

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5053) TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO PROHIBIT THE SECRETARY OF THE TREASURY FROM REQUIRING THAT THE IDENTITY OF CONTRIBUTORS TO 501(C) ORGANIZATIONS BE INCLUDED IN ANNUAL RETURNS; AND PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5293) MAKING APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017, AND FOR OTHER PURPOSES

JUNE 13, 2016.—Referred to the House Calendar and ordered to be printed

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

R E P O R T

[To accompany H. Res. 778]

The Committee on Rules, having had under consideration House Resolution 778, 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. 5053, the Preventing IRS Abuse and Protecting Free Speech Act, under a closed rule. The resolution provides one hour of debate 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 bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-58 shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides a general debate rule for H.R. 5293, the Department of Defense Appropriations Act, 2017. 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. The resolution provides that no further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

Section 3 of the resolution provides that section 10002 of H.R. 5293 shall be considered to be a spending reduction account for purposes of section 3(d) of House Resolution 5.

Section 4 of the resolution provides that during consideration of H.R. 5293, it shall not be in order to use a decrease in Overseas Contingency Operations funds to offset an amendment that increases an appropriation not designated as Overseas Contingency Operations funds or vice versa. This section does not apply to amendments between the Houses.

Section 5 of the resolution provides that during consideration of H.R. 5293, section 3304 of Senate Concurrent Resolution 11 shall not apply.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 5053 includes a waiver of the following:

- Section 303 of the Congressional Budget Act, prohibiting consideration of legislation, providing a change in revenues for a fiscal year until the budget resolution for that year has been agreed to; and
- Section 311 of the Congressional Budget Act of 1974, prohibiting consideration of legislation that 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.

Although the resolution waives all points of order against provisions in H.R. 5053, 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. 5293 includes a waiver of 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.

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. 187

Motion by Ms. Slaughter to report open rules for H.R. 5053 and H.R. 5293. Defeated: 4–9

| 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 | Yea |
| Mr. Burgess | Nay | Mr. Polis | Yea |
| Mr. Stivers | Nay | | |
| Mr. Collins | Nay | | |
| Mr. Byrne | Nay | | |
| Mr. Newhouse | Nay | | |
| Mr. Sessions, Chairman | Nay | | |

Rules Committee record vote No. 188

Motion by Mr. McGovern to strike section 4 of the rule which prevents amendments from using OCO funds to increase base budget programs. Defeated: 4–8

| 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 | Yea |
| Mr. Burgess | Nay | Mr. Polis | Yea |
| Mr. Stivers | Nay | | |
| Mr. Collins | | | |
| Mr. Byrne | Nay | | |
| Mr. Newhouse | Nay | | |
| Mr. Sessions, Chairman | Nay | | |

