

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3170) MAKING APPROPRIATIONS FOR FINANCIAL SERVICES AND GENERAL GOVERNMENT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2010, AND FOR OTHER PURPOSES

JULY 14, 2009.—Referred to the House Calendar and ordered to be printed

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

R E P O R T

[To accompany H. Res. 644]

The Committee on Rules, having had under consideration House Resolution 644, by a record vote of 7 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. 3170, the Financial Services and General Government Appropriations Act, 2010, 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 Appropriations. The resolution waives all points of order against consideration of the bill except those arising under clauses 9 or 10 of rule XXI. The resolution provides that the bill shall be considered as read through page 145, line 11. The resolution waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI.

The resolution makes in order the amendments printed in this report. The resolution provides that 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 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI.

The resolution provides that for those amendments reported from the Committee of the Whole, the question of their adoption shall be put to the House en gros and without demand for division of the question. The resolution provides one motion to recommit with or without instructions.

The resolution provides that after disposition of the amendments specified in the first section of the resolution, the chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent. The resolution provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee and that the Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII). Finally, the resolution provides that during consideration of the bill, the Chair may reduce to two minutes the minimum time for electronic voting.

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 clause 4(c) of rule XIII (requiring a three-day layover of printed committee hearings).

The rule waives clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill) 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. 192

Date: July 14, 2009.

Measure: H.R. 3170.

Motion by: Mr. Dreier.

Summary of motion: To grant an open rule.

Results: Defeated 4–7.

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

Rules Committee record vote No. 193

Date: July 14, 2009.

Measure: H.R. 3170.

Motion by: Mr. Dreier.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Reps. Boehner (OH), Frelinghuysen (NJ), Lewis, Jerry (CA), Emerson (MO), Issa (CA), Chaffetz (UT), Kline, John (MN), Ehlers (MI), Souder (IN), Bishop, Rob (UT), Franks (AZ), Akin (MO), Cao (LA), Fleming (LA), Cassidy (LA), Linder (GA), Lamborn (CO), Manzullo (IL), McKeon (CA), King, Steve (IA), Cantor (VA), Pitts (PA), Johnson, Sam (TX), McMorris Rodgers (WA), Price, Tom (GA) and McHenry (NC), #87, which would ensure that low-income DC students are able to receive a scholarship through the D.C. Opportunity Scholarship Program by removing the requirement that students must be OSP recipients during the 2009–2010 school year.

Results: Defeated 4–7.

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

Rules Committee record vote No. 194

Date: July 14, 2009.

Measure: H.R. 3170.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Lewis, Jerry (CA), #9, which would prevent funds from being used to implement Executive Order 13492 (74 Fed. Reg. 4897, relating to the disposition of individuals detained at Guantanamo Bay).

Results: Defeated 4–7.

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

Rules Committee record vote No. 195

Date: July 14, 2009.

Measure: H.R. 3170.

Motion by: Mr. Sessions.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Tiahrt (KS), #55, which would prohibit the use of funds for the salaries or expenses of personnel who obligate funds made available for measures necessary to convert GSA facilities to High-Performance Green Buildings under Title V of Division A of the American Recovery and Reinvestment Act (P.L. 111–5).

Results: Defeated 4–7.

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

Rules Committee record vote No. 196

Date: July 14, 2009.

Measure: H.R. 3170.

Motion by: Mr. Sessions.

Summary of motion: To make in order and provide appropriate waivers for an en bloc amendment consisting of the following amendments, separately debatable, by Rep. Sessions (TX): #33, which would deny the use of any funds for salaries and expenses of the Executive Office of the President, unless the President keeps and makes publicly available detailed records of any contact with General Motors Corporation after their discharge under Title 11, U.S.C.; #34, which would strike Sec. 734, which prohibits any funds from being used to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A–76; and #35, which would expand Sec. 743 reporting requirements to equally consider both the conversion of contractor services to Federal employees and Federal employee services to contractors, rather than just the conversion of private sector jobs to Federal employees.

Results: Defeated 4–7.

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

Rules Committee record vote No. 197

Date: July 14, 2009.

Measure: H.R. 3170.

Motion by: Mr. Sessions.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Kingston (GA), #49, which would prohibit funds in this bill from being used to pay the salaries of “czars” which are not confirmed by the Senate.

Results: Defeated 4–7.

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

Rules Committee record vote No. 198

Date: July 14, 2009.

Measure: H.R. 3170.

Motion by: Dr. Foxx.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Reps. Tiahrt (KS), Davis, Lincoln (TN), Shuler (NC), Jordan (OH), Stupak (MI), Smith, Christopher (NJ), Costello (IL), Pitts (PA), Marshall (GA) and Bachmann (MN), #59, which would reinstate the prohibition on all public funding of abortions within the District of Columbia.

Results: Defeated 4–7.

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

Rules Committee record vote No. 199

Date: July 14, 2009.

Measure: H.R. 3170.

Motion by: Dr. Foxx.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Reps. Walden (OR) and Pence (IN), #46, which would prohibit funds made available in the Act from being used to implement the Fairness Doctrine and certain broadcast localism regulations.

Results: Defeated 4–7.

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

Rules Committee record vote No. 200

Date: July 14, 2009.

Measure: H.R. 3170.

Motion by: Mr. McGovern.

Summary of motion: To report the rule.

Results: Adopted 7–4.

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

SUMMARY OF AMENDMENTS TO BE MADE IN ORDER

(Summaries derived from information provided by sponsors.)

1. Serrano (NY): Would (1) increase FY 2010 funding for the Consumer Product Safety Commission by \$4,875,000 to the auth level of \$118,200,000. FY 2010 funding under GSA Federal Buildings Fund will be reduced by the same amount; (2) transfer \$250,000 from the GSA's Federal Building Fund operations account to the National Credit Union Administration's Community Development Revolving Loan Fund; and (3) prohibit the use of funds for first-class travel for employees of agencies funded by the bill, in contravention of Federal regulations.

2. Paulsen (MN): Would increase the appropriation for the Financial Crimes Enforcement Network (FinCEN) of the Treasury Department by \$15 million and offsets from the GSA Rent Account by the same amount.

3. Price, Tom (GA): Would strike funding for the President's Council of Economic Advisers (\$4.2 million).

4. Emerson (MO): Would reduce funding for the Help America Vote Act by \$50 million.

5. Blackburn (TN): Would provide that each amount appropriated or otherwise made available by the Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 5 percent.

6. Broun (GA): Would prohibit funding made available in this bill from paying the salaries of specific positions in the Council on Environmental Quality.

7. Flake, Jeff (AZ): Would prohibit \$100,000 from being used for the small business incubator project of the University of West Georgia in Carrollton, Georgia, and reduce the amount of Section 511 of the bill by the same amount.

8. Flake, Jeff (AZ): Would prohibit \$200,000 from being used for the Commercial Driver Training Institute project of Arkansas State University in Newport, Arkansas, and reduce the amount of Section 511 of the bill by the same amount.

9. Flake, Jeff (AZ): Would prohibit \$285,000 from being used for the Proof of Concept Center of Idaho TechConnect, Inc., in Nampa, Idaho, and reduce the amount of Section 511 of the bill by the same amount.

10. Flake, Jeff (AZ): Would prohibit \$200,000 from being used for the Greenstone Group project of the Northeast Entrepreneur Fund in Virginia, Minnesota, and reduce the amount of Section 511 of the bill by the same amount.

11. Flake, Jeff (AZ): Would prohibit \$150,000 from being used for the Green Business Incubator Project of Montgomery County, Maryland, and reduce the amount of Section 511 of the bill by the same amount.

12. Flake, Jeff (AZ): Would prohibit \$100,000 from being used for the Activity Based Total Accountability project of the Florida Institute of Technology, and reduce the amount of section 511 of the bill by the same amount.

13. Flake, Jeff (AZ): Would prohibit \$90,000 from being used for the Commercial Kitchen Business Incubator project of the El Pajaro Community Development Corporation in Watsonville, Cali-

fornia, and reduce the amount of section 511 of the bill by the same amount.

14. Flake, Jeff (AZ): Would prohibit \$125,000 from being used for the Defense Procurement Assistance Program of the Economic Growth Connection of Westmoreland in Greensburg, Pennsylvania, and reduce the amount of section 511 of the bill by the same amount.

15. Flake, Jeff (AZ): Would prohibit \$100,000 from being used for the Myrtle Beach International Trade and Conference Center of the City of Myrtle Beach, South Carolina, and reduce the amount of section 511 of the bill by the same amount.

16. Flake, Jeff (AZ): Would prohibit \$100,000 from being used for the Tech Belt Life Sciences Greenhouse project of the Pittsburgh Life Sciences Greenhouse in Pittsburgh, Pennsylvania, and reduce the amount of section 511 of the bill by the same amount.

17. Flake, Jeff (AZ): Would prohibit \$900,000 from being used for an infrastructure expansion project to promote small business of the City of Loma Linda and the City of Grand Terrace, California, and reduce the amount of section 511 of the bill by the same amount.

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SERRANO OF NEW YORK, OR HIS DESIGNEE

Page 57, line 24, insert “(increased by \$4,875,000)” after the dollar amount.

Page 64, line 5, insert “(reduced by \$5,125,000)” after the first dollar amount.

Page 68, line 11, insert “(reduced by \$2,875,000)” after the dollar amount.

Page 68, line 13, insert “(reduced by \$2,250,000)” after the dollar amount.

Page 79, line 21, insert “(increased by \$250,000)” after the dollar amount.

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act may be used for first-class travel by the employees of Federal departments and agencies in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PAULSEN OF MINNESOTA, OR HIS DESIGNEE

Page 6, line 25, after the dollar amount insert “(increased by \$15,000,000)”.

Page 63, line 6, after the dollar amount insert “(reduced by \$15,000,000)”.

Page 64, line 5, after the first dollar amount insert “(reduced by \$15,000,000)”.

Page 68, line 11, after the dollar amount insert “(reduced by \$15,000,000)”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TOM PRICE OF GEORGIA, OR HIS DESIGNEE

Page 24, strike lines 1 through 5.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE EMERSON OF MISSOURI, OR HER DESIGNEE

Page 58, line 19, insert “(reduced by \$50,000,000)” after the dollar amount.

Page 58, line 20, insert “(reduced by \$50,000,000)” after the dollar amount.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BLACKBURN OF TENNESSEE, OR HER DESIGNEE

At the end of the bill (before the short title) insert the following:

TITLE IX—FIVE PERCENT REDUCTION

SEC. 901. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 5 percent.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROUN OF GEORGIA, OR HIS DESIGNEE

At the end of the bill (before the short title) insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act may be used for the salary of the Assistant to the President on Energy and Climate Change, the Deputy Assistant to the President on Energy and Climate Change, or any position in the Council on Environmental Quality.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for “Small Business Administration—Salaries and Expenses” shall be available for a small business incubator project of the University of

West Georgia in Carrollton, Georgia, and the amount otherwise provided in such section is hereby reduced by \$100,000.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for “Small Business Administration—Salaries and Expenses” shall be available for the Commercial Driver Training Institute project of Arkansas State University in Newport, Arkansas, and the amount otherwise provided in such section is hereby reduced by \$200,000.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for “Small Business Administration—Salaries and Expenses” shall be available for the Proof of Concept Center of Idaho TechConnect, Inc., in Nampa, Idaho, and the amount otherwise provided in such section is hereby reduced by \$285,000.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for “Small Business Administration—Salaries and Expenses” shall be available for the Greenstone Group project of the Northeast Entrepreneur Fund in Virginia, Minnesota, and the amount otherwise provided in such section is hereby reduced by \$200,000.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for “Small Business Administration—Salaries and Expenses” shall be available for the Green Business Incubator project of Montgomery County, Maryland, and the amount otherwise provided in such section is hereby reduced by \$150,000.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for “Small Business Administration—Salaries and Expenses” shall be available for the Activity Based Total Accountability project of the Florida Institute of Technology in Melbourne, Florida, and the amount otherwise provided in such section is hereby reduced by \$100,000.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for “Small Business Administration—Salaries and Expenses” shall be available for the Commercial Kitchen Business Incubator project of the El Pajaro Community Development Corporation in Watsonville, California, and the amount otherwise provided in such section is hereby reduced by \$90,000.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for “Small Business Administration—Salaries and Expenses” shall be available for the Defense Procurement Assistance Program of the Economic Growth Connection of Westmoreland in Greensburg, Pennsylvania, and the amount otherwise provided in such section is hereby reduced by \$125,000.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for “Small Business Administration—Salaries and Expenses” shall be available for the Myrtle Beach International Trade and Conference Center of the City of Myrtle Beach, South Carolina, and the amount otherwise provided in such section is hereby reduced by \$100,000.

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for “Small Business Administration—Salaries and Expenses” shall be available for the Tech Belt Life Sciences Greenhouse project of the Pittsburgh Life Sciences Greenhouse in Pittsburgh, Pennsylvania, and the amount otherwise provided in such section is hereby reduced by \$100,000.

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 “Small Business Administration—Salaries and Expenses” shall be available for an infrastructure expansion project to promote small business of the City of Loma Linda and the City of Grand Terrace, California, and the amount otherwise provided in such section is hereby reduced by \$900,000.