

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO THE BILL (H.R. 2471) TO MEASURE THE PROGRESS OF POST-DISASTER RECOVERY AND EFFORTS TO ADDRESS CORRUPTION, GOVERNANCE, RULE OF LAW, AND MEDIA FREEDOMS IN HAITI; PROVIDING FOR CONSIDERATION OF THE JOINT RESOLUTION (H.J. RES. 75) MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 6968) TO PROHIBIT THE IMPORTATION OF ENERGY PRODUCTS OF THE RUSSIAN FEDERATION, AND FOR OTHER PURPOSES; AND PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 7007) MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR CORONAVIRUS RESPONSE AND RELIEF FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022, AND FOR OTHER PURPOSES.

MARCH 9, 2022.—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. 973]

The Committee on Rules, having had under consideration House Resolution 973, by a record vote of 9 to 3, 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 the Senate amendment to H.R. 2471, the Haiti Development, Accountability, and Institutional Transparency Initiative Act [Consolidated Appropriations Act, 2022]. The resolution makes in order a motion offered by the chair of the Committee on Appropriations or her designee that the House concur in the Senate amendment with an amendment consisting of the text of Rules Committee Print 117-35, modified by the amendment printed in this report. The resolution waives all points of order against consideration of the motion. The resolution provides that the Senate amendment and the motion shall be considered as read. The resolution provides one hour of general debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their designees. The resolution provides that the question of adoption of the motion shall be divided for a separate vote on all of the matter proposed to be inserted by the amendment of the House other than

divisions B, C, F, X, and Z, and titles 2 and 3 of division N. The two portions of the divided question shall be considered in the order specified by the Chair.

The resolution provides that if either portion of the divided question fails of adoption, then the House shall be considered to have made no disposition of the Senate amendment. The resolution provides that the chair of the Committee on Appropriations and the chair of the Permanent Select Committee on Intelligence may insert in the Congressional Record not later than March 11, 2022, such material as they may deem explanatory of the Senate amendment and the motion. The resolution further provides for consideration of H.J. Res. 75, the Extension of Continuing Appropriations Act, 2022, under a closed rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their designees. 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 for one motion to recommit. The resolution further provides for consideration of H.R. 6968, the Suspending Energy Imports from Russia Act, under a closed rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means or their designees. 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. The resolution further provides for consideration of H.R. 7007, the COVID Supplemental Appropriations Act, 2022, under a closed rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their designees. 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. The resolution provides that House Resolution 972 is laid on the table.

EXPLANATION OF WAIVERS

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

- 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.
- 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.

The waiver of all points of order against consideration of H.J. Res. 75 includes a waiver of clause 11 of rule XXI, which prohibits consideration of a bill or joint resolution which has not been reported by a committee until such measure has been available to Members, Delegates, and the Resident Commissioner for 72 hours.

Although the resolution waives all points of order against provisions in H.J. Res. 75, 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. 6968 includes waivers of the following:

- Clause 11 of rule XXI, which prohibits consideration of a bill or joint resolution which has not been reported by a committee until such measure has been available to Members, Delegates, and the Resident Commissioner for 72 hours.
- Clause 12 of rule XXI, which prohibits consideration of a bill pursuant to a special order of business reported by the Committee on Rules that has not been reported by a committee.

Although the resolution waives all points of order against provisions in the H.R. 6968, 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. 7007 includes waivers of the following:

- Clause 9 of rule XXI, which requires a list of all earmarks, limited tax benefits, or limited tariff benefits contained in the measure, or a certification that the measure does not contain any of those items.
- Clause 11 of rule XXI, which prohibits consideration of a bill or joint resolution which has not been reported by a committee until such measure has been available to Members, Delegates, and the Resident Commissioner for 72 hours.
- Clause 12 of rule XXI, which prohibits consideration of a bill pursuant to a special order of business reported by the Committee on Rules that has not been reported by a committee. This waiver is technical in nature. Clause 12 of rule XXI has an exception for bills that contain an emergency designation under the Balanced Budget and Emergency Deficit Control Act. These designations were effectively overridden by the new emergency authority in S. Con. Res. 14, which H.R. 7007 invokes in its emergency spending designation.

Although the resolution waives all points of order against provisions in H.R. 7007, 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. 200

Motion by Ms. Scanlon to report the rule. Adopted: 9–3

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
Mr. Morelle	Yea		
Mr. DeSaulnier	Yea		
Ms. Ross	Yea		
Mr. Neguse	Yea		

Majority Members	Vote	Minority Members	Vote
Mr. McGovern, Chairman	Yea		

SUMMARY OF THE AMENDMENT TO HOUSE AMENDMENT TO SENATE
AMENDMENT TO H.R. 2471 CONSIDERED AS ADOPTED

1. DeLauro (CT): Strikes division M (Covid Supplemental Appropriations Act), makes technical corrections to division P (Health Provisions), and revises the contents of division T (Credit Union Governance Modernization Act) to reflect the text as ordered reported by the Committee on Financial Services.

TEXT OF AMENDMENT TO HOUSE AMENDMENT TO SENATE
AMENDMENT TO H.R. 2471 CONSIDERED AS ADOPTED

Strike division M.

Page 1892, beginning on line 23, strike “(as amended by Public Law 117–86)”.

Page 1892, line 24, strike “March 11, 2022” and insert “March 15, 2022”.

Page 1901, line 10, strike “Section 1834(m)(4)(C)” and insert “Section 1834(m)”.

Page 1901, line 11, strike “42 U.S.C. 1395m(m)(4)(C)” and insert “42 U.S.C. 1395m(m)”.

Strike division T and insert the following:

**DIVISION T—CREDIT UNION GOVERNANCE
MODERNIZATION ACT**

SEC. 101. SHORT TITLE.

This division may be cited as the “Credit Union Governance Modernization Act of 2022”.

SEC. 102. EXPULSION OF FEDERAL CREDIT UNION MEMBERS FOR CAUSE.

Section 118 of the Federal Credit Union Act (12 U.S.C. 1764) is amended—

(1) in subsection (a)—

(A) by striking “subsection (b)” and inserting “subsections (b) and (c)”; and

(B) by striking “him” and inserting “to the member” ;

(2) by redesignating subsection (c) as subsection (d);

(3) by inserting after subsection (b) the following:

“(c) EXPULSION FOR CAUSE.—

“(1) IN GENERAL.—Except as provided in subsections (a) and (b) of this section, a member may be expelled for cause by a two-thirds vote of a quorum of the directors of the Federal credit union pursuant to a policy which the National Credit Union Administration Board shall adopt, pursuant to a rule-making, not later than the end of the 18-month period following the date of enactment of the Credit Union Governance Modernization Act of 2022.

“(2) DISTRIBUTION OF POLICY TO MEMBERS.—A Federal credit union may not expel a member pursuant to this subsection unless the Federal credit union has provided, in written or electronic form, a copy of the policy adopted by the National Credit

Union Administration Board under paragraph (1) to each member of the Federal credit union.

“(3) PROCEDURES.—

“(A) NOTIFICATION OF PENDING EXPULSION.—If a member will, subject to the policy adopted under paragraph (1), be subject to expulsion, the member shall be notified in advance of the expulsion, along with the reason for such expulsion. Such notice shall be provided in person, by mail to the member’s address, or, if the member has elected to receive electronic communications from the Federal credit union, may be provided electronically.

“(B) RIGHT TO A HEARING.—

“(i) IN GENERAL.—A member shall have 60 days from the date of receipt of a notification under subparagraph (A) to request a hearing from the board of directors of the Federal credit union.

“(ii) EXPULSION IF NO HEARING.—If a member does not request a hearing during the 60-day period described under clause (i), the member shall be expelled after the end of the 60-day period.

“(C) HEARING; VOTE ON EXPULSION.—If a member requests a hearing during the 60-day period described under subparagraph (B)(i)—

“(i) the board of directors of the Federal credit union shall provide the member with a hearing; and

“(ii) after such hearing, the board of directors of the Federal credit union shall hold a vote in a timely manner on expelling the member.

“(D) NOTICE OF EXPULSION.—If a member is expelled under subparagraph (B)(ii) or (C)(ii), notice of the expulsion of the member shall be provided to the member in person, by mail to the member’s address, in written form or, if the member has elected to receive electronic communications from the Federal credit union, may be provided electronically.

“(4) REINSTATEMENT.—

“(A) IN GENERAL.—A member expelled under this subsection—

“(i) shall be given an opportunity to request reinstatement of membership; and

“(ii) may be reinstated by either—

“(I) a majority vote of a quorum of the directors of the Federal credit union; or

“(II) a majority vote of the members of the Federal credit union present at a meeting.

“(B) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require that an expelled member be allowed to attend the meeting described in subparagraph (A)(ii) in person.

“(5) CAUSE DEFINED.—In this subsection, the term ‘cause’ means—

“(A) a substantial or repeated violation of the membership agreement of the Federal credit union;

“(B) a substantial or repeated disruption, including dangerous or abusive behavior (as defined by the National

Credit Union Administration Board pursuant to a rule-making), to the operations of a Federal credit union; or

“(C) fraud, attempted fraud, or other illegal conduct that a member has been convicted of in relation to the Federal credit union, including the Federal credit union’s employees conducting business on behalf of the Federal credit union.”;

(4) in subsection (d), as so redesignated—

(A) by striking “either subsection (a) or (b)” and inserting “subsection (a), (b), or (c)”; and

(B) by striking “him” and inserting “the member”; and

(5) by adding at the end the following:

“(e) NO AUTHORITY TO EXPEL CLASSES OF MEMBERS.—An expulsion of a member pursuant to this section shall be done individually, on a case-by-case basis, and neither the Board nor any Federal credit union may expel a class of members.”.