

PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO THE BILL (H.R. 2029) MAKING APPROPRIATIONS FOR MILITARY CONSTRUCTION, THE DEPARTMENT OF VETERANS AFFAIRS, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016, AND FOR OTHER PURPOSES; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM DECEMBER 19, 2015, THROUGH JANUARY 4, 2016; AND FOR OTHER PURPOSES

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DECEMBER 16, 2015.—Referred to the House Calendar and ordered to be printed

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

## R E P O R T

[To accompany H. Res. 566]

The Committee on Rules, having had under consideration House Resolution 566, by a record vote of 9 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 the consideration of the Senate amendment to H.R. 2029, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2016. The resolution makes in order a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment with two House amendments:

- Amendment #1 (consolidated appropriations) consisting of the text of Rules Committee Print 114-39 modified by the amendment printed in the this report;
- Amendment #2 (tax extenders) consisting of the text of Rules Committee Print 114-40.

The resolution provides one hour of debate on House Amendment #1 equally divided and controlled by the chairs and ranking minority member of the Committee on Appropriations. The resolution provides one hour debate on House Amendment #2 equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The resolution waives all points of order against consideration of the motion provides that the Senate amendment and the motion shall be considered as read. The resolution provides that the question shall be divided between the two House amendments. No further division of the question is in

order. The resolution provides that either portion of the divided question may be subject to postponement as though under clause 8 of rule XX and shall be considered in the order specified by the chair. The resolution provides that clause 5(b) of rule XXI shall not apply to the motion.

Section 4 of the resolution provides that if only House amendment #2 is adopted, that amendment shall be engrossed as an amendment in the nature of a substitute to the Senate amendment to H.R. 2029.

Section 5 of the resolution provides that the chair of the Committee on Appropriations may insert in the Congressional Record at any time during the remainder of the first session of the 114th Congress such material as he may deem explanatory of the Senate amendment and the motion.

Section 6 of the resolution provides that on any legislative day of the first session of the 114th Congress after December 18, 2015: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment.

Section 7 of the resolution provides that on any legislative day of the second session of the 114th Congress before January 5, 2016: the Speaker may dispense with organizational and legislative business; the Journal of the proceedings of the previous day shall be considered as approved if applicable; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment.

Section 8 of the resolution provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by sections 6 and 7 of the resolution.

Section 9 of the resolution provides that each day during the period addressed by sections 6 and 7 of the resolution shall not constitute calendar days for the purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

Section 10 of the resolution provides that each day during the period addressed by sections 6 and 7 of the resolution shall not constitute a legislative day for the purposes of clause 7 of rule XIII (resolutions of inquiry).

Section 11 of the resolution provides that it shall be in order at any time through the legislative day of December 18, 2015, for the Speaker to entertain motions that the House suspend the rules and that the Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

Section 12 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 December 18, 2015.

#### EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the motion includes waivers of the following:

Section 302(f) of the Congressional Budget Act, which prohibits consideration of legislation providing new budget authority in excess of a 302(a) or 302(b) allocation of such authority;

Section 306 of the Congressional Budget Act, which prohibits consideration of legislation within the jurisdiction of the Committee on the Budget unless referred to or reported by the Budget Committee;

Section 311 of the Congressional Budget Act of 1974, prohibiting consideration of legislation that would cause the level of total new budget authority for the first fiscal year to be exceeded, or would cause revenues to be less than the level of total revenues for the first fiscal year or for the total of that first fiscal year and the ensuing fiscal years for which allocations are provided;

Clause 7 of rule XVI, which requires that no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment;

Clause 5(a) of rule XXI, which prohibits a bill or joint resolution carrying a tax or tariff measure from being reported by a committee not having jurisdiction to report tax or tariff measures, and prohibits an amendment in the House or proposed by the Senate carrying a tax or tariff measure from being in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction;

Clause 10 of rule XXI, which prohibits the consideration of a bill if it has the net effect of increasing mandatory spending over the five-year or ten-year period.

#### 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. 130*

Motion by Mr. McGovern to make in order and give the necessary waivers for an amendment to the omnibus that would strike Division N—the Cybersecurity Act of 2015. Defeated: 2–9

Majority Members	Vote	Minority Members	Vote
Ms. Foxx .....	Nay	Ms. Slaughter .....	Yea
Mr. Cole .....	Nay	Mr. McGovern .....	Yea
Mr. Woodall .....	Nay	Mr. Hastings of Florida.	
Mr. Burgess .....	Nay	Mr. Polis.	
Mr. Stivers .....	Nay		
Mr. Collins .....	Nay		
Mr. Byrne .....	Nay		
Mr. Newhouse .....	Nay		
Mr. Sessions, Chairman .....	Nay		

##### *Rules Committee record vote No. 131*

Motion by Ms. Foxx to report the rule. Adopted: 9–2

Majority Members	Vote	Minority Members	Vote
Ms. Foxx .....	Yea	Ms. Slaughter .....	Nay
Mr. Cole .....	Yea	Mr. McGovern .....	Nay
Mr. Woodall .....	Yea	Mr. Hastings of Florida.	
Mr. Burgess .....	Yea	Mr. Polis.	
Mr. Stivers .....	Yea		

Majority Members	Vote	Minority Members	Vote
Mr. Collins .....	Yea		
Mr. Byrne .....	Yea		
Mr. Newhouse .....	Yea		
Mr. Sessions, Chairman .....	Yea		

SUMMARY OF AMENDMENT TO HOUSE AMENDMENT #1 CONSIDERED AS  
ADOPTED

Rogers, Harold (KY): MANAGER'S Fixes technical and drafting errors in Division O of House amendment #1.

TEXT OF AMENDMENT TO HOUSE AMENDMENT #1 CONSIDERED AS  
ADOPTED

Page 1918, line 9, insert "such nonimmigrants or" after "are".

Page 1994, line 22, strike "this division and division P" and insert "division M and each succeeding division".

Page 1995, line 2, strike "this division and division P" and insert "division M and each succeeding division".

Page 1995, line 11, strike "this division and division P" and insert "division M and each succeeding division".