

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3521) TO AMEND THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974 TO PROVIDE FOR A LEGISLATIVE LINE-ITEM VETO TO EXPEDITE CONSIDERATION OF RESCISSIONS, AND FOR OTHER PURPOSES

FEBRUARY 7, 2012.—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. 540]

The Committee on Rules, having had under consideration House Resolution 540, by a record vote of 7 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. 3521, the Expedited Line-Item Veto and Rescissions Act of 2011, under a structured rule. The resolution provides one hour of general debate equally divided among and controlled by the chair and ranking minority member of the Committee on the Budget and Representative Simpson of Idaho or his designee. The resolution waives all points of order against consideration of the bill. 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 112-12, and provides that it shall be considered as read. The resolution waives all points of order against the amendment in the nature of a substitute made in order as original text. The resolution makes in order only those 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 printed in this report. The resolution provides one motion to recommit with or without instructions.

Finally, the resolution provides that it shall be in order at any time through the legislative day of February 9, 2012, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1(c) of rule XV, relating to a measure addressing securities trading based on nonpublic information.

EXPLANATION OF WAIVERS

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

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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. 188

Motion by Ms. Slaughter to strike the suspension authority in the resolution. Defeated: 4–7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Bishop of Utah	Nay	Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Nugent	Nay	Mr. Polis	Yea
Mr. Scott of South Carolina	Nay		
Mr. Webster	Nay		
Mr. Dreier, Chairman	Nay		

Rules Committee record vote No. 189

Motion by Ms. Foxx to report the rule. Adopted: 7–4

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Yea	Ms. Slaughter	Nay
Mr. Bishop of Utah	Yea	Mr. McGovern	Nay
Mr. Woodall	Yea	Mr. Hastings of Florida	Nay
Mr. Nugent	Yea	Mr. Polis	Nay
Mr. Scott of South Carolina	Yea		
Mr. Webster	Yea		
Mr. Dreier, Chairman	Yea		

SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. Ryan, Paul (WI), Van Hollen, Chris (MD): Would restore certain language from the Budget Committee reported bill by reducing certain time periods from five legislative days to three legislative days and indicating that the approval bill should be an appropriation bill. (10 minutes)

2. Alexander, Rodney (LA): Would prevent the President from proposing any rescission to funds appropriated by Congress to the Corps of Engineers. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

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

Page 2, line 8, strike "45" and insert "10".

Page 3, line 21, insert "and" after the semicolon.

Page 3, line 23, strike the semicolon and insert a period.

Page 3, strike line 24 and all that follows thereafter through page 4, line 16.

Page 5, line 21, strike "45th" and insert "60th".

Page 6, line 9, strike "5 days" and insert "3 days of session".

Page 6, line 20, strike "After" and insert "Not later than 3 days after".

Page 7, line 4, strike "fifth" and insert "third".

Page 7, line 14, strike "fifth" and insert "third".

Page 7, line 24, strike "5" and insert "3".

Page 9, strike lines 9 through 12.

Page 9, line 13, strike "(B)" and insert "(A)".

Page 9, lines 13 and 14, strike "Each committee of referral" and insert "The appropriate committee".

Page 9, lines 15 and 16, strike "referred to it under this subsection" and insert "as defined in section 1015(2)".

Page 9, lines 16 and 17, strike "fifth session day" and insert "third session day".

Page 10, line 1, strike "(C)" and insert "(B)".

Page 10, line 2, strike "5" and insert "3".

Page 10, line 3, strike "committees have" and insert "the committee has".

Page 10, line 12, strike "(D)" and insert "(C)".

Page 10, line 22, insert "equally divided in the usual form" before the period.

Page 12, line 4, strike "if" and all that follows thereafter through "measure" on line 6.

Page 12, line 8, insert ", as such term is defined in section 1015(2)," after "approval bill".

Page 12, after line 8, insert the following:

"(c) EXTENDED TIME PERIOD.—If Congress adjourns at the end of a Congress prior to the expiration of the periods described in sections 1012(c)(2) and 1014 and an approval bill was then pending in either House of Congress or a committee thereof, or an approval bill had not yet been introduced with respect to a special message, or before the applicable 10-day period specified in section 1011(a) has expired, then within the first 3 days of session, the President shall transmit to Congress an additional special message containing all of the information in the previous, pending special message and an approval bill may be introduced within the first five days of session of the next Congress and shall be treated as an approval bill under this part, and the time periods described in sections 1012(c)(2) and 1014 shall commence on the day of introduction of that approval bill.

“(d) APPROVAL BILL PROCEDURE.—In order for an approval bill to be considered under the procedures set forth in this part, the bill must meet the definition of an approval bill and must be introduced no later than the third day of session following the beginning of the period described in section 1013(a)(1) or the fifth day in the case of paragraph (1).”.

Page 12, line 9, strike “(c)” and insert “(e)”.

Page 12, line 11, strike “dollar amount” and insert “funding”.

Page 12, line 20, strike “45” and insert “60”.

Page 12, line 23, strike “Act” and insert “part”.

Page 14, strike lines 5 through 10.

Page 14, line 11, strike “(4)” and insert “(3)”.

Page 14, line 15, strike “(5)” and insert “(4)”.

Page 14, line 18, strike “(6)” and insert “(5)”.

Page 14, line 21, strike “(7)” and insert “(6)”.

Page 15, line 9, strike “(8)” and insert “(7)”.

Page 16, line 16, strike “(9)” and insert “(8)”.

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

Page 4, after line 24, add the following new subsection:

“(c) EXEMPTION FOR THE CORPS OF ENGINEERS.—The President may not propose the rescission under this part of all or part of any dollar amount of funding for the Corps of Engineers.”.