
PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5326) MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF COMMERCE AND JUSTICE, SCIENCE, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013, AND FOR OTHER PURPOSES; WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES; AND FOR OTHER PURPOSES

May 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. ___]

The Committee on Rules, having had under consideration House Resolution____, by a record vote of 7-3, 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.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013, under an 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. Under the Rules of the House the bill shall be read for amendment by paragraph. The resolution provides that the bill shall be considered for amendment under the five-minute rule. 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 that House Resolution 614 is amended in section 2(a) by inserting “and the allocations of spending authority printed in Tables 11 and 12 of House Report 112-421 shall be

considered for all purposes in the House to be the allocations under section 302(a) of the Congressional Budget Act of 1974” before the period.

Finally, Section 3 of 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 on May 10, 2012, providing for consideration or disposition of any measure reported by the Committee on the Budget relating to section 201 of House Concurrent Resolution 112.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes a waiver of clause 4(c) of rule XIII, which prohibits consideration of a general appropriations bill reported by the Committee on Appropriations in the House until the third calendar day on which printed hearings of the Committee on Appropriations thereon have been available to Members.

The resolution includes a waiver of points of order against provisions in the bill 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 the bill contains unauthorized appropriations and legislative provisions.

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. 214

Motion by Mr. McGovern to strike Section 3 of the resolution. Defeated: 3–7

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

Rules Committee Record Vote No. 215

Motion by Mr. Sessions to report the rule. Adopted: 7-3

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

House Calendar No. _____

112TH CONGRESS
2D SESSION

H. RES. _____

Report No. 112-_____

Providing for consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2012

Mr. WOODALL, 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 bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and for other purposes.

- 1 *Resolved*, That at any time after the adoption of this
2 resolution the Speaker may, pursuant to clause 2(b) of

1 rule XVIII, declare the House resolved into the Committee
2 of the Whole House on the state of the Union for consider-
3 ation of the bill (H.R. 5326) making appropriations for
4 the Departments of Commerce and Justice, Science, and
5 Related Agencies for the fiscal year ending September 30,
6 2013, and for other purposes. The first reading of the bill
7 shall be dispensed with. All points of order against consid-
8 eration of the bill are waived. General debate shall be con-
9 fined to the bill and shall not exceed one hour equally di-
10 vided and controlled by the chair and ranking minority
11 member of the Committee on Appropriations. After gen-
12 eral debate the bill shall be considered for amendment
13 under the five-minute rule. Points of order against provi-
14 sions in the bill for failure to comply with clause 2 of rule
15 XXI are waived. During consideration of the bill for
16 amendment, the chair of the Committee of the Whole may
17 accord priority in recognition on the basis of whether the
18 Member offering an amendment has caused it to be print-
19 ed in the portion of the Congressional Record designated
20 for that purpose in clause 8 of rule XVIII. Amendments
21 so printed shall be considered as read. When the com-
22 mittee rises and reports the bill back to the House with
23 a recommendation that the bill do pass, the previous ques-
24 tion shall be considered as ordered on the bill and amend-
25 ments thereto to final passage without intervening motion

1 except one motion to recommit with or without instruc-
2 tions.

3 SEC. 2. House Resolution 614 is amended in section
4 2(a) by inserting “and the allocations of spending author-
5 ity printed in Tables 11 and 12 of House Report 112-
6 421 shall be considered for all purposes in the House to
7 be the allocations under section 302(a) of the Congres-
8 sional Budget Act of 1974” before the period.

9 SEC. 3. The requirement of clause 6(a) of rule XIII
10 for a two-thirds vote to consider a report from the Com-
11 mittee on Rules on the same day it is presented to the
12 House is waived with respect to any resolution reported
13 on May 10, 2012, providing for consideration or disposi-
14 tion of any measure reported by the Committee on the
15 Budget relating to section 201 of House Concurrent Reso-
16 lution 112.