO, H.R. 6364 would increase authorization by about \$4 million over the 2013-2017 periods, subject to appropriations. Those funds would be used to plan, develop, and carry out activities and prepare reports.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The legislation establishes a WWI Centennial Commission.

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

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

Constitutional Authority: The Constitutional Authority Statement accompanying the bill upon introduction states, “Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clauses 1, 12, 16, and 18.”

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H.R. 6649 - Naval Vessel Transfer Act of 2012 (Ros-Lehtinen, R-FL)

Order of Business: The legislation is scheduled to be considered on Monday, December 31, 2012, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 6649 authorizes the President to transfer the following Oliver Hazard Perry class guided missile frigates naval vessels, on a grant basis, to certain foreign countries:

- **To Mexico:** USS Curts (FFG-38) and USS McClusky (FFG-41).
- **To Thailand:** USS Rentz (FFG-46) and USS Vandegrift (FFG-48).
- **To Turkey:** USS Halyburton (FFG-40) and USS Thach (FFG-43)

The value of a vessel transferred to another country on a grant basis shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

The legislation authorizes the President to sell the following Oliver Hazard Perry class guided missile frigates naval vessels, to the Taipei Economic and Cultural Representative Office of the United States (TECRO):

- **To TECRO:** USS Taylor (FFG-50), USS Gary (FFG-51), USS Carr (FFG-52) and the USS Elrod (FFG-55).

The legislation states that any expense incurred by the transfer will be borne by the recipient country.

To the maximum extent practicable, the President shall require that the recipient of the vessel have any repairs or refurbishments performed at the shipyard located in the United States. The authority to transfer these vessels shall expire at the end of the 3 year period

after the date of enactment. More information about Oliver Hazard Perry Class guided missile frigates can be [found here](#).

Additional Information According to Committee Staff: Estimates of the hull values for the frigates being transferred are \$8-10 million. Whether transferred by sale or grant, the completed transactions will generate revenue for the U.S. because all of these decommissioned ships will need substantial upgrades on the order of \$40-80 million.

Committee Action: H.R. 6649 was introduced on December 11, 2012, and was referred to the House Foreign Affairs Committee, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No CBO score is available.

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 Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: Rep. Ros-Lehtinen states “Congress has the power to enact this legislation pursuant to the following: Article I, section 8 of the constitution.” The statement can be [viewed here](#).

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H.Con.Res. 145 - Calling for universal condemnation of the North Korean missile launch of December 12, 2012 (Ros-Lehtinen, R-FL)

Order of Business: The resolution is scheduled to be considered on Monday, December 31, 2012, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 145 resolves that it is the sense of the Congress that:

- “The North Korean missile launch of December 12, 2012, represents a flagrant violation of United Nations Security Council resolutions 825 (1993), 1540 (2004), 1695 (2006), 1718 (2006), and 1874 (2009), that North Korea continues to defy the United Nations, its Six-Party partners, and the international community, and that the Member States should immediately impose sanctions covered by these resolutions and censure North Korea; and
- “All current restrictions against the Government of North Korea, including sanctions that ban the importation into the United States of North Korean products and goods, should remain in effect until the Government of North Korea no

longer engages in activities that threaten United States interests and global peace and stability.”

The resolution contains a number of findings, including:

- “United Nations Security Council Resolution 1695, unanimously adopted on July 15, 2006, following a series of North Korean missile firings on July 5, 2006, specifically condemned the Democratic People's Republic of Korea's (North Korea) recent test-firing of a series of missiles, and demanded that the North-East Asian country suspend all ballistic missile related activity and reinstate its moratorium on missile launches;
- “Evidence of the People's Republic of China’s noncompliance with United Nations Security Council resolutions related to North Korea was clearly demonstrated by the appearance in a military parade in Pyongyang, North Korea, on April 15, 2012, of a Chinese-manufactured missile launcher in the possession of North Korean military forces;
- “On December 12, 2012, in flagrant defiance of past United Nations Security Council resolutions, the international community, and its Six-Party partners, North Korea launched a three-stage, long-range missile, which overflew Japanese territory near Okinawa and dropped debris into the Yellow Sea, the East China Sea, and waters adjacent to the Philippines;
- “North Korea's latest provocative and defiant action represents a direct threat to the United States Armed Forces in the Asia/Pacific region and regional allies and friends, including the Republic of Korea, Japan, Taiwan, and the Philippines and is a potential future threat to the United States and its people, including those residing in Guam, Hawaii, Alaska, and the west coast of the United States mainland; and
- “Multiple media reports indicated that Iran sent a delegation of scientists, believed to be missile experts, to provide technical assistance and to observe the December 12, 2012, North Korean missile launch, pointing to an extensive cooperation on missile development between the two rogue nations that dates back to the 1980s.”

Committee Action: H.Con.Res. 145 was introduced on December 17, 2012, and was referred to the House Committee on Foreign Affairs, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No CBO estimate is available.

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 Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: House Rules do not require a statement of constitutional authority to accompany resolutions when introduced.

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H.Res. 134 - Condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights (Dold, R- IL)

Order of Business: The resolution is scheduled to be considered on Monday, December 31, 2012, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 134 resolves that the House of Representatives:

- “Condemns the Government of Iran for its state-sponsored persecution of its Baha’i minority and its continued violation of the International Covenants on Human Rights;
- “Calls on the Government of Iran to immediately release the seven leaders and all other prisoners held solely on account of their religion, including Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, Mr. Vahid Tizfahm, Ms. Raha Sabet, and Mr. Navid Khanjani;
- “Calls on the President and Secretary of State, in cooperation with the international community, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion, including Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, Mr. Vahid Tizfahm, Ms. Raha Sabet, and Mr. Navid Khanjani; and
- “Urges the President and Secretary of State to utilize all available measures, such as those available under the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 and Executive Order 13553, to sanction officials of the Government of Iran and other individuals directly responsible for egregious human rights violations in Iran, including against the Baha’i community.”

The resolution contains a number of findings, including:

- “In 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, 2008, and 2009, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha’i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha’i faith;
- “In November 2007, the Ministry of Information of Iran in Shiraz jailed Baha’is Ms. Raha Sabet, 33, Mr. Sasan Taqva, 32, and Ms. Haleh Roohi, 29, for educating underprivileged children, and gave them 4-year prison terms;

- “Ms. Sabet, Mr. Taqva, and Ms. Roohi were targeted solely on the basis of their religion;
- “The Government of Iran is party to the International Covenants on Human Rights; and
- “The Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) authorizes the President and the Secretary of State to impose sanctions on the officials of the Government of Iran and other individuals who are responsible for continuing and severe violations of human rights and religious freedom in Iran.”

Committee Action: H.Res. 134 was introduced on March 1, 2011, and was referred to the House Foreign Affairs Subcommittee on Middle East and South Asia, as well as the Subcommittee on Africa, Global Health, and Human Rights, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No CBO estimate is available.

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 Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: House Rules do not require a statement of constitutional authority to accompany resolutions when introduced.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.Res. 834 - Urging the governments of Europe and the European Union to designate Hizballah as a terrorist organization and impose sanctions, and urging the President to provide information about Hizballah to the European allies of the United States and to support the Government of Bulgaria in investigating the July 18, 2012, terrorist attack in Burgas (Kelly, R-PA)

Order of Business: The resolution is scheduled to be considered on Monday, December 31, 2012, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 834 resolves that the House of Representatives:

- “Urges the governments of Europe and the European Union to designate Hizballah as a terrorist organization so that Hizballah cannot use the territories of

- the European Union for fundraising, recruitment, financing, logistical support, training, and propaganda;
- “Urges the governments of Europe and the European Union to impose sanctions on Hizballah for providing material support to Bashar al Assad's ongoing campaign of violent repression against the people of Syria;
 - “Expresses support for the Government of Bulgaria as it conducts an investigation into the July 18, 2012, terrorist attack in Burgas, and expresses hope that the investigation can be successfully concluded and that the perpetrators can be identified as quickly as possible;
 - “Urges the President to provide all necessary diplomatic, intelligence, and law enforcement support to the Government of Bulgaria to investigate the July 18, 2012, terrorist attack in Burgas;
 - “Reaffirms support for the Government of Bulgaria by the United States as a member of the North Atlantic Treaty Organization (NATO), and urges the United States, NATO, and the European Union to work with the Government of Bulgaria to safeguard its territory and citizens from the threat of terrorism; and
 - “Urges the President to make available to European allies and the European public information about Hizballah's terrorist activities, efforts to subvert democracy within Lebanon, and provision of material support to Bashar al Assad's campaign of violence in Syria.”

The resolution contains a number of findings, including:

- “the Department of State has designated Hizballah as a foreign terrorist organization since October 1997;
- “Hizballah was established in 1982 through the direct sponsorship and support of Iran's Islamic Revolutionary Guards Corps (IRGC) Qods Force and, as a primary terrorist proxy of Iran, continues to receive training, weapons, and explosives, as well as political, diplomatic, monetary, and organizational aid, from Iran;
- “according to the October 18, 2012, report of the Secretary-General of the United Nations to the United Nations Security Council on the implementation of Security Council Resolution 1559 (2004) (in this preamble referred to as the ‘October 18 Report’), ‘The maintenance by Hizbullah of sizeable sophisticated military capabilities outside the control of the Government of Lebanon . . . creates an atmosphere of intimidation in the country[,] . . . puts Lebanon in violation of its obligations under Resolution 1559 (2004)[,] and constitutes a threat to regional peace and stability.’;”
- “on July 12, 2006, Hizballah engaged in an unprovoked attack on Israel that instigated the 2006 Israel-Hizballah War, in which Hizballah deliberately targeted Israeli civilians and utilized innocent Lebanese as human shields in violation of international norms; and
- “on October 26, 2012, Mr. Brennan called on the European Union to designate Hizballah as a terrorist organization, saying, ‘European nations are our most sophisticated and important counterterrorism partners, and together we must make it clear that we will not tolerate Hizballah's criminal and terrorist activities.’”

Committee Action: H.Res. 834 was introduced on December 17, 2012, and was referred to the House Foreign Affairs Committee, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No CBO estimate is available.

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 Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: House Rules do not require a statement of constitutional authority to accompany resolutions when introduced.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.Res. 193 - Calling on the new Government of Egypt to honor the rule of law and immediately return Noor and Ramsay Bower to the United States (*Frank, D-MA*)

Order of Business: The resolution is scheduled to be considered on Monday, December 31, 2012, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 193 resolves that:

- (1) “The House of Representatives--
 - “Calls on Egypt to, in accordance with its goals of promoting human rights and democratic rule of law, bring about the safe return of Noor and Ramsay Bower to their father, Colin Bower, in the United States;
 - “Calls on Egypt to immediately stop using its own security forces in aiding and abetting the continued unlawful retention of United States citizens Noor and Ramsay Bower; and
 - “Urges Egypt and all other nations to join and fully participate in the Hague Convention on the Civil Aspects of International Child Abduction, and to establish procedures to promptly and equitably address the tragedy of child abductions, given the serious consequences to children of not expeditiously resolving these cases and of denying them access to a parent; and
- (2) “It is the sense of the House of Representatives that the United States should--
 - “Urge other nations like Egypt to become parties to the Hague Convention on the Civil Aspects of International Child Abduction and establish

systems to effectively discharge their reciprocal responsibilities under the Convention;

- “Take other appropriate measures to ensure that Hague Convention partners return abducted children to the United States in compliance with the Hague Convention's provisions;
- “Continue to work aggressively for the return of children abducted from the United States to countries that are not Hague Convention Partners and for visitation rights for left-behind parents while return is negotiated, establishing memorandums of understanding where necessary for the expeditious return of children; and
- “Pursue criminal extradition of abducting parents where resolution of the abduction is not otherwise obtainable.”

The resolution contains a number of findings, including:

- “Colin Bower has been trying unsuccessfully since August 11, 2009, to secure the return of his children Noor and Ramsay to the United States, where Noor and Ramsay maintained their habitual residence from 2005 until their mother, Mirvat el Nady, wrongfully removed them to Egypt;
- “Noor William Noble Bower, age 10, and Ramsay Maclean Bower, age 8, are lawful citizens of the United States of America;
- “On December 1, 2008, prior to the abduction of Noor and Ramsay, the Probate and Family Court of the Commonwealth of Massachusetts awarded sole legal custody of Noor and Ramsay to Colin Bower, and joint physical custody with Mirvat el Nady, which ruling stipulated Mirvat el Nady was not to remove Noor and Ramsay from the Commonwealth;
- “On August 11, 2009, Noor and Ramsay Bower were abducted to Egypt by Mirvat el Nady and granted entry to Egypt without prior issuance of United States visas;
- “Despite repeated appeals to Egyptian political and security officials by members of the United States Department of State, the revocation of Mirvat el Nady's custody in Egypt, and the subsequent lack of custody determination for the children existing in Egypt, no action has been taken by the Egyptian government to facilitate the return of Noor and Ramsay to their father who continues to be the only legal custodian of the children; and
- “The incidence of reported child abduction cases has more than doubled since 2007.”

Committee Action: H.Res. 193 was introduced on March 31, 2011, and was referred to the House Foreign Affairs Subcommittee on Middle East and South Asia, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No CBO estimate is available.

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?:

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

Constitutional Authority: House Rules do not require a statement of constitutional authority to accompany resolutions when introduced.

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