



Legislative Bulletin.....July 22, 2014

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Democrat Motion to Instruct Conferees on H.R. 3230

Democrat Motion to Instruct Conferees on H.R. 3230 — (Barber-D, AZ)

Order of Business: Representative Barber [announced](#) his intention to offer a motion to instruct conferees on H.R. 3230 on July 16, 2014.

Summary: Representative Barber’s motion would move the House managers on the conference committee to end their disagreement on section 701 of the [Senate amendment](#) to H.R. 3230 as well as support the Senate amendment in totality. A vote in favor of this motion would indicate support of section 701 of the Senate Amendment to the House bill which expands the [Marine Gunnery Sergeant John David Fry Scholarship](#) to include surviving spouses of service members who die or have died in the line of duty while serving as a member of the armed forces after September 11, 2001. The receipts of this scholarship receive all applicable Post-9/11 GI benefits, excluding Yellow Ribbon payments, for 36 months at the 100% maximum rate. [CBO](#) estimates that, on net, enacting title VII would increase direct spending by \$71 million over the 2014-2024 period. The House amendment did not include this provision.

In addition, Representative Barber’s motion instructs the conferees to recede from the [House amendment](#) and agree with the Senate amendment in all other instances. The House has [previously](#) voted on a motion to instruct conferees to concur in the Senate Amendment. This motion offered by Representative Sinema (D-AZ) failed on a vote of [198-220](#). [CBO](#) estimates the Senate amendment to H.R. 3230 would result in additional direct spending totaling \$35 billion over fiscal years 2014-2024.

Additional Background: The House may vote to instruct its conferees under [three](#) different circumstances. First, before the conferees are appointed; second, 20 calendar days and 10 legislative days after the conferees were appointed (if they had not yet filed a conference report); finally, when a conference report is recommitted to conference. The motion to instruct only instructs House conferees and not those that have been appointed by the Senate. It is important to note the instructions to conferees are not binding; therefore, a point of order cannot be sustained against the conference report in the event it is inconsistent with the instructions voted out of the House.

Committee Action: Motions to instruct are not referred to committee.

Cost to Taxpayers: The motion itself would yield no new costs to taxpayers. For costs associated with the underlying policy of the motion, please refer to the CBO score linked in the summary above.

Constitutional Authority: According to House rules, a constitutional authority statement is not needed for motions to instruct.

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