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Legislative Bulletin.....December 16, 2009

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H.R. 4314—To permit continuing financing of government operations

**H.R. 4314—To permit continuing financing of government operations
 (Rangel, D-NY)**

Order of Business: The bill is scheduled to be considered on Wednesday, December 16th, subject to a highly structured (yet closed) rule ([H.Res. 976](#)). This one rule would provide for the consideration of four bills today, as follows:

1. The Senate-passed version of the Defense Appropriations bill ([H.R. 3326](#)) with a self-executing (i.e. automatically adopted) amendment in the nature of the substitute by the House. (*one hour of total debate; no further amendments allowed; no motion to commit or recommit*)
2. A continuing resolution (H.J.Res. 64) through December 23, 2009 (*one hour of total debate; no amendments allowed; one motion to recommit allowed*)
3. A bill (H.R. 4314) increasing the debt limit by \$290 billion (*one hour of total debate; no amendments allowed; one motion to recommit allowed*)
4. The Senate-passed version of the stand-alone Commerce, Justice, Science Appropriations (H.R. 2847) with a self-executing (i.e. automatically adopted) amendment in the nature of a substitute by the House. This amendment is the so-called “jobs” bill (being called by some as the “Son of Stimulus”), containing increased federal spending on such items as an ACORN-eligible housing slush fund, clean water programs, and public service job promotion. Furthermore, upon House passage of the newly amended H.R. 2847, the text of the Democrat “PAYGO” bill ([H.R. 2920](#)) would be automatically appended to H.R. 2847 without further consideration. (*one hour of total debate; no further amendments allowed; no motion to commit or recommit*)

The rule also contains a variety of additional provisions, unrelated to the consideration of these four bills, as follows:

- Allows the Appropriations Committee Chairman to insert in the Congressional Record at any time during the remainder of the first session of the 111th Congress such material as he may deem explanatory of the Senate amendments and the motions allowed for the Defense Appropriations and “jobs” bills. **In other words, earmark lists do NOT have to be provided before these bills are considered and passed.**
- Waives the requirement for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House for the remainder of the first session of the 111th Congress (referred to by some as a “**martial law rule**”).
- Makes it in order at any time during the remainder of the first session of the 111th Congress for the Speaker to entertain motions that the House suspend the rules.
- Allows the Speaker, on any legislative day of the first session of the 111th Congress, to declare the House adjourned at any time. Provisional dates for reconvening the House are listed in the rule.
- Allows the speaker, on any legislative day of the 2nd session of the 111th Congress before January 12, 2010, to dispense with organizational or legislative business, declare the House adjourned, or declare the House adjourned pursuant to an applicable concurrent resolution of adjournment.

Summary: The debt limit is currently \$12.1 trillion. This legislation increases the debt limit to \$12.39 trillion, an increase of \$290 billion.

When the Democrats took over Congress in January 2007, the debt limit was \$8.965 trillion. This will be the fifth debt limit increase since the Democrats took over Congress in January 2007. Over this period, the debt limit will have increased by \$3.4 trillion or 38.2%.

Conservative Concerns: Many conservatives may be concerned that the legislation provides the fifth debt limit increase in less than 3 years—a cumulative increase of \$3.4 trillion or 38.2% (reflective runaway spending) since the Democrats took over Congress—without including any provision to ensure that the federal budget is put on a sustainable path at some point in the future.

Committee Action: The legislation was introduced on December 15, 2009 and referred to the House Ways and Means Committee, which took no public action.

Cost to Taxpayers: No CBO score is available. However, though the legislation accommodates expansion of the debt, it does not in and of itself impact taxes or spending.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill allows the national debt to increase.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No committee report is available, but the legislation does not contain any earmarks.

Constitutional Authority: No committee report citing constitutional authority is available.

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