

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1217)
TO REPEAL THE PREVENTION AND PUBLIC HEALTH
FUND

APRIL 12, 2011.—Referred to the House Calendar and ordered to be printed

Ms. FOXX, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 219]

The Committee on Rules, having had under consideration House Resolution 219, by a nonrecord vote, 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. 1217, to repeal the Prevention and Public Health Fund, 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 Energy and Commerce. The resolution waives all points of order against consideration of the bill. The resolution provides that the bill shall be considered as read. The resolution waives all points of order against provisions in the bill. The resolution makes in order only those amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, 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. All points of order against the amendments are waived. Finally, the resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of the bill, the Committee is not aware of any points of

order against its consideration. The waiver of all points of order is prophylactic.

Although the resolution waives all points of order against provisions in the bill, the Committee is not aware of any points of order against provisions in the bill. The waiver of all points of order is prophylactic.

Although the resolution waives all points of order against the amendments printed in this report, the Committee is not aware of any points of order against the amendments and therefore the waiver of all points of order is prophylactic in nature.

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. 81

Motion by Mr. McGovern to report an open rule. Defeated: 3–8.

Majority Members	Vote	Minority Members	Vote
Mr. Sessions	Nay	Mr. McGovern	Yea
Ms. Foxx	Nay	Mr. Hastings of Florida	Yea
Mr. Bishop of Utah	Nay	Mr. Polis	Yea
Mr. Woodall	Nay		
Mr. Nugent	Nay		
Mr. Webster	Nay		
Mr. Reed	Nay		
Mr. Dreier, Chairman	Nay		

Rules Committee record vote No. 82

Motion by Mr. Hastings of Florida to amend the rule to make in order and provide the appropriate waivers for amendment #6, offered by Rep. Pallone (NJ), which would add a sense of Congress that health prevention efforts save lives and money. Defeated: 3–8.

Majority Members	Vote	Minority Members	Vote
Mr. Sessions	Nay	Mr. McGovern	Yea
Ms. Foxx	Nay	Mr. Hastings of Florida	Yea
Mr. Bishop of Utah	Nay	Mr. Polis	Yea
Mr. Woodall	Nay		
Mr. Nugent	Nay		
Mr. Webster	Nay		
Mr. Reed	Nay		
Mr. Dreier, Chairman	Nay		

SUMMARY OF AMENDMENTS MADE IN ORDER

1. Jackson Lee (TX): Would require the Department of Health and Human Services to post on its website a notice of rescission of unobligated Section 4002 funds and the amount rescinded. (10 minutes)

2. Castor (FL): Would require the U.S. Government Accountability Office to conduct a study of the impact funds awarded through the Prevention and Public Health Fund would have on preventing chronic diseases and promoting health. (10 minutes)

3. Castor (FL): Would require the U.S. Government Accountability Office to conduct a study of the economic impact funds

awarded through the Prevention and Public Health Fund would have on states and communities. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 1, add at the end the following:

(c) NOTICE OF RESCISSION OF UNOBLIGATED FUNDS.—Not later than 10 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall post on the public Web site of the Department of Health and Human Services a notice of—

- (1) the rescission, pursuant to subsection (b), of the unobligated balance of funds made available by such section 4002; and
- (2) the amount of such funds so rescinded.

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2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CASTOR OF FLORIDA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES.

At the end of the bill, add the following:

SEC. 2. GAO STUDY ON THE IMPACTS THAT FUNDING THROUGH THE PREVENTION AND PUBLIC HEALTH FUND WOULD HAVE ON PREVENTING CHRONIC DISEASES AND PROMOTING HEALTH.

The Comptroller General of the United States shall conduct a study to determine the impacts that providing prevention, wellness, and public health activities under the Prevention and Public Health Fund, using the funding made available under section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11), would have on preventing chronic diseases and promoting health in the United States, if such funding were not repealed and rescinded under section 1. Not later than the expiration of the 90-day period beginning on the day of the enactment of this Act, the Comptroller General shall submit to the Congress a report setting forth the results and conclusions of the study under this section.

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3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CASTOR OF FLORIDA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

SEC. 2. GAO STUDY ON THE ECONOMIC IMPACTS THAT FUNDING THROUGH THE PREVENTION AND PUBLIC HEALTH FUND WOULD HAVE ON STATES AND COMMUNITIES.

The Comptroller General of the United States shall conduct a study to determine the economic impacts that providing prevention, wellness, and public health activities under the Prevention and Public Health Fund, using the funding made available under section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11), would have on States and communities in the United States, if such funding were not repealed and rescinded under section 1. Not later than the expiration of the 90-day period beginning on the day of the enactment of this Act, the Comptroller

General shall submit to the Congress a report setting forth the results and conclusions of the study under this section.

