

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3081) MAKING APPROPRIATIONS FOR THE DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2010, AND FOR OTHER PURPOSES

JULY 8, 2009.—Referred to the House Calendar and ordered to be printed

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

R E P O R T

[To accompany H. Res. 617]

The Committee on Rules, having had under consideration House Resolution 617, by a record vote of 8 to 2, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 3081, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The resolution waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI. The resolution waives all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI.

The resolution makes in order the amendment printed in part A of this report, and the amendments printed in part B of this report. The resolution provides that each such amendment shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. The resolution also provides that the amendments printed in part B of the report may be offered only at the appropriate point in the reading.

The resolution provides that for those amendments reported from the Committee of the Whole, the question of their adoption shall be put to the House en gros and without demand for division of the

question. The resolution provides one motion to recommit with or without instructions.

The resolution provides that after consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent. The resolution provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee and that the Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII). Finally, the resolution provides that during consideration of the bill, the Chair may reduce to two minutes the minimum time for electronic voting.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill (except for clauses 9 and 10 of rule XXI) includes a waiver of clause 4(c) of rule XIII, requiring the three-day availability of printed hearings on a general appropriation bill.

The waiver of all points of order against provisions in the bill includes a waiver of clause 2 of rule XXI, prohibiting unauthorized appropriations or legislative provisions in an appropriations bill.

COMMITTEE VOTES

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. 176

Date: July 8, 2009.

Measure: H.R. 3081.

Motion by: Mr. Dreier.

Summary of motion: To grant an open rule.

Results: Defeated 2–8.

Vote by Members: Hastings—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Perlmutter—Nay; Pingree—Nay; Polis—Nay; Dreier—Yea; Diaz-Balart—Yea; Slaughter—Nay.

Rules Committee record vote No. 177

Date: July 8, 2009.

Measure: H.R. 3081.

Motion by: Mr. Dreier.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Hensarling (TX), #71, which would strike the funding for the Clean Technology Fund.

Results: Defeated 2–8.

Vote by Members: Hastings—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Perlmutter—Nay; Pingree—Nay; Polis—Nay; Dreier—Yea; Diaz-Balart—Yea; Slaughter—Nay.

Rules Committee record vote No. 178

Date: July 8, 2009.

Measure: H.R. 3081.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Reps. Smith, Christopher (NJ)/Stupak (MI)/Sensenbrenner (WI), #75, which would put limits on funding for foreign or non-governmental organizations that perform or promote abortion and to strengthen existing conditions to limit funding for organizations that support or co-manage programs of coercive population control.

Results: Defeated 2–8.

Vote by Members: Hastings—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Perlmutter—Nay; Pingree—Nay; Polis—Nay; Dreier—Yea; Diaz-Balart—Yea; Slaughter—Nay.

Rules Committee record vote No. 179

Date: July 8, 2009.

Measure: H.R. 3081.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Ros-Lehtinen (FL), #58, which would increase by \$15 million funding to the National Endowment for Democracy, offset by a reduction in assessed contributions to the OAS.

Results: Defeated 2–8.

Vote by Members: Hastings—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Perlmutter—Nay; Pingree—Nay; Polis—Nay; Dreier—Yea; Diaz-Balart—Yea; Slaughter—Nay.

Rules Committee record vote No. 180

Date: July 8, 2009.

Measure: H.R. 3081.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Broun (GA), #37, which would reduce discretionary funding in the bill by 1 percent.

Results: Defeated 2–8.

Vote by Members: Hastings—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Perlmutter—Nay; Pingree—Nay; Polis—Nay; Dreier—Yea; Diaz-Balart—Yea; Slaughter—Nay.

Rules Committee record vote No. 181

Date: July 8, 2009.

Measure: H.R. 3081.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Broun (GA), #29, which would prohibit funds in the bill from being used for activities with groups listed in *United States of America v. Holy Land Foundation et. al.*, U.S. District Court for the Northern District of Texas, Dallas Division, Appendix A, CR no. 3:04–CR–240–G.

Results: Defeated 2–8.

Vote by Members: Hastings—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Perlmutter—Nay; Pingree—Nay; Polis—Nay; Dreier—Yea; Diaz-Balart—Yea; Slaughter—Nay.

Rules Committee record vote No. 182

Date: July 8, 2009.

Measure: H.R. 3081.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Stearns (FL), #23, which would prohibit funds in the bill from being used for a United States contribution to the United Nations Human Rights Council.

Results: Defeated 2–8.

Vote by Members: Hastings—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Perlmutter—Nay; Pingree—Nay; Polis—Nay; Dreier—Yea; Diaz-Balart—Yea; Slaughter—Nay.

Rules Committee record vote No. 183

Date: July 8, 2009.

Measure: H.R. 3081.

Motion by: Mr. Hastings.

Summary of motion: To report the rule.

Results: Adopted 8–2.

Vote by Members: Hastings—Yea; Matsui—Yea; Cardoza—Yea; Arcuri—Yea; Perlmutter—Yea; Pingree—Yea; Polis—Yea; Dreier—Nay; Diaz-Balart—Nay; Slaughter—Yea.

SUMMARY OF AMENDMENT IN PART A TO BE MADE IN ORDER

(Summaries derived from information provided by sponsors.)

1. Lowey (NY): Would increase funding for safe water and sanitation programs (\$25M); democracy programs (\$10M); implementation of the U.S.-Brazil Joint Action Plan to Eliminate Racial and Ethnic Discrimination and Promote Equality (\$300,000); maternal health programs (\$10M); and oversight of Department of State and USAID programs (\$8M). These additions would be offset by reductions to the Department of State Capital Investment Fund and USAID's Capital Investment Fund. The amendment would also restrict Foreign Military Financing Program funding for Sri Lanka and restrict first-class travel by employees of agencies funded by this Act.

SUMMARY OF AMENDMENTS IN PART B TO BE MADE IN ORDER

1. Broun (GA): Would reduce discretionary funding in the bill by 5 percent.

2. Buyer (IN): Would reduce funding for: Diplomatic and Consular Programs by \$1.2 billion; Operating Expenses for USAID by \$330 million; and Global Health by \$670 million. This would reflect FY2009 enacted funding levels.

3. Flake, Jeff (AZ): Would prohibit funds in the bill from being made available for the one-time special educational, professional, and cultural exchange grants program, reducing the cost of the bill by \$8 million.

4. Granger (TX): Would prohibit funds in the bill from being used by the Secretary of the Treasury to negotiate an agreement in contravention of certain provisions of law.

5. Lewis, Jerry (CA): Would reduce the total amount of Title V funding in the bill, Multilateral Assistance, by \$505,896,000.

6. Stearns (FL): Would reduce the amount appropriated to the Peace Corps (Independent Agencies) by \$76,560,000 to match the President's request of \$373,440,000.

7. Weiner (NY): Would strike Presidential waiver authority on the blocking of aid to Saudi Arabia.

PART A—TEXT OF AMENDMENT MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LOWEY OF NEW YORK, OR HER DESIGNEE

Page 2, line 10, after the first dollar amount, insert “(increased by \$300,000)”.

Page 3, line 22, after the dollar amount, insert “(increased by \$300,000)”.

Page 7, line 15, after the dollar amount, insert “(decreased by \$25,300,000)”.

Page 7, line 21, after the dollar amount, insert “(increased by \$8,000,000)”.

Page 7, line 23, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 7, line 25, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 24, line 17, after the dollar amount, insert “(decreased by \$28,000,000)”.

Page 25, line 19, after the dollar amount, insert “(increased by \$10,000,000)”.

Page 31, line 11, after the dollar amount, insert “(increased by \$25,000,000)”.

Page 32, line 1, after the dollar amount, insert “(increased by \$25,000,000)”.

Page 38, line 15, after the dollar amount, insert “(increased by \$10,000,000)”.

At the end of the bill (before the short title) insert the following:

LIMITATION ON ASSISTANCE TO SRI LANKA

SEC. 70XX. None of the funds made available in this Act under the heading “Foreign Military Financing Program” may be available for assistance for the Government of Sri Lanka.

PROHIBITION ON CERTAIN FIRST-CLASS TRAVEL

SEC. 70XX. None of the funds made available in this Act may be used for first-class travel by employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

PART B—TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROUN OF GEORGIA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

SEC. 7____. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 5 percent.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BUYER OF INDIANA, OR HIS DESIGNEE

Page 2, line 10, after the first dollar amount, insert “(reduced by \$1,200,000,000)”.

Page 21, line 25, after the first dollar amount, insert “(reduced by \$330,000,000)”.

Page 25, line 19, after the dollar amount, insert “(reduced by \$670,000,000)”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

TERMINATION OF ONE-TIME SPECIAL EDUCATIONAL, PROFESSIONAL,
AND CULTURAL EXCHANGE GRANTS PROGRAM

SEC. _____. None of the funds provided in this Act under the heading “Department of State—Administration of Foreign Affairs—Educational and Cultural Exchange Programs” shall be available for the one-time special educational, professional, and cultural exchange grants program, and the amount otherwise provided under such heading is hereby reduced by \$8,000,000.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRANGER OF TEXAS, OR HER DESIGNEE

Page 198, after line 3, insert the following:

LIMITATION ON USE OF FUNDS TO NEGOTIATE AGREEMENT IN
CONTRAVENTION OF CERTAIN LAWS

SEC. _____. None of the funds made available in this Act may be used by the Secretary of the Treasury to negotiate an agreement in contravention of section 1626 or 1627 of the International Financial Institutions Act, section 1112 or 1403 of the Supplemental Appropriations Act, 2009 (Public Law 111–32), or the provision added to the end of title XVI of the International Financial Institutions Act by section 1404 of the Supplemental Appropriations Act, 2009 (Public Law 111–32).

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEWIS OF CALIFORNIA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

SEC. 70XX. Appropriations made in title V of this Act are hereby reduced in the amount of \$505,896,000.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE STEARNS OF FLORIDA, OR HIS DESIGNEE

Page 46, line 18, after the dollar amount, insert “(reduced by \$76,560,000)”.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WEINER OF
NEW YORK, OR HIS DESIGNEE

Page 126, beginning on line 23, strike “unless the President certifies that Saudi Arabia is fully cooperating with efforts to combat international terrorism and such assistance will facilitate these efforts”.

