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109TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } { 109–156

PROVIDING CONSIDERATION OF H.R. 3058, DEPARTMENT OF TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

JUNE 27, 2005.—Referred to the House Calendar and ordered to be printed

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Mr. LINCOLN DIAZ-BALART, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 342]

The Committee on Rules, having had under consideration House Resolution 342, 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. 3058, the Departments of Transportation, Treasury, Housing and Urban Developent, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 under an open rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill.

Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes a waiver of clause 4 of rule XIII (availability of reports and printed hearings from the Committee on Appropriations).

The waiver of clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill)

against provisions in the bill is necessary because there are numerous unauthorized appropriations and legislative provisions in the bill.

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII 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. 86

Date: June 27, 2005.

Measure: H.R. 3058, the Departments of Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006.

Motion by: Mr. McGovern.

Summary of motion: To provide a waiver of clause 2 off rule XXI for section 945.

Results: Defeated 2 to 6.

Vote by Members: Hastings (WA)—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

Rules Committee record vote No. 87

Date: June 27, 2005.

Measure: H.R. 3058, the Departments of Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006.

Motion by: Mr. McGovern.

Summary of motion: To make in order and provide the appropriate waivers for the amendment offered by Representative Olver which adds a total of $2.092 billion, as follows: $657 million to Amtrak to restore last year's level; $180 million to IRS for tax enforcement; restores HOPE VI to last year's level of $143 million; adds $250 million to CDBG; restores funding for Youthbuild to last year's level of $62 million; and adds $800 million for HAVA fund. The cost of this addition is offset through a 6.537% reduction in the tax benefits received by people with annual incomes above $1 million.

Results: Defeated 2 to 6.

Vote by Members: Hastings (WA)—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

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