

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5376) TO PROVIDE
FOR RECONCILIATION PURSUANT TO TITLE II OF S. CON. RES. 14; AND
FOR OTHER PURPOSES

NOVEMBER 4, 2021.—Referred to the House Calendar and ordered to be printed

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

R E P O R T

[To accompany H. Res. 774]

The Committee on Rules, having had under consideration House Resolution 774, 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 consideration of H.R. 5376, the Build Back Better Act, under a closed rule. The resolution provides two hours of debate equally divided among and controlled by the chair and ranking minority member of the Committee on the Budget or their respective designees and the chair and ranking minority member of the Committee on Ways and Means or their respective designees. 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 117-18, modified by the amendment printed in this report, 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. The resolution provides that House Resolution 188, agreed to March 8, 2021 (as most recently amended by H. Res. 716, agreed to October 12, 2021), is amended by striking “November 18, 2021” each place it appears and inserting (in each instance) “December 3, 2021”.

EXPLANATION OF WAIVERS

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

—Clause 3(d) of rule XIII, which requires the inclusion of a committee cost estimate in a committee report.

—Clause 3(e) of rule XIII, which requires the inclusion of a comparative print for a bill or joint resolution proposing to repeal or amend a statute.

The waiver of all points of order against provisions in the bill, as amended, includes waivers of the following:

—Clause 4 of rule XXI, which prohibits reporting a bill carrying an appropriation from a committee not having jurisdiction to report an appropriation.

—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.

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. 164

Motion by Mr. Cole to make the necessary changes to the rule which would prevent consideration of H.R. 5376 until the House receives a complete CBO and JCT score of the legislation. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Mrs. Torres	Nay	Mr. Cole	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mr. Reschenthaler	Yea
Ms. Scanlon	Nay	Mrs. Fischbach	Yea
Mr. Morelle	Nay		
Mr. DeSaulnier	Nay		
Ms. Ross	Nay		
Mr. Neguse	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee Record Vote No. 165

Motion by Mrs. Torres to report the rule. Adopted: 9–4

Majority Members	Vote	Minority Members	Vote
Mrs. Torres	Yea	Mr. Cole	Nay
Mr. Perlmutter	Yea	Mr. Burgess	Nay
Mr. Raskin	Yea	Mr. Reschenthaler	Nay
Ms. Scanlon	Yea	Mrs. Fischbach	Nay
Mr. Morelle	Yea		
Mr. DeSaulnier	Yea		
Ms. Ross	Yea		
Mr. Neguse	Yea		
Mr. McGovern, Chairman	Yea		

SUMMARY OF THE AMENDMENT TO H.R. 5376 CONSIDERED AS ADOPTED

1. Yarmuth (KY): Clarifies the definition of qualifying single source drug and updates the year for the purposes of the non-federal average manufacturer price; adjusts the cap for the state and local tax deduction relief; restores funding to information technology programs; makes clarifying changes to ensure the District

of Columbia is included in certain programs; and makes other technical and conforming corrections.

TEXT OF AMENDMENT TO H.R. 5376 CONSIDERED AS ADOPTED

