

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5016) MAKING APPROPRIATIONS FOR FINANCIAL SERVICES AND GENERAL GOVERNMENT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015, AND FOR OTHER PURPOSES, AND PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 4718) TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO MODIFY AND MAKE PERMANENT BONUS DEPRECIATION

JULY 9, 2014.—Referred to the House Calendar and ordered to be printed

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

R E P O R T

[To accompany H. Res. 661]

The Committee on Rules, having had under consideration House Resolution 661, by a record vote of 8 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 H.R. 5016, the Financial Services and General Government Appropriations Act, 2015, under a modified-open 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. The resolution waives all points of order against consideration of the bill. The resolution waives points of order against provisions in the bill for failure to comply with clause 2 or clause 5(a) of rule XXI except for section 627 (relating to the Multinational Species Conservation Fund Semipostal Stamp Act of 2010). The resolution provides that after general debate the bill shall be considered for amendment under the five-minute rule. During consideration of the bill for amendment: (1) amendments shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment; and (2) no pro forma amendments shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate. Under the rules of the House the bill shall be read for amendment by paragraph. The resolution authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congress-

sional Record. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 4718, to amend the Internal Revenue Code of 1986 to modify and make permanent bonus depreciation, under a closed rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment in the nature of a substitute recommended by the Committee on Ways and Means, as 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 with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the H.R. 5016 includes a waiver of:

- Clause 4(c) of rule XIII, which prohibits consideration of a general appropriations bill reported by the Committee on Appropriations from being considered in the House until the third calendar day on which printed hearings of the Committee on Appropriations thereon have been available to Members; and
- Section 311 of the Congressional Budget Act of 1974, prohibiting consideration of legislation that would cause revenues to be less than the level of total revenues for the first fiscal year or for the total of that first fiscal year and the ensuing fiscal years for which allocations are provided.

The waiver of points of order against provisions in H.R. 5016 for failure to comply with clause 2 of rule XXI, which prohibits unauthorized appropriations or legislative provisions in an appropriations bill, is necessary because the bill contains unauthorized appropriations and legislative provisions included in the bill. The waiver applies to all provisions in the bill except for section 627 (relating to the Multinational Species Conservation Fund Semi-postal Stamp Act of 2010).

The waiver of points of order against provisions in H.R. 5016 for failure to comply with clause 5(a) of rule XXI, which provides that a bill or joint resolution carrying a tax or tariff measure may not be reported by a committee not having jurisdiction to report tax or tariff measures is necessary because section 111 (relating to the individual mandate) of the bill violates the rule.

The waiver of all points of order against consideration of H.R. 4718 includes a waiver of:

- Section 306 of the Congressional Budget Act of 1974, which prohibits consideration of legislation within the jurisdiction of the Committee on the Budget unless referred to or reported by the Budget Committee; and
- Section 311 of the Congressional Budget Act of 1974, prohibiting consideration of legislation that would cause revenues to be less than the level of total revenues for the first fiscal year or for the total of that first fiscal year and the ensuing fiscal years for which allocations are provided.

Although the resolution waives all points of order against provisions in the bill, as amended, 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. 149

Motion by Mr. McGovern to report open rules for H.R. 4718 and H.R. 5016. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Bishop of Utah	Nay	Mr. McGovern	Yea
Mr. Cole	Nay	Mr. Hastings of Florida	Yea
Mr. Woodall	Nay	Mr. Polis
Mr. Nugent	Nay		
Mr. Webster	Nay		
Ms. Ros-Lehtinen		
Mr. Burgess	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 150

Motion by Mr. McGovern to strike the waiver of clause 2 of rule XXI in the rule for H.R. 5016 for the sections that pertain to the District of Columbia and Federal Employee Health Benefits. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Bishop of Utah	Nay	Mr. McGovern	Yea
Mr. Cole	Nay	Mr. Hastings of Florida	Yea
Mr. Woodall	Nay	Mr. Polis
Mr. Nugent	Nay		
Mr. Webster	Nay		
Ms. Ros-Lehtinen		
Mr. Burgess	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 151

Motion by Mr. Bishop of Utah to report the rule. Adopted: 8–3

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Yea	Ms. Slaughter	Nay
Mr. Bishop of Utah	Yea	Mr. McGovern	Nay
Mr. Cole	Yea	Mr. Hastings of Florida	Nay
Mr. Woodall	Yea	Mr. Polis
Mr. Nugent	Yea		
Mr. Webster	Yea		
Ms. Ros-Lehtinen		
Mr. Burgess	Yea		
Mr. Sessions, Chairman	Yea		

SUMMARY OF THE AMENDMENT TO H.R. 4718 CONSIDERED AS ADOPTED

Camp (MI): Excludes from the Statutory PAYGO scorecards the budgetary impacts of permanently extending current tax policy,

which ensures that permanent enactment of current tax policy will not trigger a sequester under Statutory PAYGO.

TEXT OF AMENDMENT TO H.R. 4718 CONSIDERED AS ADOPTED

Page 17, after line 6, add the following:

SEC. 2. BUDGETARY EFFECTS.

(a) **STATUTORY PAY-AS-YOU-GO SCORECARDS.**—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) **SENATE PAYGO SCORECARDS.**—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).