

PROVIDING FOR CONSIDERATION OF H.R. 4837, MILITARY
CONSTRUCTION APPROPRIATIONS ACT, 2005

JULY 20, 2004.—Referred to the House Calendar and ordered to be printed

Mrs. MYRICK, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 732]

The Committee on Rules, having had under consideration House Resolution 732, 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. 4837, the Military Construction Appropriations Act, 2005, 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 or 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 preprinted their amendments in the Congressional Record.

Finally, the rule provides one motion to recommit with or without instructions.

The waiver of all points of order against consideration of the bill includes a waiver of clause 4(a) of rule XIII (requiring a three-day availability of the committee report). The waiver of clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill) is needed because there are numerous legislative provisions included in the bill.

The waiver of all points of order against consideration of the bill includes a waiver of section 302(f) of the Congressional Budget Act of 1974 (prohibiting consideration of legislation providing new budget authority in excess of a subcommittee's 302(b) allocation of such authority) because the bill breaches the Committee of Appropriations fiscal year 2005 302 allocation.

The waiver of all points of order against consideration of the bill also includes a waiver of section 306 of the Congressional Budget Act of 1974 (prohibiting consideration of legislation within the jurisdiction of the Committee on the Budget unless reported by the Budget Committee) because section 129 of the bill directs that the increase in the statutory cap on military housing privatization not be subject to scoring for purposes of the Congressional Budget Act of 1974.

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. 312

Date: July 20, 2004.

Measure: H.R. 4837—Military Construction Appropriations Act, 2005.

Motion by: Mr. Frost.

Summary of motion: To waive all points of order against section 129 of the bill.

Results: Defeated 3 to 7.

Vote by Members: Goss—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; Slaughter—Yea; McGovern—Yea; Dreier—Nay.

