

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5283) TO PROHIBIT THE USE OF FEDERAL FUNDS TO PROVIDE HOUSING TO SPECIFIED ALIENS ON ANY LAND UNDER THE ADMINISTRATIVE JURISDICTION OF THE FEDERAL LAND MANAGEMENT AGENCIES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5961) TO FREEZE CERTAIN IRANIAN FUNDS INVOLVED IN THE 2023 HOSTAGE DEAL BETWEEN THE UNITED STATES AND IRAN, AND FOR OTHER PURPOSES; AND PROVIDING FOR CONSIDERATION OF THE JOINT RESOLUTION (S.J. RES. 32) PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE BUREAU OF CONSUMER FINANCIAL PROTECTION RELATING TO “SMALL BUSINESS LENDING UNDER THE EQUAL CREDIT OPPORTUNITY ACT (REGULATION B)”

NOVEMBER 28, 2023.—Referred to the House Calendar and ordered to be printed

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

R E P O R T

[To accompany H. Res. 891]

The Committee on Rules, having had under consideration House Resolution 891, 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. 5283, the Protecting our Communities from Failure to Secure the Border Act of 2023, under a structured rule. The resolution waives all points of order against consideration of the bill. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources or their respective designees. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-15 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 makes in order only those amendments printed in part A of the report. Each amendment shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally di-

vided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against the amendments printed in part A of the report are waived. The resolution provides one motion to recommit. The resolution further provides for consideration of H.R. 5961, the No Funds for Iranian Terrorism Act, under a structured rule. The resolution waives all points of order against consideration of the bill. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs or their respective designees. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118–14, modified by the amendment printed in part B of the 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 makes in order only those amendments printed in part C of the report. Each amendment shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against the amendments printed in part C of the report are waived. The resolution provides one motion to recommit. The resolution further provides for consideration of S.J. Res. 32, Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to Small Business Lending Under the Equal Credit Opportunity Act (Regulation B), under a closed rule. 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 hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their respective designees. The resolution provides for one motion to commit.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of H.R. 5283, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 5283, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in part A of the report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H.R. 5961, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 5961, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in part C of the report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of S.J. Res. 32, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in S.J. Res. 32, 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. 170

Motion by Ms. Leger Fernandez to amend the rule to make in order amendment #9 to H.R. 5283, offered by Representative Ramirez, which explicitly protects the rights of migrants to seek asylum and ensure that the legislative changes do not hinder or criminalize the asylum-seeking process. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Mr. Burgess	Nay	Mr. McGovern	Yea
Mr. Reschenthaler	Nay	Ms. Scanlon	Yea
Mrs. Fischbach	Nay	Mr. Neguse	Yea
Mr. Massie	Nay	Ms. Leger Fernandez	Yea
Mr. Norman	Nay		
Mr. Roy	Nay		
Mrs. Houchin	Nay		
Mr. Langworthy	Nay		
Mr. Cole, Chairman	Nay		

Rules Committee record vote No. 171

Motion by Ms. Leger Fernandez to amend the rule to make in order amendments #13 and #24 to H.R. 5283. Amendment #13, offered by Representative Velázquez, rescinds the current 150-day regulatory waiting period that asylum applicants must undergo between submitting their applications for asylum and applying for work authorization in the United States, to address the labor shortage. Amendment #24, offered by Representative Garcia, strikes H.R. 5283 and inserts H.R. 16, the Bipartisan American Dream and Promise Act, which provides a pathway to citizenship for eligible DACA, TPS, and DED recipients. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Mr. Burgess	Nay	Mr. McGovern	Yea
Mr. Reschenthaler	Nay	Ms. Scanlon	Yea
Mrs. Fischbach	Nay	Mr. Neguse	Yea
Mr. Massie	Nay	Ms. Leger Fernandez	Yea
Mr. Norman	Nay		
Mr. Roy	Nay		
Mrs. Houchin	Nay		
Mr. Langworthy	Nay		
Mr. Cole, Chairman	Nay		

*Rules Committee record vote No. 172***Motion by Mr. Reschenthaler to report the rule. Adopted: 9–4**

Majority Members	Vote	Minority Members	Vote
Mr. Burgess	Yea	Mr. McGovern	Nay
Mr. Reschenthaler	Yea	Ms. Scanlon	Nay
Mrs. Fischbach	Yea	Mr. Neguse	Nay
Mr. Massie	Yea	Ms. Leger Fernandez	Nay
Mr. Norman	Yea		
Mr. Roy	Yea		
Mrs. Houchin	Yea		
Mr. Langworthy	Yea		
Mr. Cole, Chairman	Yea		

SUMMARY OF THE AMENDMENTS TO H.R. 5283 IN PART A MADE IN
ORDER

1. Ogles (TN): Requires a report on the number of specified aliens provided housing on federal lands. (10 minutes)
2. Velázquez (NY): Allows the Interior Secretary to provide housing when the originating state has failed to meet certain criteria. (10 minutes)

SUMMARY OF THE AMENDMENT TO H.R. 5961 IN PART B CONSIDERED
AS ADOPTED

1. McCaul (TX): Makes changes to remove references to “International Financial Institutions” and inserts clarifying language to ensure that the bill does not constitute a revenue measure.

SUMMARY OF THE AMENDMENTS TO H.R. 5961 IN PART C MADE IN
ORDER

1. Fitzpatrick (PA): Adds findings that condemn Hamas and Iran-backed terror groups for using human shields and that only the unconditional surrender of Hamas and other Iran-backed terror groups will save innocent civilian lives. (10 minutes)
2. Cherfilus-McCormick (FL), Levin (CA): Adds a sense of Congress that the terrorist-funding, human rights-violating Iranian regime should receive no additional funds but that basic humanitarian assistance for the people of Iran is important. (10 minutes)
3. Gottheimer (NJ): Corrects the number of hostages being held by Hamas. (10 minutes)
4. Norman (SC): Requires a 45 day waiting period between Presidential certification and removal of sanctions to provide an opportunity for congressional oversight. (10 minutes)
5. Ogles (TN): Expresses a Sense of Congress that all US allies in the Middle East should publicly and unequivocally condemn the antisemitism displayed by Iranian-backed terror groups, including Hamas. (10 minutes)
6. Ogles (TN): Prohibits the use of federal funds to make any funds (as such term is defined in section 2339C(e)(1) of title 18, United States Code) available to Iran. (10 minutes)
7. Ogles (TN): Expresses a Sense of Congress that Qatar should condemn Hamas, turn over Hamas leadership to US and Israeli custody, and pledge never to facilitate the transfer of covered Iranian funds to Iran. (10 minutes)

8. Ogles (TN): Expresses a Sense of Congress that the Houthis continue to benefit from the Biden Administration’s unwillingness to unequivocally condemn them. (10 minutes)

9. Pfluger (TX), Roy (TX), Wilson (SC), Clyde (GA), Ogles (TN), Weber (TX), Duncan (SC), Womack (AR), Bacon (NE), Hern (OK): Prohibits the President from exercising the waiver authority described in section 1245(d)(5) of the 2012 NDAA and sections 1244(i) and 1247(f) of the Iran Freedom and Counter-Proliferation Act of 2012. (10 minutes)

10. Porter (CA), Salazar (FL): Requires the President to issue a report to Congress within 120 days of the enactment of this Act to outline Administration policy related to human rights, nuclear proliferation, the ballistic missile program, and regional terrorism in Iran. (10 minutes)

11. Porter (CA), Tenney (NY), Lieu (CA), Salazar (FL), Fitzpatrick (PA): Commissions a report regarding Iranian internet censorship and applicable United States licensing requirements. (10 minutes)

12. Jackson (IL): Adds a five-year sunset provision requirement. (10 minutes)

PART A—TEXT OF AMENDMENTS TO H.R. 5283 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OGLETS OF TENNESSEE OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

SEC. 3. REPORT.

(a) IN GENERAL.—The Secretary of the Interior and the Secretary of Agriculture shall jointly submit to the appropriate congressional committees an annual report that includes—

(1) the number of specified aliens that have been provided housing on any land under the administrative jurisdiction of the Federal land management agencies; and

(2) information regarding the countries of origin of such specified aliens.

(b) DEFINITION.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives; and

(2) the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VELÁZQUEZ OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

(d) APPLICABILITY.—The prohibition in subsection (a) does not apply to housing that the Secretary of the Interior certifies meets the following criteria:

(1) The proposed housing is for specified aliens who were transported to the State of the proposed housing (the “Destination State”) from another State (the “Originating State”).

(2) Such transport was funded, arranged, or otherwise assisted by the Originating State.

(3) The Originating State—

(A) failed to provide more than 48 hours of notice to the Governor of the Destination State of such transport;

(B) failed to provide the specified aliens being transported with full and truthful information regarding their destination and regarding the Destination State’s assessment of the likely conditions for the specified aliens at their destination;

(C) willfully, knowingly, or recklessly misrepresented, including through omission, to the transported specified aliens their destination, their right to refuse the transport, and the expected conditions for them at their destination; or

(D) otherwise inveigled the specified aliens into such transport.

PART B—TEXT OF AMENDMENT TO H.R. 5961 CONSIDERED AS ADOPTED

Page 2, beginning line 23, strike “and each international financial institution”.

Page 3, line 2, strike “or international financial institution”.

Page 3, beginning line 12, strike “or international financial institution”.

Page 6, beginning line 5, strike paragraph (4)

At the end of section 3, insert the following new subsection:

(f) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(1) IN GENERAL.—The authorities and requirements to impose sanctions authorized under this Act shall not include the authority or requirement to impose sanctions on the importation of goods.

(2) GOOD DEFINED.—In this subsection, the term “good” means any article, natural or man-made substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

PART C—TEXT OF AMENDMENTS TO H.R. 5961 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FITZPATRICK OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 1, after line 15, insert the following:

(3) Hamas, Palestinian Islamic Jihad, and associated terrorist organizations backed by Iran routinely and unabashedly use civilians as “human shields” to shield their weapons and terrorist militants from legitimate military engagement, a contravention of international humanitarian law and a heinous violation of the rights and dignity of civilian noncombatants.

(4) Only the cessation of Hamas’ operations, the unconditional surrender of Hamas, and the immediate dismantlement of Hamas and all other Iran-backed terrorist organizations that participated in the massacre of Israelis on and since October 7, 2023, will ensure that innocent Israeli and Palestinian civilian lives are saved.

Page 1, line 16, strike “(3)” and insert “(5)”.

Page 2, line 5, strike “(4)” and insert “(6)”.
Page 2, line 13, strike “(5)” and insert “(7)”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CHERFILUS-McCORMICK OF FLORIDA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Redesignate section 4 as section 5.
Insert after section 3 the following:

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that the terrorist-funding, human rights-violating Iranian regime should receive no additional funds but that basic humanitarian assistance for the people of Iran is important.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOTHEIMER OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 1, line 10, strike “130 people” and insert “at least 230 people”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NORMAN OF SOUTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 4, line 6, after “committees” insert “not later than 45 days before the termination of such sanctions”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OGLES OF TENNESSEE OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. __. SENSE OF CONGRESS.

It is the sense of Congress that all United States allies in the Middle East should publicly and unequivocally condemn the anti-semitism displayed by Iranian-backed terrorist groups, including Hamas.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OGLES OF TENNESSEE OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. __. PROHIBITION ON FUNDS.

No federal funds may be used to make any funds (as such term is defined in section 2339C(e)(1) of title 18, United States Code) available to Iran.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OGLES OF TENNESSEE OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 5. SENSE OF CONGRESS ON QATAR.

It is the sense of Congress that the Government of Qatar should publicly condemn Hamas, turn Hamas leadership over the United States or Israeli control, and pledge never to facilitate the transfer of any covered Iranian funds to Iran or any agency or instrumentality of Iran.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OGLES OF TENNESSEE OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. __. SENSE OF CONGRESS ON THE HOUTHIS.

It is the sense of Congress that the Houthis, an Iran-backed terrorist group which has hijacked a Japanese-operated cargo ship, kidnapped and tortured United States citizens, and supports Hamas' ongoing war against Israel, continues to benefit from the Biden Administration's failure to unequivocally condemn it.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PFLUGER OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Redesignate section 4 as section 5.

Insert after section 3 the following:

SEC. 4. LIMITATION OF APPLICABILITY OF CERTAIN LICENSES.

(a) IN GENERAL.—Notwithstanding any other provision of law, on and after the date of the enactment of this Act, the President may not—

(1) exercise the waiver authority described in section 1245(d)(5) of the National Defense Authorization Act for Fiscal Year 2012 and sections 1244(i) and 1247(f) of the Iran Freedom and Counter-Proliferation Act of 2012 permitting the Government of Iran or any Iranian person access to any account established or maintained pursuant to or in accordance with section 1245(d)(4)(D)(ii)(II) of the National Defense Authorization Act for Fiscal Year 2012; or

(2) issue a general or specific license, frequently asked question, or any other licensing action or guidance permitting the Government of Iran or any Iranian person access to or to benefit directly or indirectly from any account established pursuant to or in accordance with any account described in 1245(d)(4)(D)(ii)(II) of the National Defense Authorization Act for Fiscal Year 2012.

(b) IMPORTATION OF GOODS.—

(1) IN GENERAL.—The exercise of the authorities and requirements under paragraph (1) or (2) of subsection (a)—

(A) shall not include the authority or requirement to impose sanctions on the importation of goods; and

(B) shall not apply to any procurement sanctions.

(2) GOOD DEFINED.—In this subsection, the term “good” means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PORTER OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. __. REPORT ON POLICY RELATING TO HUMAN RIGHTS, NUCLEAR PROLIFERATION, BALLISTIC MISSILES, AND REGIONAL TERRORISM IN IRAN.

Not later than 120 days after the date of the enactment of this Act, the President shall submit to Congress a report (which may contain a classified annex) outlining the policy of the United States with respect to human rights, nuclear proliferation, the ballistic missile program, and regional terrorism in Iran.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PORTER OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. __. REPORT ON IRANIAN INTERNET CENSORSHIP.

(a) IN GENERAL.—The Secretary of the Treasury and the Secretary of State shall jointly submit to Congress a report regarding Iranian internet censorship and applicable United States licensing requirements. Such report shall include the following:

(1) An assessment of the Iranian Government's ability to impose internet shutdowns, censor the internet, and track Iranian dissidents, labor organizers, political activists, or human rights defenders inside Iran through targeted digital surveillance or other digital means.

(2) An assessment of the impact of General License D-2, issued on September 23, 2022, on the availability of private communications tools inside Iran, including encryption tools to assist the people of Iran in circumventing targeted digital surveillance by the Iranian Government.

(3) A determination of whether additional updates to General License D-2 or other licenses are needed to keep up with the pace of technology and ensure that United States restrictions do not unintentionally inhibit the flow of vital communication tools to the people of Iran, including cloud technology, hardware, software, and services incident to personal communications, including set-top boxes (STB), satellites, and web developer tools.

(4) A strategy to ensure that resources are available for digital rights experts to study Iran's online repression and identify opportunities to counter it.

(5) A strategy to prevent the Government of Iran from acquiring or developing tools that could be exploited against activists, including facial recognition software.

(b) FORM.—The report required pursuant to subsection (a) shall be submitted in unclassified form but may include a classified annex if such annex is provided separately from such unclassified version.

(c) DEFINITION.—In this section, the term “targeted digital surveillance” means the use of items or services that enable an individual or entity (with or without the knowing authorization of the product's owner) to detect, monitor, intercept, collect, exploit, preserve, protect, transmit, retain, or otherwise gain access to the

communications, sensitive or protected information, work product, browsing data, research, identifying information, location history, or online or offline activities of other individuals, organizations, or entities.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON
OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 5. SUNSET.

This Act shall terminate on the date that is 5 years after the date of the enactment of this Act.

