

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 2847) MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF COMMERCE AND JUSTICE, AND SCIENCE, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2010, AND FOR OTHER PURPOSES

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JUNE 15, 2009.—Referred to the House Calendar and ordered to be printed

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Mr. ARCURI, from the Committee on Rules,  
submitted the following

R E P O R T

[To accompany H. Res. 544]

The Committee on Rules, having had under consideration House Resolution 544, by a record vote of 7 to 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 the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, under an open rule with a preprinting requirement. The resolution provides for 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 except clauses 9 and 10 of rule XXI. The resolution waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure). The resolution makes in order only those amendments that are received for printing in the *Congressional Record* not later than June 15, 2009 or are pro forma amendments for the purpose of debate. Each amendment submitted for printing in the *Congressional Record* may be offered only by the Member who submitted it for printing or a designee, and each such amendment shall be considered as read. The resolution provides one motion to recommit with or without instructions. Finally, the resolution amends clause 9(b)(2) of rule XXI by inserting “such” after “no”.

## EXPLANATION OF WAIVERS

The waiver of all points of order against the consideration of the bill (except clauses 9 and 10 of rule XXI), includes a waiver of section 302(f) of the Congressional Budget Act regarding consideration of legislation providing new budget authority in excess of a subcommittee's 302(b) allocation of such authority, and a waiver of clause 4(c) of rule XIII (requiring a three-day layover of printed committee hearings).

The waiver of clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill) against provisions in the bill is included 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. 113*

Date: June 15, 2009.

Measure: H.R. 2847.

Motion by: Mr. Dreier.

Summary of motion: To grant an open rule.

Results: Defeated 3–7.

Vote by Members: McGovern—Nay; Hastings—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Polis—Nay; Dreier—Yea; Diaz-Balart—Yea; Foxx—Yea; Slaughter—Nay.

*Rules Committee record vote No. 114*

Date: June 15, 2009.

Measure: H.R. 2847.

Motion by: Mr. Diaz-Balart.

Summary of motion: To modify the rule to allow Members who have preprinted their amendments, as specified in the rule, to make germane modifications to such amendments.

Results: Defeated 3–7.

Vote by Members: McGovern—Nay; Hastings—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Polis—Nay; Dreier—Yea; Diaz-Balart—Yea; Foxx—Yea; Slaughter—Nay.

*Rules Committee record vote No. 115*

Date: June 15, 2009.

Measure: H.R. 2847.

Motion by: Dr. Foxx.

Summary of motion: To strike “of June 15, 2009, (or earlier)”.

Results: Defeated 3–7.

Vote by Members: McGovern—Nay; Hastings—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Polis—Nay; Dreier—Yea; Diaz-Balart—Yea; Foxx—Yea; Slaughter—Nay.

*Rules Committee record vote No. 116*

Date: June 15, 2009.

Measure: H.R. 2847.

Motion by: Mr. Hastings.

Summary of motion: To report the rule.

Results: Adopted 7-3.

Vote by Members: McGovern—Yea; Hastings—Yea; Matsui—Yea;  
Cardoza—Yea; Arcuri—Yea; Polis—Yea; Dreier—Nay; Diaz-  
Balart—Nay; Foxx—Nay; Slaughter—Yea.

