
PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO THE BILL (H.R. 2028) MAKING APPROPRIATIONS FOR ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016, AND FOR OTHER PURPOSES, AND PROVIDING FOR CONSIDERATION OF THE BILL (S. 612) TO DESIGNATE THE FEDERAL BUILDING AND UNITED STATES COURTHOUSE LOCATED AT 1300 VICTORIA STREET IN LAREDO, TEXAS, AS THE "GEORGE P. KAZEN FEDERAL BUILDING AND UNITED STATES COURTHOUSE"

December 7, 2016.—Referred to the House Calendar and ordered to be printed.

MR. WOODALL, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. __]

The Committee on Rules, having had under consideration House Resolution ____, 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 the Senate amendment to H.R. 2028, the Energy and Water Development and Related Agencies Appropriations Act, 2016. The resolution makes in order a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment to H.R. 2028 with an amendment consisting of the text of Rules Committee Print 114-70 modified by the amendment printed in this report. The resolution waives all points of order against consideration of the motion. The resolution provides that the Senate amendment and motion shall be considered as read. The resolution provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

Section 2 of the resolution provides for consideration of S. 612, to designate the Federal building and United States courthouse located at 1300

Victoria Street in Laredo, Texas, as the "George P. Kazen Federal Building and United States Courthouse," under a closed rule. The resolution provides one hour of debate equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Energy and Commerce, Natural Resources, and Transportation and Infrastructure. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-69 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 motion related to H.R. 2028 includes waivers of the following:

- Clause 7 of rule XVI, which requires that no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment;
- 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 Committee on the Budget;
- Section 3304 of S. Con. Res. 11, which prohibits consideration of a continuing appropriation that provides for advance appropriations; and
- Section 314 of the Congressional Budget Act of 1974, which prohibits consideration of legislation that provides budget authority for a fiscal year that exceeds either of the discretionary statutory spending limits. The waiver is necessary because the non-defense limit as established under law has been exceeded.

The waiver of all points of order against consideration of S. 612 includes waivers of the following:

- Section 303 of the Congressional Budget Act of 1974, which prohibits consideration of legislation that provides a change in revenues for a fiscal year until the budget resolution for that year has been agreed to;
- 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 Committee on the Budget; and
- Section 311 of the Congressional Budget Act of 1974, which prohibits 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 S. 612, 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. 220

Motion by Ms. Slaughter to make in order and provide the appropriate waivers for amendment #3 to S. 612, offered by Rep. Doyle (PA) and Rep. Jones (NC), which would make the Buy America provisions permanent for projects financed through the EPA's Drinking Water State Revolving Fund. Defeated: 3-8

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

Rules Committee Record Vote No. 221

Motion by Mr. Polis to make in order and provide the appropriate waivers for amendment #1 to Senate amendment to H.R. 2028, offered by Rep. Harris (MD) and Rep. Polis (CO), which would allow the H-2b returning worker exemption in current law (passed in the previous Omnibus and included in the House FY 17 DHS appropriations bill) to continue for the duration of the Continuing Resolution. Defeated: 4–7

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

SUMMARY OF THE AMENDMENT CONSIDERED AS ADOPTED

1. Rogers, Harold (KY): MANAGER'S Makes technical corrections to section 192 regarding HUD Community Development Block Grant disaster and emergency funds.

TEXT OF AMENDMENT CONSIDERED AS ADOPTED

AMENDMENT TO RULES COMMITTEE PRINT

114-70

OFFERED BY MR. ROGERS OF KENTUCKY

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Page 40, lines 9 and 10, insert “except that ‘enactment of this Act’ shall be treated as referring to enactment of this section, and” before “except for the last proviso under such subsection”.

Page 41, line 4, strike “such amounts” and insert “amounts in section 145 and all amounts in this section”.

