
PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO ACCOMPANY THE BILL (H.R. 2055) MAKING APPROPRIATIONS FOR MILITARY CONSTRUCTION, THE DEPARTMENT OF VETERANS AFFAIRS, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3672) MAKING APPROPRIATIONS FOR DISASTER RELIEF REQUIREMENTS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE CONCURRENT RESOLUTION (H. CON. RES. 94) DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE CORRECTIONS IN THE ENROLLMENT OF H.R. 3672; AND FOR OTHER PURPOSES

December 15, 2011.—Referred to the House Calendar and ordered to be printed.

Mr. DREIER, 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 record vote 7 to 2, 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 conference report to accompany H.R. 2055, Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2012. The resolution waives all points of order against the conference report and against its consideration. The resolution provides that it shall be considered as read. The resolution provides that the previous question shall be considered as ordered without intervention of any motion except one hour of debate and one motion to recommit if applicable.

The resolution provides for consideration of H.R. 3672, the Disaster Relief Appropriations Act, 2012, 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 one motion to recommit.

The resolution provides for the consideration of H. Con. Res. 94, directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 3672, under a closed rule. The resolution provides 20 minutes 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 concurrent resolution and provides that it shall be considered as read. The resolution waives all points of order against provisions in the concurrent resolution. The resolution provides one motion to recommit without instructions.

The resolution provides that the Clerk shall not transmit to the Senate a message that the House has passed H.R. 3672 until notified by the Speaker or by message from the Senate that the Senate has taken the question on adoption of H. Con. Res. 94 as adopted by the House.

The resolution provides that it shall be in order at any time through the legislative day of December 16, 2011, for the Speaker to entertain motions that the House suspend the rules relating to a measure continuing appropriations for the fiscal year ending September 30, 2012.

Finally, the resolution waives clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against any resolution reported through the legislative day of December 31, 2011, providing for consideration or disposition of any of the following measures: (1) a measure relating to expiring provisions of the Internal Revenue Code of 1986; (2) a measure relating to the Medicare payment system for physicians; and (3) a measure relating to appropriations for the fiscal year ending September 30, 2012.

EXPLANATION OF WAIVERS

The waiver of all points of order against the conference report and its consideration includes a waiver of the following:

- Section 302(f) of the Congressional Budget Act, prohibiting consideration of a measure which causes the applicable allocation of new budget authority under subsections 302(a) or (b) to be exceeded;
- Section 311(a) of the Congressional Budget Act, prohibiting consideration of legislation or an amendment that would cause the total level of new budget authority or outlays in the most recent budget resolution to be exceeded, or would cause revenues to be less;
- Clause 5 of rule XXII, prohibiting House conferees from agreeing to certain Senate amendments in violation of certain provisions of rule XXI;
- Clause 9 of rule XXII, prohibiting the inclusion of matter in a conference report not committed to the conference by either House;
- Clause 10 of rule XXII, prohibiting non-germane Senate matter in conference reports and amendments in disagreement; and,
- Clause 8(a)(1)(A) of rule XXII, prohibiting the consideration of a conference report until the third calendar day on which the conference report has been available in the Congressional Record and requiring printed copies of a conference report.

The conference report was made publicly available in electronic form on the Rules Committee website at 11:18 p.m. on December 15, 2011, and therefore, pursuant to H. Res. 479, complies with clause 8(a)(1)(B) of rule XXII, requiring a conference report to be available to at least two hours prior to its consideration.

The waiver of all points of order against consideration of H.R. 3672 includes a waiver of the following:

- Section 302(f) of the Congressional Budget Act, prohibiting consideration of a measure which causes the applicable allocation of new budget authority under subsections 302(a) or (b) to be exceeded;
- Section 311(a) of the Congressional Budget Act, prohibiting consideration of legislation or an amendment that would cause the total level of new budget authority or outlays in the most recent budget resolution to be exceeded, or would cause revenues to be less; and,
- Clause 11 of rule XXI, prohibiting the consideration of an unreported bill or joint resolution until the third calendar day on which it has been available.

The bill was introduced in the House on December 14, 2011, but was not made electronically available on the Rules Committee website until 12:37 a.m. on December 15, 2011. If, therefore, the bill is to be considered on December 16, 2011, it will be in violation of clause 11 of rule XXI.

Although the rule waives all points of order against provisions in H.R. 3672, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the rule waives all points of order against consideration of H. Con. Res. 94, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the rule waives all points of order against provisions in H. Con. Res. 94, 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. 176

Motion by Ms. Foxx to report the rule. Adopted: 7-2

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

House Calendar No. _____

112TH CONGRESS
1ST SESSION

H. RES. _____

Report No. 112-_____

Providing for consideration of the conference report to accompany the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; providing for consideration of the bill (H.R. 3672) making appropriations for disaster relief requirements for the fiscal year ending September 30, 2012, and for other purposes; providing for consideration of the concurrent resolution (H. Con. Res. 94) directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 3672; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 15, 2011

Mr. DREIER, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

RESOLUTION

Providing for consideration of the conference report to accompany the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; providing for consideration of the bill (H.R. 3672) making appropriations for disaster relief requirements for the fiscal year ending September 30, 2012, and for other purposes;

providing for consideration of the concurrent resolution (H. Con. Res. 94) directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 3672; and for other purposes.

1 *Resolved*, That upon adoption of this resolution it
2 shall be in order to consider the conference report to ac-
3 company the bill (H.R. 2055) making appropriations for
4 military construction, the Department of Veterans Affairs,
5 and related agencies for the fiscal year ending September
6 30, 2012, and for other purposes. All points of order
7 against the conference report and against its consideration
8 are waived. The conference report shall be considered as
9 read. The previous question shall be considered as ordered
10 on the conference report to its adoption without inter-
11 vening motion except: (1) one hour of debate; and (2) one
12 motion to recommit if applicable.

13 SEC. 2. Upon adoption of this resolution it shall be
14 in order to consider in the House the bill (H.R. 3672)
15 making appropriations for disaster relief requirements for
16 the fiscal year ending September 30, 2012, and for other
17 purposes. All points of order against consideration of the
18 bill are waived. The bill shall be considered as read. All
19 points of order against provisions in the bill are waived.
20 The previous question shall be considered as ordered on
21 the bill to final passage without intervening motion except:
22 (1) one hour of debate equally divided and controlled by

1 the chair and ranking minority member of the Committee
2 on Appropriations; and (2) one motion to recommit.

3 SEC. 3. Upon adoption of this resolution, it shall be
4 in order to consider in the House the concurrent resolution
5 (H. Con. Res. 94) directing the Clerk of the House of Rep-
6 resentatives to make corrections in the enrollment of H.R.
7 3672. All points of order against consideration of the con-
8 current resolution are waived. The concurrent resolution
9 shall be considered as read. All points of order against
10 provisions in the concurrent resolution are waived. The
11 previous question shall be considered as ordered on the
12 concurrent resolution to its adoption without intervening
13 motion except: (1) 20 minutes of debate equally divided
14 and controlled by the chair and ranking minority member
15 of the Committee on Appropriations; and (2) one motion
16 to recommit which may not contain instructions.

17 SEC. 4. The Clerk shall not transmit to the Senate
18 a message that the House has passed H.R. 3672 until no-
19 tified by the Speaker or by message from the Senate that
20 the Senate has taken the question on adoption of House
21 Concurrent Resolution 94 as adopted by the House.

22 SEC. 5. It shall be in order at any time on the legisla-
23 tive day of December 16, 2011, for the Speaker to enter-
24 tain motions that the House suspend the rules, as though
25 under clause 1(c) of rule XV, relating to a measure con-

1 tinuing appropriations for the fiscal year ending Sep-
2 tember 30, 2012.

3 SEC. 6. The requirement of clause 6(a) of rule XIII
4 for a two-thirds vote to consider a report from the Com-
5 mittee on Rules on the same day it is presented to the
6 House is waived with respect to any resolution reported
7 through the legislative day of December 31, 2011, pro-
8 viding for consideration or disposition of any of the fol-
9 lowing measures:

10 (1) A measure relating to expiring provisions of
11 the Internal Revenue Code of 1986.

12 (2) A measure relating to the Medicare pay-
13 ment system for physicians.

14 (3) A measure relating to appropriations for the
15 fiscal year ending September 30, 2012.