
PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5351) TO PROHIBIT THE TRANSFER OF ANY INDIVIDUAL DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AND PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5226) TO AMEND CHAPTER 3 OF TITLE 5, UNITED STATES CODE, TO REQUIRE THE PUBLICATION OF INFORMATION RELATING TO PENDING AGENCY REGULATORY ACTIONS, AND FOR OTHER PURPOSES

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

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

REPORT

[To accompany H. Res. __]

The Committee on Rules, having had under consideration House Resolution ____, by a record vote of 8 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. 5351, to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba, 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 Armed Services. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment printed in part A of this report 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 for consideration of H.R. 5226, the Regulatory Integrity Act of 2016, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and

Government Reform. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-63 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in part B of 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 part B of this report. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of H.R. 5351, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 5351, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H.R. 5226, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendment in the nature of a substitute made in order as original text, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments to H.R. 5226 printed in part B of this report, 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. 208

Motion by Mr. Burgess to report the rule. Adopted: 8-4

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

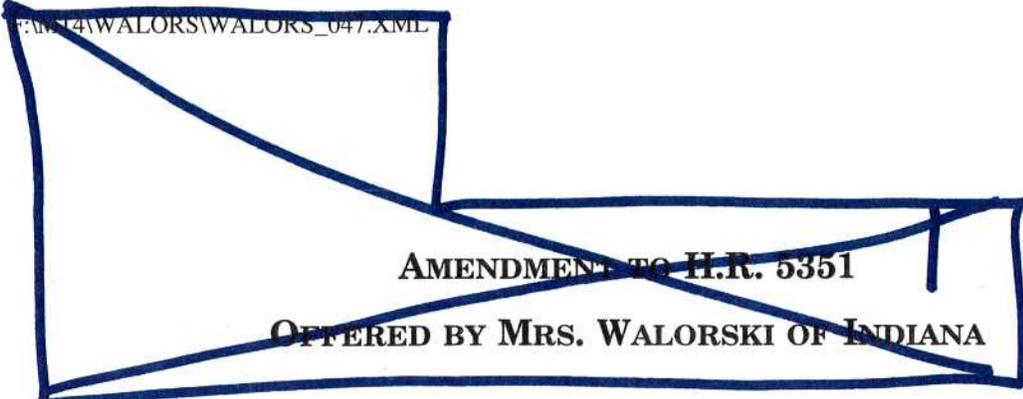
SUMMARY OF THE AMENDMENT TO H.R. 5351 IN PART A
CONSIDERED AS ADOPTED

Walorski (IN): Revises date in SEC 1. (b)(2)(B) from January 1, 2017 to
January 21, 2017.

SUMMARY OF THE AMENDMENTS TO H.R 5226 IN PART B MADE IN
ORDER

1. Boustany (LA), Loudermilk (GA): Requires the results of a Regulatory Impact Analysis (RIA) or a similar cost-benefit analysis, as well as the formula and data for the analysis to be included in the details disclosed by the agency on either regulations.gov or on the executive agency's website. (10 minutes)
2. Fleming (LA): Adds a requirement that proposed regulations that duplicate or overlap with other existing regulations must be disclosed. (10 minutes)
3. McKinley (WV): Restricts employees or officers of an Executive Agency from using private email accounts when discussing a pending agency regulatory action with the public. (10 minutes)

PART A—TEXT OF AMENDMENT TO H.R. 5351 CONSIDERED AS
ADOPTED

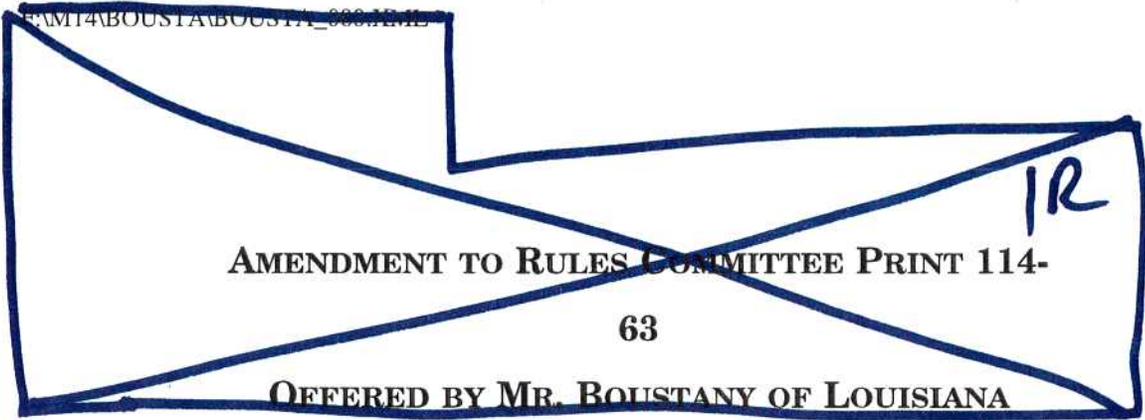


Page 2, line 13, strike "January 1, 2017" and insert "January 21, 2017".



PART B—TEXT OF AMENDMENTS TO H.R. 5226 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOUSTANY JR. OF LOUISIANA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES



Page 3, line 13, strike “; and” and insert a semi-colon.

Page 3, line 15, strike the period at the end and insert “; and”.

Page 3, after line 15, insert the following:

- 1 “(v) if a regulatory impact analysis or
- 2 similar cost-benefit analysis has been con-
- 3 ducted, the findings of such analysis, in-
- 4 cluding any data or formula used for pur-
- 5 poses of such analysis.



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

2

**AMENDMENT TO H.R. 5226, AS REPORTED
OFFERED BY MR. FLEMING OF LOUISIANA**

Page 3, line 13, strike “; and” and insert a semi-colon.

Page 3, line 15, strike the period at the end and insert “; and”.

Page 3, after line 15, insert the following:

- 1 “(v) if applicable, a list of agency reg-
- 2 ulatory actions issued by the Executive
- 3 agency, or any other Executive agency,
- 4 that duplicate or overlap with the agency
- 5 regulatory action.



3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKINLEY OF WEST VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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**AMENDMENT TO
RULES COMMITTEE PRINT 114-63
OFFERED BY MR. MCKINLEY OF WEST VIRGINIA**

Page 5, line 3, strike “; or” and insert a semicolon.

Page 5, after line 3, insert the following new sub-paragraph:

- 1 “(B) be sent through the private email ac-
- 2 count of an officer or employee of the Executive
- 3 agency; or”.

Page 5, line 4, strike “(B)” and insert “(C)”.



House Calendar No. _____

114TH CONGRESS
2D SESSION

H. RES. _____

Report No. 114-_____

Providing for consideration of the bill (H.R. 5351) to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba, and providing for consideration of the bill (H.R. 5226) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2016

Mr. BYRNE, 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. 5351) to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba, and providing for consideration of the bill (H.R. 5226) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, 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.

1 5351) to prohibit the transfer of any individual detained
2 at United States Naval Station, Guantanamo Bay, Cuba.
3 All points of order against consideration of the bill are
4 waived. The amendment printed in part A of the report
5 of the Committee on Rules accompanying this resolution
6 shall be considered as adopted. The bill, as amended, shall
7 be considered as read. All points of order against provi-
8 sions in the bill, as amended, are waived. The previous
9 question shall be considered as ordered on the bill, as
10 amended, and on any further amendment thereto, to final
11 passage without intervening motion except: (1) one hour
12 of debate equally divided and controlled by the chair and
13 ranking minority member of the Committee on Armed
14 Services; and (2) one motion to recommit with or without
15 instructions.

16 SEC. 2. At any time after adoption of this resolution
17 the Speaker may, pursuant to clause 2(b) of rule XVIII,
18 declare the House resolved into the Committee of the
19 Whole House on the state of the Union for consideration
20 of the bill (H.R. 5226) to amend chapter 3 of title 5,
21 United States Code, to require the publication of informa-
22 tion relating to pending agency regulatory actions, and for
23 other purposes. The first reading of the bill shall be dis-
24 pensed with. All points of order against consideration of
25 the bill are waived. General debate shall be confined to

1 the bill and shall not exceed one hour equally divided and
2 controlled by the chair and ranking minority member of
3 the Committee on Oversight and Government Reform.
4 After general debate the bill shall be considered for
5 amendment under the five-minute rule. It shall be in order
6 to consider as an original bill for the purpose of amend-
7 ment under the five-minute rule an amendment in the na-
8 ture of a substitute consisting of the text of Rules Com-
9 mittee Print 114-63. That amendment in the nature of
10 a substitute shall be considered as read. All points of order
11 against that amendment in the nature of a substitute are
12 waived. No amendment to that amendment in the nature
13 of a substitute shall be in order except those printed in
14 part B of the report of the Committee on Rules accom-
15 panying this resolution. Each such amendment may be of-
16 fered only in the order printed in the report, may be of-
17 fered only by a Member designated in the report, shall
18 be considered as read, shall be debatable for the time spec-
19 ified in the report equally divided and controlled by the
20 proponent and an opponent, shall not be subject to amend-
21 ment, and shall not be subject to a demand for division
22 of the question in the House or in the Committee of the
23 Whole. All points of order against such amendments are
24 waived. At the conclusion of consideration of the bill for
25 amendment the Committee shall rise and report the bill

1 to the House with such amendments as may have been
2 adopted. Any Member may demand a separate vote in the
3 House on any amendment adopted in the Committee of
4 the Whole to the bill or to the amendment in the nature
5 of a substitute made in order as original text. The previous
6 question shall be considered as ordered on the bill and
7 amendments thereto to final passage without intervening
8 motion except one motion to recommit with or without in-
9 structions.