

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 4154) TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO REPEAL THE NEW CARRYOVER BASIS RULES IN ORDER TO PREVENT TAX INCREASES AND THE IMPOSITION OF COMPLIANCE BURDENS ON MANY MORE ESTATES THAN WOULD BENEFIT FROM REPEAL, TO RETAIN THE ESTATE TAX WITH A \$3,500,000 EXEMPTION, AND FOR OTHER PURPOSES

DECEMBER 2, 2009.—Referred to the House Calendar and ordered to be printed

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

R E P O R T

[To accompany H. Res. 941]

The Committee on Rules, having had under consideration House Resolution 941, 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. 4154, the “Permanent Estate Tax Relief for Families, Farmers, and Small Businesses Act of 2009,” under a closed rule. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The resolution waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The resolution provides that the bill shall be considered as read. The resolution waives all points of order against the bill. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure). The resolution provides one motion to recommit with or without instructions.

Finally, the resolution provides that in the engrossment of H.R. 4154, the Clerk shall add the text of H.R. 2920, as passed by the House, as new matter at the end of H.R. 4154.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of the bill (except those arising under clause 9 or 10 of rule XXI), the Committee is not aware of any points of order. The waiver is prophylactic. Although the resolution waives all points of order against the bill, the Committee is not aware of any points of

order against the bill. The waiver of all points of order against the bill is prophylactic.

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. 283

Date: December 2, 2009.

Measure: H.R. 4154.

Motion by: Mr. Dreier.

Summary of motion: To make in order and provide appropriate waivers for an amendment in the nature of a substitute by Rep. Neugebauer (TX), #4, which would repeal the sunset of the estate tax provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001.

Results: Defeated 1–7.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Arcuri—Nay; Pingree—Nay; Polis—Nay; Dreier—Yea; Slaughter—Nay.

Rules Committee record vote No. 284

Date: December 2, 2009.

Measure: H.R. 4154.

Motion by: Mr. Dreier.

Summary of motion: To make in order and provide appropriate waivers for an amendment in the nature of a substitute by Rep. Berkley (NV) and Rep. Brady (TX), #7, which would phase in a higher exemption and a lower tax rate. In year 10, the top tax rate is 35 percent and the exemption level would be \$5 million for an individual or \$10 million per couple. The exemption level also would be indexed for inflation starting after year 10.

Results: Defeated 1–7.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Arcuri—Nay; Pingree—Nay; Polis—Nay; Dreier—Yea; Slaughter—Nay.