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PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5053) TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO PROHIBIT THE SECRETARY OF THE TREASURY FROM REQUIRING THAT THE IDENTITY OF CONTRIBUTORS TO 501(C) ORGANIZATIONS BE INCLUDED IN ANNUAL RETURNS; AND PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5293) MAKING APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017, AND FOR OTHER PURPOSES

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June 13, 2016.—Referred to the House Calendar and ordered to be printed

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MR. STIVERS, 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 H.R. 5053, the Preventing IRS Abuse and Protecting Free Speech Act, 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 Ways and Means. 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 114-58 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.

Section 2 of the resolution provides a general debate rule for H.R. 5293, the Department of Defense Appropriations Act, 2017. 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 provides that no further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

Section 3 of the resolution provides that section 10002 of H.R. 5293 shall be considered to be a spending reduction account for purposes of section 3(d) of House Resolution 5.

Section 4 of the resolution provides that during consideration of H.R. 5293, it shall not be in order to use a decrease in Overseas Contingency Operations funds to offset an amendment that increases an appropriation not designated as Overseas Contingency Operations funds or vice versa. This section does not apply to amendments between the Houses.

Section 5 of the resolution provides that during consideration of H.R. 5293, section 3304 of Senate Concurrent Resolution 11 shall not apply.

#### EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 5053 includes a waiver of the following:

- Section 303 of the Congressional Budget Act, prohibiting consideration of legislation, providing a change in revenues for a fiscal year until the budget resolution for that year has been agreed to; and
- Section 311 of the Congressional Budget Act of 1974, prohibiting 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 H.R. 5053, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver of all points of order against consideration of H.R. 5293 includes a waiver of section 306 of the Congressional Budget Act, which prohibits consideration of legislation within the jurisdiction of the Committee on the Budget unless referred to or reported by the Budget Committee.

#### 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. 187

Motion by Ms. Slaughter to report open rules for H.R. 5053 and H.R. 5293.  
Defeated: 4-9

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

Rules Committee Record Vote No. 188

Motion by Mr. McGovern to strike section 4 of the rule which prevents amendments from using OCO funds to increase base budget programs.  
 Defeated: 4-8

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

House Calendar No. \_\_\_\_\_

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. RES.** \_\_\_\_\_

**Report No. 114-**\_\_\_\_\_

Providing for consideration of the bill (H.R. 5053) to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns; and providing for consideration of the bill (H.R. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 2016

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

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**RESOLUTION**

Providing for consideration of the bill (H.R. 5053) to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns; and providing for consideration of the bill (H.R. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

1       *Resolved*, That upon adoption of this resolution it  
2 shall be in order to consider in the House the bill (H.R.  
3 5053) to amend the Internal Revenue Code of 1986 to  
4 prohibit the Secretary of the Treasury from requiring that  
5 the identity of contributors to 501(c) organizations be in-  
6 cluded in annual returns. All points of order against con-  
7 sideration of the bill are waived. In lieu of the amendment  
8 in the nature of a substitute recommended by the Com-  
9 mittee on Ways and Means now printed in the bill, an  
10 amendment in the nature of a substitute consisting of the  
11 text of Rules Committee Print 114-58 shall be considered  
12 as adopted. The bill, as amended, shall be considered as  
13 read. All points of order against provisions in the bill, as  
14 amended, are waived. The previous question shall be con-  
15 sidered as ordered on the bill, as amended, and on any  
16 further amendment thereto, to final passage without inter-  
17 vening motion except: (1) one hour of debate equally di-  
18 vided and controlled by the chair and ranking minority  
19 member of the Committee on Ways and Means; and (2)  
20 one motion to recommit with or without instructions.

21       SEC. 2. At any time after adoption of this resolution  
22 the Speaker may, pursuant to clause 2(b) of rule XVIII,  
23 declare the House resolved into the Committee of the  
24 Whole House on the state of the Union for consideration  
25 of the bill (H.R. 5293) making appropriations for the De-

1 partment of Defense for the fiscal year ending September  
2 30, 2017, and for other purposes. The first reading of the  
3 bill shall be dispensed with. All points of order against  
4 consideration of the bill are waived. General debate shall  
5 be confined to the bill and shall not exceed one hour equal-  
6 ly divided and controlled by the chair and ranking minor-  
7 ity member of the Committee on Appropriations. After  
8 general debate, the Committee of the Whole shall rise  
9 without motion. No further consideration of the bill shall  
10 be in order except pursuant to a subsequent order of the  
11 House.

12 SEC. 3. Section 10002 of H.R. 5293 shall be consid-  
13 ered to be a spending reduction account for purposes of  
14 section 3(d) of House Resolution 5.

15 SEC. 4. (a) During consideration of H.R. 5293, it  
16 shall not be in order to consider an amendment proposing  
17 both a decrease in an appropriation designated pursuant  
18 to section 251(b)(2)(A)(ii) of the Balanced Budget and  
19 Emergency Deficit Control Act of 1985 and an increase  
20 in an appropriation not so designated, or vice versa.

21 (b) Subsection (a) shall not apply to an amendment  
22 between the Houses.

23 SEC. 5. During consideration of H.R. 5293, section  
24 3304 of Senate Concurrent Resolution 11 shall not apply.