

PROVIDING FOR CONSIDERATION OF H.R. 1268, MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2005, AND FOR OTHER PURPOSES

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MARCH 14, 2005.—Referred to the House Calendar and ordered to be printed

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Mr. COLE of Oklahoma, from the Committee on Rules,  
submitted the following

R E P O R T

[To accompany H. Res. 151]

The Committee on Rules, having had under consideration House Resolution 151, by a non-record 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. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, under an open rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule waives all points of order against consideration of the bill. The bill shall be considered for amendment under the five-minute rule. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except Sections 1113 and 1114. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule provides one motion to recommit with or without instructions.

Finally, the rule provides that upon the engrossment of H.R. 1268, the Clerk shall add the text of H.R. 418 as passed by the House as new matter at the end of H.R. 1268, and conform the title of H.R. 1268 to reflect the addition.

EXPLANATION OF WAIVERS PROVIDED BY THE RESOLUTION

The rule provides for a waiver of clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill) to provide for the consideration of the legislative provisions included in the bill.

The rule waives all points of order against consideration of the bill. The Committee anticipates that the waiver includes: Rule XIII, clause 4 of House rules (requiring a three-day layover of the committee report and requiring the three-day availability of printed hearings on a general appropriation bill); Section 306 of the Congressional Budget Act (prohibiting consideration of legislation within the jurisdiction of the Committee on the Budget unless reported by the Budget Committee); and Section 401 of the Congressional Budget Act (prohibiting consideration of budget-related legislation, as reported, that is not subject to annual appropriations).

#### COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII 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. 10*

Date: March 14, 2005.

Measure: H.R. 1268, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes.

Motion by: Mrs. Slaughter.

Summary of motion: To make in order and provide the appropriate waivers to the amendment offered by Rep. Hooley to add \$1.3 billion in funding to the FY06 Supplemental Appropriations bill to provide health care and readjustment assistance to the veterans of Iraq and the War on Terror. Specifically, the amendment would provide \$1.2 billion for the Veterans Health Administration and \$100 million for the reintegration of Army National Guard members being released from active duty.

Results: Defeated 3 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

##### *Rules Committee Record Vote No. 11*

Date: March 14, 2005.

Measure: H.R. 1268, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes.

Motion by: Mr. McGovern

Summary of motion: To make in order and provide the appropriate waivers to the amendment offered by Rep. Tierney to establish a select committee to study, among other things, the bidding, contracting, and auditing standards in the issuance of government contracts; the oversight procedures and forms of payment and safeguards against money laundering; the accountability of contractors and government officials involved in procurement; and the allocation of contracts to foreign companies and small businesses.

Results: Defeated 3 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

*Rules Committee Record Vote No. 12*

Date: March 14, 2005.

Measure: H.R. 1268, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes.

Motion by: Mr. McGovern.

Summary of motion: To strike section 2 of the rule.

Results: Defeated 3 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

*Rules Committee Record Vote No. 13*

Date: March 14, 2005.

Measure: H.R. 1268, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes.

Motion by: Mr. Hastings of Florida.

Summary of motion: To make in order and provide the appropriate waivers to the amendment offered by Rep. Reyes to provide funding necessary to hire an additional 1,000 Border Patrol agents, provide 8,000 beds for immigration and detention removal operations, and install radiation portal monitors at Ports of Entry.

Results: Defeated 3 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.