

PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO THE JOINT RESOLUTION (H.J. RES. 59) MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014, AND FOR OTHER PURPOSES, AND WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

SEPTEMBER 30, 2013.—Referred to the House Calendar and ordered to be printed

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

## R E P O R T

[To accompany H. Res. 367]

The Committee on Rules, having had under consideration House Resolution 367, by a record vote of 9 to 4, report the same to the House with the recommendation that the resolution be adopted.

### SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for the consideration of the Senate amendment to H.J. Res. 59, the Continuing Appropriations Resolution, 2014. The resolution makes in order a motion offered by the chair of the Committee on Appropriations or his designee that the House recede from its amendments and concur in the Senate amendment with the amendment printed in this report. The resolution provides 40 minutes of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The resolution provides that the Senate amendment and the motion shall be considered as read. The resolution waives all points of order against consideration of the motion.

Section 2 of the resolution waives clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against any resolution reported from the Rules Committee through the legislative day of October 7, 2013.

### EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of the motion, the Committee is not aware of any points of order. The waiver 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. 76*

Motion by Ms. Foxx to report the rule. Adopted: 9–4

Majority Members	Vote	Minority Members	Vote
Ms. Foxx .....	Yea	Ms. Slaughter .....	Nay
Mr. Bishop of Utah .....	Yea	Mr. McGovern .....	Nay
Mr. Cole .....	Yea	Mr. Hastings of Florida .....	Nay
Mr. Woodall .....	Yea	Mr. Polis .....	Nay
Mr. Nugent .....	Yea		
Mr. Webster .....	Yea		
Ms. Ros-Lehtinen .....	Yea		
Mr. Burgess .....	Yea		
Mr. Sessions, Chairman .....	Yea		

SUMMARY OF THE HOUSE AMENDMENT TO THE SENATE AMENDMENT  
TO H.J. RES. 59

Provides a one-year delay in the Affordable Care Act individual mandate; requires Members of Congress, congressional staff, and political appointees (including White House staff) to enroll in the Obamacare exchanges without an employer subsidy for coverage; amends the expiration date of the CR to be December 15, 2013; makes a technical change to the Eisenhower Memorial Commission provision; adds a new provision to extend the authority for the U.S. to issue Special Immigrant Visas.

TEXT OF THE HOUSE AMENDMENT TO THE SENATE AMENDMENT TO  
H.J. RES. 59

In the matter proposed to be added by the Senate amendment, insert at the end (before the short title) the following:

SEC. 138. Notwithstanding any other provision of this joint resolution, the date referred to in section 106(3) shall be December 15, 2013.

SEC. 139. For the period covered by this joint resolution, the authority provided by the provisos under the heading “Dwight D. Eisenhower Memorial Commission—Capital Construction” in division E of Public Law 112–74 shall not be in effect.

SEC. 140. Section 1244(c)(3) of the National Defense Authorization Act for Fiscal Year 2008 (8 U.S.C. 1157 note) is amended by adding at the end the following:

“(C) FISCAL YEAR 2014.—

“(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), the total number of principal aliens who may be provided special immigrant status under this section in fiscal year 2014 during the period ending on December 15, 2013 shall be the sum of—

“(I) the number of aliens described in subsection (b) whose application for special immigrant status under this section is pending on September 30, 2013; and

“(II) 2,000.

“(ii) EMPLOYMENT PERIOD.—The 1-year period during which the principal alien is required to have been

employed by or on behalf of the United States Government in Iraq under subsection (b)(1)(B) shall begin on or after March 20, 2003, and end on or before September 30, 2013.

“(iii) APPLICATION DEADLINE.—The principal alien seeking special immigrant status under this subparagraph shall apply to the Chief of Mission in accordance with subsection (b)(4) not later than December 15, 2013.”.

SEC. 141. (a) DELAY IN APPLICATION OF INDIVIDUAL HEALTH INSURANCE MANDATE.—Section 5000A(a) of the Internal Revenue Code of 1986 is amended by striking “2013” and inserting “2014”.

(b) CONFORMING AMENDMENTS.—(1) Section 5000A(c)(2)(B) of the Internal Revenue Code of 1986 is amended—

(A) by striking “2014” in clause (i) and inserting “2015”, and  
(B) by striking “2015” in clauses (ii) and (iii) and inserting “2016”.

(2) Section 5000A(c)(3)(B) of such Code is amended—

(A) by striking “2014” and inserting “2015”, and

(B) by striking “2015” (prior to amendment by subparagraph (A)) and inserting “2016”.

(3) Section 5000A(c)(3)(D) of such Code is amended—

(A) by striking “2016” and inserting “2017”, and

(B) by striking “2015” and inserting “2016”.

(4) Section 5000A(e)(1)(D) of such Code is amended—

(A) by striking “2014” and inserting “2015”, and

(B) by striking “2013” and inserting “2014”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in section 1501 of the Patient Protection and Affordable Care Act.

SEC. 142. Section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(D)) is amended—

(1) by striking the subparagraph heading and inserting the following:

“(D) MEMBERS OF CONGRESS, CONGRESSIONAL STAFF, THE PRESIDENT, VICE PRESIDENT, AND POLITICAL APPOINTEES.—”;

(2) in clause (i), in the matter preceding subclause (I)—

(A) by striking “and congressional staff” and inserting “, congressional staff, the President, the Vice President, and political appointees”; and

(B) by striking “or congressional staff” and inserting “, congressional staff, the President, the Vice President, or a political appointee”;

(3) in clause (ii)—

(A) in subclause (I), by inserting before the period at the end the following: “, and includes a Delegate or Resident Commissioner to the Congress”;

(B) in subclause (II), by inserting after “Congress,” the following: “of a standing, select, or joint committee of Congress (or a subcommittee thereof), of an office of the House of Representatives for which the appropriation for salaries and expenses of the office for the year involved is provided under the heading ‘House Leadership Offices’ in the act making appropriations for the Legislative Branch for the

fiscal year involved, or a leadership office of the Senate (consisting of the offices of the President pro Tempore, Majority and Minority Leaders, Majority and Minority Whips, Conferences of the Majority and of the Minority, and Majority and Minority Policy Committees of the Senate);”  
and

(C) by adding at the end the following:

“(III) POLITICAL APPOINTEE.—The term ‘political appointee’ means an individual who—

“(aa) is employed in a position described under sections 5312 through 5316 of title 5, United States Code (relating to the Executive Schedule);

“(bb) is a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code;

“(cc) is employed in a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart D of part 213 of title 5 of the Code of Federal Regulations; or

“(dd) is employed in or under the Executive Office of the President in a position that is excluded from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.”; and

(4) by adding at the end the following:

“(iii) GOVERNMENT CONTRIBUTION.—No Government contribution under section 8906 of title 5, United States Code, shall be provided on behalf of an individual who is a Member of Congress, congressional staff, the President, the Vice President, or a political appointee for coverage under this subparagraph.

“(iv) LIMITATION ON AMOUNT OF TAX CREDIT OR COST-SHARING.—An individual enrolling in health insurance coverage pursuant to this paragraph shall not be eligible to receive a tax credit under section 36B of the Internal Revenue Code of 1986 or reduced cost sharing under section 1402 of this Act in an amount that exceeds the total amount which a similarly situated individual (who is not so enrolled) would be entitled to receive under such sections.

“(v) LIMITATION ON DISCRETION FOR DESIGNATION OF STAFF.—Notwithstanding any other provision of law, a Member of Congress shall not have discretion in determinations with respect to which employees employed by the office of such Member are eligible to enroll for coverage through an Exchange.”.