

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 2685) MAKING APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016, AND FOR OTHER PURPOSES, AND PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 2393) TO AMEND THE AGRICULTURAL MARKETING ACT OF 1946 TO REPEAL COUNTRY OF ORIGIN LABELING REQUIREMENTS WITH RESPECT TO BEEF, PORK, AND CHICKEN, AND FOR OTHER PURPOSES

JUNE 9, 2015.—Referred to the House Calendar and ordered to be printed

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

R E P O R T

[To accompany H. Res. 303]

The Committee on Rules, having had under consideration House Resolution 303, by a record vote of 8 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. 2685, the Department of Defense Appropriations Act, 2016, 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 points of order against consideration of the bill. The resolution waives all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI. The resolution provides that after general debate the bill shall be considered for amendment under the five-minute rule except that: 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. The resolution authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 2393, the Country of Origin Labeling Amendments Act of 2015, 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 Agriculture. 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 Agriculture now printed in the bill 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 H.R. 2685 includes a waiver of 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 resolution includes a waiver of points of order against provisions in H.R. 2685 for failure to comply with clause 2 of rule XXI, which prohibits unauthorized appropriations or legislative provisions in an appropriations bill. This waiver is necessary because H.R. 2685 contains unauthorized appropriations and legislative provisions.

The waiver of all points of order against consideration of H.R. 2393 includes a waiver of clause 3(e)(1) of rule XIII (“Ramseyer”), requiring a committee report accompanying a bill amending or repealing statutes to show, by typographical device, parts of statute affected. The waiver is provided because the submission provided by the committee was insufficient to meet the standards established by the rule in its current form. The Committee on Rules continues to work with the House Office of Legislative Counsel and committees to determine the steps necessary to comply with the updated rule.

Although the resolution waives all points of order against provisions in the H.R. 2393, 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. 61

Motion by Ms. Slaughter report open rules for H.R. 2685 and H.R. 2393. Defeated: 4–8

| Majority Members | Vote | Minority Members | Vote |
|-------------------|------|-------------------------------|------|
| Ms. Foxx | Nay | Ms. Slaughter | Yea |
| Mr. Cole | Nay | Mr. McGovern | Yea |
| Mr. Woodall | Nay | Mr. Hastings of Florida | Yea |
| Mr. Burgess | Nay | Mr. Polis | Yea |
| Mr. Stivers | Nay | | |
| Mr. Collins | Nay | | |
| Mr. Byrne | Nay | | |

| Majority Members | Vote | Minority Members | Vote |
|------------------------------|------|------------------|------|
| Mr. Newhouse | Nay | | |
| Mr. Sessions, Chairman | Nay | | |

Rules Committee record vote No. 62

Motion by Mr. McGovern to make in order and provide the necessary waivers for an amendment to H.R. 2685 to be offered by Mr. McGovern, to provide that no funds may be obligated or spent for U.S. Armed Forces engaged in combat operations in Iraq or Syria in the absence of the enactment of an Authorization for the Use of Military Force (AUMF) for such operations. Defeated: 4–8

| Majority Members | Vote | Minority Members | Vote |
|------------------------------|------|-------------------------------|------|
| Ms. Foxx | Nay | Ms. Slaughter | Yea |
| Mr. Cole | Nay | Mr. McGovern | Yea |
| Mr. Woodall | Nay | Mr. Hastings of Florida | Yea |
| Mr. Burgess | Nay | Mr. Polis | Yea |
| Mr. Stivers | Nay | | |
| Mr. Collins | Nay | | |
| Mr. Byrne | Nay | | |
| Mr. Newhouse | Nay | | |
| Mr. Sessions, Chairman | Nay | | |

Rules Committee record vote No. 63

Motion by Mr. Cole to report the rule. Adopted: 8–4

| Majority Members | Vote | Minority Members | Vote |
|------------------------------|------|-------------------------------|------|
| Ms. Foxx | Yea | Ms. Slaughter | Nay |
| Mr. Cole | Yea | Mr. McGovern | Nay |
| Mr. Woodall | Yea | Mr. Hastings of Florida | Nay |
| Mr. Burgess | Yea | Mr. Polis | Nay |
| Mr. Stivers | Yea | | |
| Mr. Collins | Yea | | |
| Mr. Byrne | Yea | | |
| Mr. Newhouse | Yea | | |
| Mr. Sessions, Chairman | Yea | | |