

PROVIDING FOR CONSIDERATION OF THE JOINT RESOLUTION (H.J. RES. 89) MAKING APPROPRIATIONS FOR THE SALARIES AND RELATED EXPENSES OF CERTAIN FEDERAL EMPLOYEES DURING A LAPSE IN FUNDING AUTHORITY FOR FISCAL YEAR 2014, AND FOR OTHER PURPOSES, PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3273) TO ESTABLISH A BICAMERAL WORKING GROUP ON DEFICIT REDUCTION AND ECONOMIC GROWTH, AND PROVIDING FOR CONSIDERATION OF THE JOINT RESOLUTION (H.J. RES. 90) MAKING CONTINUING APPROPRIATIONS FOR THE FEDERAL AVIATION ADMINISTRATION FOR FISCAL YEAR 2014, AND FOR OTHER PURPOSES

OCTOBER 8, 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. 373]

The Committee on Rules, having had under consideration House Resolution 373, by a 9 to 4 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.J. Res. 89, the Federal Worker Pay Fairness Act, under a closed rule. The resolution provides 40 minutes of 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 joint resolution. The resolution provides that the joint resolution shall be considered as read. The resolution waives all points of order against provisions in the joint resolution. The resolution provides one motion to recommit.

Section 2 of the resolution provides for consideration of H.R. 3273, the Deficit Reduction and Economic Growth Working Group Act of 2013, under a closed rule. The resolution provides 40 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules. 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 provides one motion to recommit.

Section 3 of the resolution directs the Clerk to, in the engrossment of H.J. Res. 89, add the text of H.R. 3273, as passed by the House, as a new matter at the end of H.J. Res. 89 and make conforming modifications in the engrossment. The resolution provides that upon the addition of the text of H.R. 3273, as passed by the House, to the engrossment of H.J. Res. 89, H.R. 3273 shall be laid on the table.

Section 4 of the resolution provides for consideration of H.J. Res. 90, the Flight Safety Act, under a closed rule. The resolution provides 40 minutes of 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 joint resolution. The resolution provides that the joint resolution shall be considered as read. The resolution waives all points of order against provisions in the joint resolution. The resolution provides one motion to recommit.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.J. Res. 89 includes a waiver of:

- Clause 11 of rule XXI, prohibiting the consideration of a bill or joint resolution which has not been reported by a committee until the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which such measure has been available to Members, Delegates, and the Resident Commissioner.

- Clause 9(a)(2) of rule XXI, which prohibits consideration of a bill or joint resolution not reported by a committee, unless the chair of each committee of initial referral has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration. However, it is important to note that the chair of the Committee on Appropriations submitted an earmark statement to the House on October 8, 2013 for printing in the Congressional Record. The statement affirms that the joint resolution does not contain any earmarks, limited tax benefits, or limited tariff benefits under the meaning of the rule.

Although the resolution waives all points of order against provisions in H.J. Res. 89, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver of all points of order against consideration of H.R. 3273 includes a waiver of:

- Clause 11 of rule XXI, prohibiting the consideration of a bill or joint resolution which has not been reported by a committee until the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which such measure has been available to Members, Delegates, and the Resident Commissioner.

- Clause 9(a)(2) of rule XXI, which prohibits consideration of a bill or joint resolution not reported by a committee, unless the chair of each committee of initial referral has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or a statement that the proposition contains no con-

gressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration. However, it is important to note that the chair of the Committee on Rules submitted an earmark statement to the House on October 8, 2013 for printing in the Congressional Record. The statement affirms that the bill does not contain any earmarks, limited tax benefits, or limited tariff benefits under the meaning of the rule.

Although the resolution waives all points of order against provisions in H.R. 3273, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver of all points of order against consideration of H.J. Res. 90 may include a waiver of:

- Clause 11 of rule XXI, prohibiting the consideration of a bill or joint resolution which has not been reported by a committee until the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which such measure has been available to Members, Delegates, and the Resident Commissioner. If H.J. Res. 90 is considered before it is available for the requisite number of calendar days, then the waiver of clause 11 of rule XXI would be applicable to that joint resolution.

- Clause 9(a)(2) of rule XXI, which prohibits consideration of a bill or joint resolution not reported by a committee, unless the chair of each committee of initial referral has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration. However, it is important to note that the chair of the Committee on Appropriations submitted an earmark statement to the House on October 8, 2013 for printing in the Congressional Record. The statement affirms that the joint resolution does not contain any earmarks, limited tax benefits, or limited tariff benefits under the meaning of the rule. If H.J. Res. 90 is considered before statement is printed in the Congressional Record, then the waiver of clause 9(a)(2) would be applicable to that joint resolution.

Although the resolution waives all points of order against provisions in H.J. Res. 90, 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. 82

Motion by Ms. Slaughter to add to the end of the rule the following new sections: "Section 5 Immediately upon the adoption of this resolution the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes, with the House amendment to the Senate amendment thereto, shall be taken from the Speaker's table and the pending question shall be, without intervention of any point of order, whether the House shall recede from its amendment and concur in the Senate amendment. The Senate amendment shall be considered as read. The question

shall be debatable for one hour equally divided and controlled by the chair and ranking member of the Committee on Appropriations. The previous question shall be considered as ordered on the question of receding from the House amendment and concurring in the Senate amendment without intervening motion or demand for division of the question. Section 6 Clause 1(c) of rule XIX shall not apply to the consideration of H.J. Res. 59 as specified in section 6 of this resolution." Defeated: 4–9.

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

Rules Committee record vote No. 83

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		