

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 4974) MAKING APPROPRIATIONS FOR MILITARY CONSTRUCTION, THE DEPARTMENT OF VETERANS AFFAIRS, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5243) MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016, TO STRENGTHEN PUBLIC HEALTH ACTIVITIES IN RESPONSE TO THE ZIKA VIRUS, AND FOR OTHER PURPOSES; AND FOR OTHER PURPOSES

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MAY 17, 2016.—Referred to the House Calendar and ordered to be printed

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

## R E P O R T

[To accompany H. Res. 736]

The Committee on Rules, having had under consideration House Resolution 736, by a nonrecord 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. 4974, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2017, 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 of rule XXI. The resolution provides that clause 2(e) of rule XXI shall not apply during consideration of the bill. 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 (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. 5243, the Zika Response Appropriations Act, 2016 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 Appropriations. The resolution waives all points of order against consideration of the bill and provides that it shall be considered as read. The resolution waives all points of order against provisions in the bill. The resolution provides that clause 2(e) of rule XXI shall not apply during consideration of the bill. The resolution provides one motion to recommit.

Section 3 of the resolution provides that section 514 of H.R. 4974 shall be considered to be a spending reduction account for purposes of section 3(d) of House Resolution 5.

Section 4 of the resolution provides that during consideration of H.R. 4974 pursuant to the rule, it shall not be in order in the Committee of the Whole to use a decrease in Overseas Contingency Operations funds to offset an amendment that increases an appropriation not designated as Overseas Contingency Operations funds or vice versa.

Section 5 of the resolution provides that during consideration of H.R. 4974: (1) section 310 of House Concurrent Resolution 125, as reported in the House, shall have force and effect; and (2) section 3304 of Senate Concurrent Resolution 11 shall not apply.

#### EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 4974 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. 4974 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. 4974 contains unauthorized appropriations and legislative provisions.

The waiver of all points of order against consideration of H.R. 5243 includes a waiver of Section 3(d)(5) of H. Res. 5, which prohibits the consideration of a general appropriation bill, unless it includes a spending reduction account.

Although the resolution waives all points of order against provisions in H.R. 5243, 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. 174*

Motion by Ms. Slaughter to report H.R. 4974 and H.R. 5243 each an open rule. Defeated: 3–9

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 .....	
Mr. Burgess .....	Nay	Mr. Polis .....	Yea
Mr. Stivers .....	Nay		
Mr. Collins .....	Nay		
Mr. Byrne .....	Nay		
Mr. Newhouse .....	Nay		
Mr. Sessions, Chairman .....	Nay		

