

PROVIDING FOR CONSIDERATION OF THE JOINT RESOLUTION (H.J. RES. 37) DIRECTING THE REMOVAL OF UNITED STATES ARMED FORCES FROM HOSTILITIES IN THE REPUBLIC OF YEMEN THAT HAVE NOT BEEN AUTHORIZED BY CONGRESS; WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

FEBRUARY 11, 2019.—Referred to the House Calendar and ordered to be printed

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

R E P O R T

[To accompany H. Res. 122]

The Committee on Rules, having had under consideration House Resolution 122, by a record vote of 9 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.J. Res. 37, Directing the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. The resolution waives all points of order against consideration of the joint resolution. The resolution makes in order as original text for purpose of amendment the amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-4 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments print-

ed in this report. The resolution provides one motion to recommit with or without instructions. The resolution waives the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House with respect to any resolution reported through the legislative day of February 17, 2019, relating to a measure making or continuing appropriations for the fiscal year ending September 30, 2019. The resolution provides that it shall be in order at any time through the calendar day of February 17, 2019, for the Speaker to entertain motions that the House suspend the rules and that the Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section. The resolution provides that the chair of the Committee on Appropriations may insert in the Congressional Record not later than February 17, 2019, such material as she may deem explanatory of measures making or continuing appropriations for the fiscal year ending September 30, 2019.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of the joint resolution, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendment in the nature of a substitute made in order as original text, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in this report, 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. 13

Motion by Mr. Hastings to report the rule. Adopted: 9–3

| Majority Members | Vote | Minority Members | Vote |
|------------------------------|------|-------------------|-------|
| Mr. Hastings | Yea | Mr. Cole | Nay |
| Mrs. Torres | Yea | Mr. Woodall | Nay |
| Ms. Matsui | Yea | Mr. Burgess | |
| Mr. Perlmutter | Yea | Mrs. Lesko | Nay |
| Mr. Raskin | Yea | | |
| Ms. Scanlon | Yea | | |
| Mr. Morelle | Yea | | |
| Ms. Shalala | Yea | | |
| Mr. McGovern, Chairman | Yea | | |

SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. McGovern (MA), Massie (KY), Lee, Barbara (CA), Jayapal (WA), Raskin (MD), Pocan (WI): Clarifies that the joint resolution directs the removal of armed forces from hostilities directed specifically at Houthi forces and that nothing in Section 2 may be construed to modify the 2001 AUMF. The amendment also states that

nothing in the joint resolution may be construed as authorizing the use of military force. Finally, the amendment makes one technical correction. (10 minutes)

2. Buck (CO): Ensures the U.S. may continue intelligence collection, analysis, and sharing operations with other nations. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCGOVERN OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 4, line 12, after “**HOSTILITIES**” insert “**DIRECTED AT HOUTH FORCES**”.

Page 4, line 15, strike “Pursuant” and insert the following:

(a) IN GENERAL.—Pursuant

Page 4, line 21, after “hostilities” insert “directed at Houthi forces”.

Page 4, beginning on line 22, strike “, except” and all that follows through “forces,” on line 24.

Page 5, line 6, strike “refueling,” and inserting “refueling of”.

Page 5, after line 7, insert the following:

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit, expand, or otherwise modify the scope of the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note).

At the end of the joint resolution (page 6, after line 13), add the following:

SEC. 6. RULE OF CONSTRUCTION.

Consistent with section 8(a)(1) of the War Powers Resolution (50 U.S.C. 1547(a)(1)), nothing in this joint resolution may be construed as authorizing the use of military force.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BUCK OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 5, after line 13, insert the following new section (and redesignate the subsequent sections accordingly):

SEC. 4. RULE OF CONSTRUCTION REGARDING INTELLIGENCE SHARING.

Nothing in this joint resolution may be construed to influence or disrupt any intelligence, counterintelligence, or investigative activities conducted by, or in conjunction with, the United States Government involving—

(1) the collection of intelligence;

(2) the analysis of intelligence; or

(3) the sharing of intelligence between the United States and any foreign country if the President determines such sharing is appropriate and in the national security interests of the United States.