



Legislative Bulletin.....July 25, 2014

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H. Con. Res. 105 – Directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove United States Armed Forces, other than Armed Forces required to protect United States diplomatic facilities and personnel, from Iraq (*Rep. McGovern, D-MA*)

Order of Business: The bill is scheduled to be considered on July 28, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H. Con. Res. 105](#) directs the President of the United States to remove United States Armed Forces, other than Armed Forces required to protect United States diplomatic facilities and personnel, from Iraq, pursuant to section 5(c) of the War Powers Resolution ([50 U.S.C. 1544\(c\)](#)). The resolution directs the President to remove U.S. forces by no later than the end of the period of 30 days beginning on the day on which the concurrent resolution is adopted. For more on the War Powers Resolution, see an in-depth CRS report on the subject [here](#).

If the President determines that it is not safe to remove United States Armed Forces before the end of that period, the President is directed to remove U.S. forces by no later than December 31, 2014, or such earlier date that U.S. forces can safely be removed.

Additional Information: In light of the rapid takeover of a large swath of Iraqi territory by the Islamic State of Iraq and Syria (ISIS), a radical jihadist militant organization, the President of the United States has ordered up to [300 U.S. military advisors](#) to Iraq to assist the Iraqi military. [Reports indicate](#) that there are currently a total of 750 troops in Iraq.

Committee Action: The resolution was introduced on July 11, 2014, and was referred to the House Committee on Foreign Affairs. On July 23, 2014, Mr. Nugent asked unanimous consent that it be in order at any time to consider H. Con. Res. 105 in the House, if called up by the Chair of the Committee on Foreign Affairs or his designee; that the amendment printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and numbered

1 be considered as adopted; that the concurrent resolution, as amended, be considered as read; and that the previous question be considered as ordered on the concurrent resolution, as amended, to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by Mr. Royce of California and Mr. McGovern of Massachusetts or their respective designees.

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.

Constitutional Authority: A Constitutional Authority statement is not available.

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Democrat Motion to Instruct Conferees on H.R. 3230 — (Brownley D-CA)

Order of Business: Representative Brownley [announced](#) her intention to offer a motion to instruct conferees on H.R. 3230 on July 23, 2014.

Summary: Representative Brownley’s motion would instruct the House managers on the conference committee to end their disagreement with Title V of the [Senate amendment](#) to H.R. 3230 as well as support the Senate amendment in its totality. A vote in favor of this motion would indicate support for Title V of the Senate Amendment to the House bill which makes changes to health care related to sexual trauma. First, it expands counseling and treatment services to veterans who experienced trauma which resulted from physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while on inactive duty training. In addition to veterans, members of the Armed Forces (including members of the National Guard and Reserves) on active duty may also receive these services from the Department of Veterans Affairs. No later than 630 days after enactment, the Secretary of Veterans’ Affairs will submit a report on the treatment and services available from the Department of Veterans Affairs for male veterans compared to the treatment and services available for female veterans. A report on the transition of military sexual trauma treatment from the Department of Defense to the Department of Veterans’ Affairs is also required to be submitted no later than 630 days after enactment.

In addition, the Brownley motion instructs the conferees to recede from the [House amendment](#) and agree with the Senate amendment in all other instances. The House has [previously](#) voted on three motions to instruct conferees to concur in the Senate Amendment. The motion offered by Representative Sinema (D-AZ) failed by a vote of [198-220](#); the motion offered by

Representative Barber (D-AZ) which contained instructions to recede from the House amendment failed by a vote of [191-207](#); and the motion offered by Representative Peters', which also contained instructions to recede from the House amendment, failed by a vote of [205-207](#). [CBO](#) estimates the Senate amendment to H.R. 3230 would result in additional direct spending totaling \$35 billion over fiscal years 2014-2024.

The House has previously voted on section 501 of Title V. [H.R. 2527](#) provides veterans with counseling and treatment for sexual trauma that occurred during inactive duty training and passed by a voice vote on May 28, 2014.

Additional Background: The House may vote to instruct its conferees under [three](#) different circumstances. First, before the conferees are appointed; second, 20 calendar days and 10 legislative days after the conferees were appointed (if they had not yet filed a conference report); finally, when a conference report is recommitted to conference. The motion to instruct only instructs House conferees and not those that have been appointed by the Senate. It is important to note the instructions to conferees are not binding; therefore, a point of order cannot be sustained against the conference report in the event it is inconsistent with the instructions voted out of the House.

Committee Action: Motions to instruct are not referred to committee.

Cost to Taxpayers: The motion itself would yield no new costs to taxpayers. For costs associated with the underlying policy of the motion, please refer to the CBO score linked in the summary above.

Constitutional Authority: According to House rules, a constitutional authority statement is not needed for motions to instruct.

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