

PROVIDING FOR THE CONSIDERATION OF H.R. 3675, THE
DEPARTMENT OF TRANSPORTATION AND RELATED
AGENCIES APPROPRIATIONS BILL FOR FISCAL YEAR 1997

JUNE 25, 1996.—Referred to the House Calendar and ordered to be printed

Ms. GREENE of Utah, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 460]

The Committee on Rules, having had under consideration House Resolution 460, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 3675, the “Department of Transportation and Related Agencies Appropriations Bill for Fiscal Year 1997” under an open rule, providing one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives section 401(a) of the Budget Act (prohibiting consideration of legislation containing contract authority not previously subject to appropriation) against consideration of the bill. The rule also waives clause 2 of rule XXI (prohibiting unauthorized and legislative provisions) and clause 6 (prohibiting reappropriations) of rule XXI against provisions in the bill except as otherwise specified in the rule. (See explanation in the next section of this report.)

Further, the rule provides that the amendment printed in section 2 of the resolution shall be considered as adopted. (See explanation in the next section of this report.)

The rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce votes to five minutes on a postponed question if the vote follows a fifteen minute vote.

The resolution provides that a motion to rise and report the bill to the House with such amendments as may have been adopted

shall have precedence over a motion to amend, if offered by the Majority Leader or a designee after the reading of the final lines of the bill.

Members who have preprinted their amendments in the Record prior to their consideration will be given priority in recognition to offer their amendments if otherwise consistent with House rules. Finally, the rule provides for one motion to recommit, with or without instructions.

EXPLANATION OF SPECIAL PROVISIONS OF RULE

The rule exposes one provision of the bill to a point of order under clause 2 of rule XXI (legislation in an appropriations bill), and self-executes the adoption of an amendment contained in section 2 of the rule.

Exposed to clause 2, rule XXI points of order

1. Coast Guard Boating Safety Program.—Page 10, line 25, beginning with the colon through the word “program” on page 11, line 3. This would expose to a point of order a proviso reserving \$5 million for the Coast Guard to be used only for establishing a boating safety grant program. Requested by Transportation and Infrastructure Committee.

Self-executed provisions in rule

1. Budget Act Point of Order Fix.—Page 8, line 18, strike “proceeds from the sale of”; page 8, line 20, strike “credited as offsetting collections to this account so as to result”; and page 8, line 22, strike all after the figure (\$338 million) through the word “Act” on page 9, line 1. This strikes a legislative provision that would count the estimated proceeds from the sale of certain Coast Guard property in Wildwood, New Jersey, in the budget baseline required by the Balanced Budget and Emergency Deficit Control Act of 1985. This would have changed current scorekeeping requirements of OMB and therefore would have given rise to a section 306(b) Budget Act point of order (prohibiting amendments to the Budget Act in legislation not reported by the Budget Committee which has jurisdiction over such changes).

2. Conforming to Authorization Level.—Page 11, line 18, strike “\$2,742,602,000” and insert “\$1,642,500,000”. This would insert the proposed authorization level for funds that can be used from the Airport and Airway Trust Fund for FAA expenses. Requested by the Transportation and Infrastructure Committee.

3. Transit Formula Grants—Page 27, line 4, strike “\$400 million” and insert “\$460 million”. This would increase funding for Federal Transit Administration formula grants. (Transportation request)

4. Denver Airport Runway.—Page 48, line 12, beginning with the colon through “funds” on line 15. This would strike a legislative proviso in sec. 324 that would have allowed the Administrator of FAA to make a determination in writing that safety conditions warrant the obligation of funds for a sixth runway at the new Denver International Airport which is otherwise prohibited under a limitation provision in the first part of the section. Chairman Shuster and Representatives Schaefer and Schroeder (in separate letters) had requested that the section not be protected from points

of order. The self-executed provision has the same effect by removing the offending legislative language while preserving the legitimate limitation language.

