

PROVIDING FOR THE CONSIDERATION OF H.R. 1141, THE  
1999 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

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MARCH 23, 1999.—Referred to the House Calendar and ordered to be printed

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Mr. GOSS, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 125]

The Committee on Rules, having had under consideration House Resolution 125, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 1141, the “1999 Emergency Supplemental Appropriations Act” under an open rule. The rule provides one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives clause 4(c) of rule XIII (requiring the three-day availability of printed hearings on a general appropriations bill) and section 302 (prohibiting consideration of a committee’s legislation providing new budget authority until that committee has filed its 302(b) report and consideration of legislation providing new budget authority in excess of a subcommittee’s 302(b) allocation of such authority) and section 306 (prohibiting consideration of legislation within the Budget Committee’s jurisdiction, unless reported by the Budget Committee) of the Congressional Budget Act against consideration of the bill.

The rule further waives clause 2 of rule XXI prohibiting unauthorized appropriations or legislative provisions in a general appropriations bill and prohibiting non-emergency designated amendments to be offered to an appropriations bill containing an emergency designation) against provisions in bill. The rule provides that the bill be open to amendment by paragraph. The rule also waives all points of order against the amendment printed in this report and provides that the amendment may be offered only by a Member designated in this report. Furthermore, the rule provides that

the amendment shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

The rule permits the chairman of the Committee of the Whole to grant priority in recognition to members who have pre-printed their amendments in the Congressional Record prior to their consideration. The rule further permits the chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote.

The rule also waives clause 2(e) of rule XXI (prohibiting non-emergency designated amendments to be offered to an appropriations bill containing an emergency designation) and section 302(c) of the Congressional Budget Act (prohibiting consideration of a committee's legislation providing new budget authority until that committee has filed its 302(b) report) against all amendments during the consideration of this bill. Additionally, the rule provides for one motion to recommit, with or without instructions.

The waiver of section 302 of the Budget Act is necessary because the Appropriations Committee has not filed its final 302(b) sub-allocation report for fiscal year 1999. Since there are no revised suballocations, the bill is in breach of existing suballocations. The waiver of section 306 of the Budget Act is necessary because the bill as reported from the Appropriations Committee contains emergency designations pursuant to the Emergency Deficit Control Act of 1985. These provisions fall within the jurisdiction of the Budget Committee. The waiver of clause 4(c) of rule XIII is necessary because the printed hearings regarding the emergency appropriations contained in this bill are not available.

The waiver of clause 2 of rule XXI against provisions in the bill is due to the fact that the bill contains 16 provisions which are not authorized by law and 67 provisions which are legislative in nature. Many of the legislative changes are technical corrections to the Omnibus Appropriations Act of 1999. These provisions are listed on pages 25–29 in the Appropriations Committee report. The bill also contains both non-emergency and emergency provisions.

The waiver of all points of order against the amendment printed in this report to be offered by Rep. Obey includes a waiver of section 302(f) of the Budget Act. The need for this waiver is similar to that needed for the base bill.

Two waivers are provided for all amendments offered to the bill. Section 302(c) of the Budget Act is due to the fact that the Appropriations Committee has not filed its final 302(b) suballocation report for fiscal year 1999. In the absence of this waiver, the number of amendments that could be offered to the bill would be severely limited. The waiver of clause 2(e) of rule XXI is needed because the Supplemental Appropriations bill contains numerous emergency designations under the Budget Act. Offering an amendment containing an emergency designation would in turn violate section 306 of the Budget Act. Consequently, in order for any amendments to be offered to this bill, this prohibition needs to be waived.

## COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

*Rules Committee record vote No. 9*

**Date:** March 23, 1999.

**Measure:** H.R. 1141, the 1999 Emergency Supplemental Appropriations Act.

**Motion by:** Mr. Frost.

**Summary of motion:** To make in order the Bentsen amendment and provide it with the appropriate waivers. The Bentsen amendment disallows the use of funds in the 1999 Emergency Supplemental Appropriations Act or any other act from being utilized to release criminal aliens from detention. The amendment applies only to criminal aliens subject to mandatory detention who are pending removal from the United States.

**Results:** Defeated 3 to 5.

**Vote by Members:** Linder—Nay; Pryce—Nay; Hastings—Nay; Reynolds—Nay; Moakley—Yea; Frost—Yea; Hall—Yea; Dreier—Nay.

*Rules Committee record vote No. 10*

**Date:** March 23, 1999.

**Measure:** H.R. 1141, the 1999 Emergency Supplemental Appropriations Act.

**Motion by:** Mr. Hall.

**Summary of motion:** To make in order the Hall amendment and provide it with the appropriate waivers. The Hall amendment frees \$575 million previously appropriated as a downpayment on the dues the United States owes the United Nations.

**Results:** Defeated 4 to 6.

**Vote by Members:** Linder—Nay; Pryce—Nay; Hastings—Nay; Sessions—Nay; Reynolds—Nay; Moakley—Yea; Frost—Yea; Hall—Yea; Slaughter—Yea; Dreier—Nay.

SUMMARY OF AMENDMENT MADE IN ORDER TO H.R. 1141, EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL FOR FY 1999

(To Be Debated Under the 5 Minute Rule)

**Obey**—Deletes 4 recissions from the bill: \$30 million from the P.L. 480 program; \$150 million from the DOE, Atomic Energy Defense Activities program concerning Russian fissionable materials; \$25 million from the Export-Import Bank; and \$648 million from the Callable Capital account for Multilateral Development Banks.

AMENDMENT MADE IN ORDER UNDER THE RULE

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OBEY OF WISCONSIN, OR A DESIGNEE

Page 13, strike lines 3 through 10 (relating to Department of Agriculture, Public Law 480 Program and Grant Accounts.)

Page 13, strike lines 11 through 18 (relating to Department of Energy, Atomic Energy Defense Activities, Other Defense Activities).

Page 15, strike lines 16 through 25 (relating to International Financial Institutions, Reduction in Callable Capital Appropriations).

Page 18, strike lines 9 through 13 (relating to Export-Import Bank of the United States).