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Changes in the House of Representatives' Initial Consideration of Regular Appropriations Measures, 113th-116th Congresses

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SUMMARY

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Article I, Section 9, of the Constitution gives Congress the "power of the purse" by requiring that funds may only be drawn from the Treasury "in Consequence of Appropriations made by Law." The Constitution also provides in Article I, Section 5, that "Each House may determine the Rules of its Proceedings." As a result, the ways in which Congress organizes its committee and floor processes to consider appropriations measures are subject to change and adaptation. The House of Representatives currently organizes itself to develop 12 regular annual appropriations bills. These bills provide the funding for a wide variety of the federal government's activities, including the operations of nearly all of the executive branch's agencies and departments. These bills are typically developed by the House Committee on Appropriations and are then debated and amended by the entire House. During the 113th, 114th, 115th, and 116th Congresses (yielding regular appropriations for FY2014-FY2021), each of the regular appropriations bills considered on the House floor was considered under the terms of a *special rule*. A special rule is a resolution developed and reported by the House Committee on Rules that, once adopted by the entire House, establishes the procedures under which a measure will be considered on the floor, including the degree to which Members may debate and amend the legislation.

This report examines changes in the terms under which the regular appropriations bills were brought up and considered on the House floor over the course of the 113th, 114th, 115th, and 116th Congresses. During this period, majorities from both parties adjusted the practices used to manage the initial floor consideration of regular appropriations bills. The long-standing historical practice of the House was to consider the majority of regular appropriations bills separately under the terms of *open rules* that did not impose prior constraints on the ability of Members to debate and offer amendments under the "five-minute rule." Beginning in the 113th Congress, and to an increasing degree in the 114th-116th Congresses, the House used *modified-open* and *structured* special rules to impose more limits on the ability of Members to offer amendments and participate in floor debate. Additionally, a practice was developed in which the text of multiple regular appropriations bills were combined into single legislative measures (commonly referred to as "minibus" bills) to functionally provide for simultaneous consideration of multiple appropriations bills rather than serial, separate consideration.

This report summarizes and explains these changes in procedural practices and uses data from Congress.gov and the Committee on Rules to analyze how these changes affected the House's initial consideration of regular appropriation bills during the 113th-116th Congresses. It includes summaries of the types of special rules used to consider appropriations measures and analyzes the number and disposition of amendments that were offered to regular appropriations bills during their initial floor consideration.

Contents

Introduction 4
Special Rules and Floor Consideration of Regular Appropriations Since the 113th Congress 4
The Increased Use of "Controlled Time" During Floor Debate and Limiting Pro Forma Amendments 8
Committee Prints and "Minibus" Appropriations Measures 10
Changes in Amending Practices 12
"Plus-Minus" Amendments 18
En Bloc Consideration and Disposition of Amendments 19

Tables

Table 1. Abbreviations of House Appropriations Subcommittees and Regular Appropriations Acts 5
Table 2. Special Rules Used for the Initial Consideration of Regular Appropriations Bills, FY2014-FY2021 6
Table 3. Number of Amendments Offered to and Made in Order for the Consideration of Regular Appropriations Bills, FY2014-FY2021 14
Table 4. Disposition of Amendments For Regular Appropriations Bills Considered by the House by Type of Special Rule, FY2014-FY2021 16

Table A-1. Summary of Appropriations Vehicles and Special Rules Used for the Initial House Consideration of Regular Appropriations, FY2014-FY2021 22
Table B-1. Detail on Regular Appropriations Measures Made in Order by Rules Committee, 115th and 116th Congresses 28

Appendixes

Appendix A. Summary of Special Rules Governing the Initial Consideration of Regular Appropriations 21
Appendix B. Detail of Minibus Measures Considered During the 115th and 116th Congresses 27

Contacts

Author Information 32

Introduction

The House of Representatives' procedures and practices related to the consideration of regular appropriations bills have evolved over the last several decades. These changes have affected both the terms under which the House brings appropriations bills to the floor for plenary consideration and the ability of Members to debate and offer amendments to them. This report examines several changes that occurred over the period of the 113th-116th Congresses (2013-2021).[1] This report only examines initial consideration of regular appropriations bills, which, for purposes of this analysis, is defined as when a regular appropriations bill was first considered by the House. It does not address the consideration of measures providing supplemental or continuing appropriations.[2]

This report is organized into two sections. The first explains changes in the form and content of the special rules that governed the initial floor consideration of regular appropriations bills. This section focuses on (1) the greater use of "controlled time" during the consideration of amendments and new limits on offering of pro forma amendments and (2) the practice of combining the text of multiple regular appropriations bills into a single measure for their simultaneous initial consideration (often referred to as "minibus" measures). The second section of the report provides details about changes concerning the consideration of amendments to regular appropriations measures and data on their disposition.

Special Rules and Floor Consideration of Regular Appropriations Since the 113th Congress

Congress is organized to develop and consider 12 regular appropriations measures each year that provide funding for a wide variety of the federal government's activities, including the operations of nearly all of the executive branch's agencies and departments. Each of the 12 regular appropriations measures corresponds to the jurisdiction of one of the House and Senate appropriations committees' 12 subcommittees.[3] **Table 1** lists the full titles of the House Appropriations Committee's subcommittees, as well as the abbreviated titles that are used throughout this report to refer to the regular appropriations acts within their jurisdiction.

[1] For an analysis of earlier trends in House consideration of regular appropriations, see CRS Report RS22711, *Considering Regular Appropriations Bills on the House Floor: Current Practice Regarding Comprehensive Unanimous Consent Agreements*; and CRS Report R42933, *Regular Appropriations Bills: Terms of Initial Consideration and Amendment in the House, FY1996-FY2015*.

[2] Supplemental appropriations are an action by Congress to either increase funding for programs for which appropriations have previously been provided or provide funding for unforeseen needs. Continuing appropriations measures, commonly known as "continuing resolutions," are typically used to provide interim funding for agencies and programs if regular appropriations bills have not been enacted and can also provide funding for an entire fiscal year. For more information, see CRS Report R42388, *The Congressional Appropriations Process: An Introduction*.

[3] For more information about the development of the subcommittees of the House and Senate Appropriations Committees, see CRS Report RL31572, *Appropriations Subcommittee Structure: History of Changes from 1920 to 2021*.

Table 1. Abbreviations of House Appropriations Subcommittees and Regular Appropriations Acts

Full Title of House Appropriations Committee's Subcommittees	Abbreviated Title
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies	Agriculture
Commerce, Justice, Science, and Related Agencies	Commerce-Justice-Science
Defense	Defense
Energy and Water Development and Related Agencies	Energy-Water
Financial Services and General Government	Financial Services
Homeland Security	Homeland Security
Interior, Environment, and Related Agencies	Interior-Environment
Labor, Health and Human Services, Education, and Related Agencies	Labor-HHS-Education
Legislative Branch	Legislative Branch
Military Construction, Veterans Affairs, and Related Agencies	Military Construction-Veterans Affairs
State, Foreign Operations, and Related Programs	State-Foreign Operations
Transportation, Housing and Urban Development, and Related Agencies	Transportation-HUD

Source: Subcommittee titles taken from the House Committee on Appropriations' website. See https://appropriations.house.gov/subcommittees.

Although there are several procedures under which the House may consider regular appropriations measures, since the 113th Congress the House has used special rules exclusively. Special rules are House resolutions developed and reported by the House Committee on Rules that, if approved by a majority of Members, establish the terms and conditions for floor consideration. Through the use of special rules, the House can waive certain rules, set limits for debate, and establish terms for offering or considering amendments.[4]

During the 113th-116th Congresses (January 3, 2013, to January 3, 2021), the House considered 36 measures containing the text of 64 regular appropriations bills across eight annual appropriations cycles (FY2014-FY2021).[5] Eight of these measures contained the text of multiple regular appropriations bills and are discussed in greater detail in the "Committee Prints and "Minibus" Appropriations Measures" section below. As had been the practice for many years, all of these measures were considered under the terms of a special rule, but the form and content of these special rules evolved over the course of this period. In the 113th and 114th Congresses, the majority of appropriations measures were considered under special rules categorized by the Rules Committee as *open* and *modified-open*, which place no additional prior restrictions on the number or content of amendments that Members can offer beyond those included in the House's standing

[4] For more on special rules, see CRS Report 98-354, *How Special Rules Regulate Calling up Measures for Consideration in the House*; and CRS Report 98-612, *Special Rules and Options for Regulating the Amending Process*.

[5] Six of the FY2019 regular appropriations bills that were initially considered by the House were excluded from this analysis, however, because they were considered under anomalous circumstances during an extended lapse in federal funding in January 2019. The text of these six bills were first considered by the House as a minibus measure, H.R. 21, under the terms of H.Res. 5, which did not provide any opportunities to amend the measure. A second minibus measure, H.R. 648, containing the text of the same appropriations bills, was considered under the terms of H.Res. 61, which also did not provide any opportunities to amend the measure.

rules.[6] During the 115th and 116th Congresses, the House exclusively used *structured* rules, which specify which amendments are in order for floor consideration, to govern the consideration of regular appropriations measures.[7]

Table 2 shows the number of regular appropriations measures that were brought up for initial consideration by the House between 2013 and 2020, as well as the type of special rules under which those measures were considered. The table shows the House increasingly used modified-open and structured special rules to set the terms and conditions of the initial consideration of regular appropriations measures during this period. During the 114th Congress, the House began to use modified-open rules regularly. For FY2016 the House considered six of seven appropriations measures brought to the floor under modified open rules. For FY2017 the House considered four of the six appropriations measures brought to the House floor under structured rules. Since the start of the 115th Congress, the House has exclusively used structured rules to set the terms and conditions of the consideration of regular appropriations measures. The shift to structured rules, as well as the use of minibus measures, corresponded with the House considering a greater number of regular appropriations bills. In the 113th and 114th Congresses, the House considered a total of 26 regular appropriations bills out of a possible maximum of 48 such bills. During the 115th and 116th Congresses, the House considered a total of 38 regular appropriations bills out of a possible maximum of 48 such bills.

Table 2. Special Rules Used for the Initial Consideration of Regular Appropriations Bills, FY2014-FY2021

Cong.	FY	Number of Regular Appropriations Bills Receiving Initial Floor Consideration	Number of Minibus Measures (Number of Regular Appropriations Acts included in Minibus Measures)[a]	Type of Special Rule		
				Open	Modified -Open	Structured
113th	2014	5	0	4	0	1
113th	2015	8	0	3	4	1
114th	2016	7	0	0	6	1
114th	2017	6	0	0	2	4[b]
115th	2018	12	2 (12)[c]	0	0	12
115th	2019	6	2 (5)[d,e]	0	0	6
116th	2020	10	2 (9)[f]	0	0	10
116th	2021	10	2 (10)[g]	0	0	10

Source: Prepared by CRS using data obtained from Congress.gov, the *Congressional Record*, and the House Committee on Rules' website (available at house.rules.gov).

[6] *Modified-open rules* may, for example, require that amendments be printed in the *Congressional Record* before floor consideration, place a limit the total amount of time that a bill can be amended or considered, or place a limit on the time each individual amendment may be considered. See CRS Report 98-354, *How Special Rules Regulate Calling up Measures for Consideration in the House*; CRS Report 98-612, *Special Rules and Options for Regulating the Amending Process*; and CRS Report 98-313, *House Rules Committee Hearings on Special Rules*.

[7] *Structured rules* may also specify the order in which amendments may be offered or provide other restrictions or waivers.

All of the designations of special rules in this report are based on the Rules Committee's categorization of those rules. For more information, see the committee's *Survey and Journals of Activities*, which can be accessed at https://rules.house.gov/rules-and-resources/surveys-and-journals-activities.

Notes: *Open rules* place no additional restrictions on the number or content of amendments that may be offered beyond the applicable standing rules of the House and other rulemaking requirements such as those established in the Congressional Budget and Impoundment Control Act of 1974 (P.L. 93-344).

Modified-open rules, like open rules, place no additional restrictions on the number or content of amendments that may be offered but typically require that amendments be pre-printed in the *Congressional Record* before a measure's floor consideration. They may also impose an overall time limit on debate.

Structured rules limit amendments that may be offered to those that are made in order by the Rules Committee.

Closed rules do not permit any amendments to be offered. No closed rules were used to govern the consideration of regular appropriations measures during the 113th-116th Congresses.

a. As used in this report, the term *minibus measures* refers to legislative vehicles used for initial consideration that contain the text of multiple regular appropriations bills.

b. The FY2017 Defense appropriations bill (H.R. 5293) was initially considered under a special rule that provided only for a period of general debate but had no provisions concerning the amendment process (H.Res. 778). A subsequent structured rule was adopted to establish the terms for considering amendments (H.Res. 783). Because the measure was amended pursuant to a second structured rule, the bill is included in the structured rule total for FY2017.

c. The two minibus measures considered during the FY2018 appropriations cycle were H.R. 3219 and H.R. 3354. For more information about these measures, see **Table B-1**.

d. The two minibus measures considered during the FY2019 appropriations cycle were H.R. 5895 and H.R. 6147. For more information about these measures, see **Table B-1**.

e. These totals does not include H.R. 21 or H.R. 648, as these measures were considered under anomalous circumstances during a lapse of federal funding in January 2019.

f. The two minibus measures considered during the FY2020 appropriations cycle were H.R. 2740 and H.R. 3055. For more information about these measures, see **Table B-1**.

g. The two minibus measures considered during the FY2021 appropriations cycle were H.R. 7608 and H.R. 7617. For more information about these measures, see **Table B-1**.

In addition to the transition from open to modified-open to structured rules, several other aspects of the House's use of special rules for the initial consideration of regular appropriations measures changed during the 113th-116th Congresses. These changes include:

- an increased use of special rules that provided for "controlled time" during the consideration of amendments and limited the use *of pro forma amendments*;[8]
- combining the text of multiple regular appropriations bills in single "minibus" measures to provide for their simultaneous consideration; and
- simultaneously considering groups of amendments and disposing of them "en bloc," that is, packaged together as one amendment for the purpose of debate and voting.[9]

[8] Pro forma amendments are a parliamentary formality that are used in order to gain recognition to speak during debate and do not propose to modify the text of a measure or a pending amendment. In the typical form of the amendment, Members will offer a pro forma amendment that proposes to "strike the last word" or "the requisite number of words" to a pending first- or second-degree amendment or the underlying measure. For a discussion of pro forma amendments and the amendment process in the House generally, see CRS Report 98-995, *The Amending Process in the House of Representatives*.

[9] This latter practice is discussed in the "En Bloc Consideration and Disposition of Amendments" section at the end of this report.

The Increased Use of "Controlled Time" During Floor Debate and Limiting Pro Forma Amendments

Two of the primary functions of special rules are to establish the terms and conditions for offering and debating amendments during a measure's floor consideration. The specific provisions of a special rule can affect the House's consideration of a bill along three principal dimensions:

- the number of amendments—if any—that can be offered from the floor,
- the degree to which the underlying bill (and any amendments thereto) may be amended,[10] and
- how the time available for debate is allocated to and controlled by Members.

Beginning in the 113th Congress, the House began to use new forms of modified-open rules as well as structured rules, each providing for "controlled time" during the consideration of amendments to regular appropriations bills and new restrictions on the degree to which Members could offer pro forma amendments. The use of these new forms of special rules imposed more structure and predictability on the House's consideration of regular appropriations bills by imposing new restrictions on Members' ability to offer amendments and participate in floor debate.

Special rules typically provide that bills, including regular appropriations bills, will be considered in two distinct stages, and the time available for debate in each stage is allocated differently. First, special rules routinely provide for an initial period of general debate on a bill, and such debate is conducted using "controlled time" in which blocks of time are allocated to and controlled by majority and minority managers.[11] Following general debate, special rules (except for closed rules) provide for the consideration of amendments to the bill. Under the rules of the House, appropriations measures are considered by the Committee of the Whole House on the State of the Union (commonly referred to as the Committee of the Whole).[12] The default procedure for the Committee of the Whole is to consider amendments to regular appropriations bills under what is known as the "five-minute rule." Under this practice, the Member offering an amendment may be recognized to speak for a period of five minutes. After the Member has used this time (or yielded it back) another Member may be recognized to speak in opposition for an additional five minutes. Time allocated this way may not be reserved or yielded in blocks to another Member, although under an open rule additional Members may subsequently be recognized for five minutes to offer pro forma amendments.[13] Under these terms and conditions, it is possible for any Member to offer

[10] The rules of the House allow up to two degrees of amendments. First-degree amendments propose to modify the text of the measure under consideration. Second-degree amendments propose to modify the text of a pending amendment. For more information about the House's amending process, see CRS Report 98-995, *The Amending Process in the House of Representatives*.

[11] Controlled time is also used by the House when considering legislation under the one-hour rule or under suspension of the rules. For more on House consideration of legislation generally, see CRS Report 95-563, *The Legislative Process on the House Floor: An Introduction*.

[12] The Committee of the Whole is a parliamentary device used primarily to consider amendments to legislation, through which the House operates as a committee on which every member of the House serves. In response to the COVID-19 pandemic, the House adopted H.Res. 965, which provided for remote proxy voting. Such votes are allowed only in the House and not in the Committee of the Whole. For more information, see page 22 of H.Rept. 116-420. Consequently, the consideration of appropriations measures following the adoption of H.Res. 965 occurred in the House rather than the Committee of the Whole.

[13] Second-degree amendments (i.e., amendments offered to a pending amendment) are also permitted under the terms of an open rule and may be permitted under the terms of a modified-open rule, although that is rare.

a germane amendment or pro forma amendment during the amending of a bill, which makes the course of a bill's amending open-ended and determined, in large part, by what amendments Members choose to offer from the floor. Second-degree and substitute amendments may also be proposed, and each would be subject to debate under the five-minute rule.

The concept of controlled time can be extended to the consideration of amendments, however, by modified-open or structured special rules. These rules may specify that each amendment may be debated for a specified number of minutes—typically a total of no more than 10 minutes—with time equally divided and controlled by a proponent and an opponent. Such rules may also either limit or prohibit the offering of pro forma amendments and second-degree amendments. In current practice, these limits on debate time and the offering of pro forma amendments have been included in rules categorized by the Rules Committee as both modified-open and structured special rules (for more information see **Table A-1**).[14]

Using controlled time and restricting pro forma amendments limits the total possible time for consideration of amendments and helps reduce the uncertainty of the amending process. Unlike the debate of amendments under the five-minute rule, which can be extended by any Member offering a pro forma amendment, the rules providing for controlled time during the consideration of amendments also restrict the use of pro forma amendments to extend debate on particular amendments. During the period under analysis, these rules either prohibited the offering of pro forma amendments entirely or allocated a specified number that could be offered only by the Appropriations Committee's chair or ranking minority member (or their respective designees).[15] The shift to controlled time with additional limits on pro forma amendments may provide greater certainty with respect to the duration of amending and considering regular appropriations bills. In prior periods, a modified-open rule allowed Members to offer and consider any amendment so long as it was pre-published in the *Congressional Record* or the House's initial consideration of a bill remained under an overall time limit. These new forms of modified-open rules still permitted any proper amendment to be proposed but limited debate on each amendment to 10 minutes, limited pro forma amendments, and in most cases also eliminated second-degree amendments. These changes, however, may also significantly curtail the ability of Members to debate the measure at length.

The transition from the five-minute rule to controlled time for debating amendments for regular appropriations bills began during the second session of the 113th Congress (2013-2014). The first modified-open rule that provided for controlled time during the consideration of amendments and limited pro forma amendments was H.Res. 616, which governed the consideration for the FY2014 Agriculture regular appropriations bill. Compared to an open rule, this new form of modified-open rule provided more certainty about how long any particular amendment could be debated while preserving the prerogative of Members to offer amendments from the floor. The three remaining regular appropriations bills considered by the House during that session of Congress were also considered and amended under modified-open special rules that provided for controlled time during the consideration of amendments and limited pro forma amendments.[16]

[14] Both of these forms of special rules provide for controlled time during the consideration of amendments. The primary distinction between these forms of modified-open rules and structured rules is that the former allows any Members to offer germane amendments during floor consideration, while the latter only allows amendments made in order by the special rule itself to be offered.

[15] For a discussion of this practice, see Megan S. Lynch and Mark J. Oleszek, "Recent Innovations in Special Rules in the House of Representatives," in U.S. Senate, Committee on Rules and Administration, *The Evolving Congress,* S.Prt. 113-30 (Washington: GPO, 2014) pp. 254-256.

[16] Those bills (and the special rules that governed their consideration) were H.R. 4870 (H.Res. 628), H.R. 4923 (H.Res.

The use of this new form of modified-open rule remained popular during the first session of the 114th Congress but was discontinued in the second session in favor of structured rules. During the first session of the 114th Congress, six of the seven FY2016 regular appropriations bills were considered by the House under modified-open special rules that provided for controlled time and limited the use of pro forma amendments.[17] During the second session of 114th Congress, the first two FY2017 regular appropriations bills were considered under the same form of modified-open special rule.[18] After the FY2017 Energy-Water Development regular appropriations bill (H.R. 5055, H.Res. 743) failed to pass the House on a recorded vote, the remaining FY2017 regular appropriations bills were considered under the terms of structured rules.[19] These structured rules also provided for controlled time during debate on amendments and either limited or prohibited the offering of pro forma amendments. Because structured rules prevent Members from offering amendments from the floor that have not been made in order by the rule, they reduce the possibility of a particular Member offering a potentially disruptive amendment. This enhanced protection against contentious amendments is accomplished by the House agreeing to special rules that restrict the prerogative of Members under the standing rules of the House to offer germane amendments during the floor consideration of appropriations measures.

The use of these new forms of special rules are a significant aspect of the House's changing consideration of the regular appropriations bills over the 113th-116th Congresses. As the debates over amendments to regular appropriations bills became more contentious, majorities responded by imposing new limits on floor debates via new forms of special rules.[20] These changes have, in part, allowed the House to bring more regular appropriations bills to the floor for initial consideration during the 115th and 116th Congresses by limiting the ability of Members to offer substantive and pro forma amendments.

Committee Prints and "Minibus" Appropriations Measures

In addition to setting the terms and conditions of offering and debating amendments, a special rule also specifies the legislative text to be considered by the House in one of several ways. The rule can specify the legislative language considered on the House floor by referring to a specific measure as introduced, as reported by committee, or as modified by legislative language that

641), and H.R. 5016 (H.Res. 661).

[17] The FY2016 Legislative Branch (H.R. 2250) appropriations bill was considered under a structured rule (H.Res. 271). It has been the long-standing practice of the House to consider each year's Legislative Branch regular appropriations bill under the terms of a structured rule.

[18] Those bills were the FY2017 Military Construction-Veterans Affairs regular appropriations bill (H.R. 4974, H.Res. 736) and the FY2017 Energy-Water regular appropriations bill (H.R. 5055, H.Res. 743).

[19] For more information about the consideration of these bills, see Lee Drutman and Peter C. Hanson, "Does Regular Order Produce a More Deliberative Congress? Evidence from the Annual Appropriations Process," in Francis E. Lee and Nolan McCarty, eds., *Can America Govern Itself?* (New York: Cambridge University Press, 2019), pp. 164-165.

H.R. 5055 was the only regular appropriations measure initially considered by the House during the 113th-116th Congresses that failed to pass on a recorded vote. The House also did not finish its initial consideration of two other regular appropriations bills—the FY2014 Transportation-HUD regular appropriations bill (H.R. 2610) and the FY2015 Agriculture regular appropriations bill (H.R. 4800).

[20] For more information about the FY2016 appropriations cycle, see *Roll Call*, "Confederate Flag Flap a Death Knell for Appropriations Work," July 10, 2015, https://www.rollcall.com/2015/07/10/confederate-flag-flap-a-death-knell-for-appropriations-work/. For more information about the FY2017 appropriations cycle, see *CQ Almanac 2016*, "Military Construction-VA: Drama Stalks Popular Milcon-VA Bill," and "Energy-Water Development: Energy-Water Bill Stalled by Discord," https://library.cqpress.com/cqalmanac/toc.php?mode=cqalmanac-topic&level=3&values=Appropriations%7E2016.

appears elsewhere. Recently, it has become increasingly common for the Rules Committee to specify the text to be considered on the floor in the form of a Rules Committee print.[21] In the 115th Congress (2017-2018), the House began to use this practice to provide for the consideration of appropriations bills and, in particular, to adapt it to combine the text of two or more separately reported appropriations measures in order to consider the text of those measures simultaneously on the House floor in one package. Such measures are often referred to as minibus appropriations measures.[22]

The first such minibus measure in the period under analysis was constructed to provide for simultaneous initial consideration of the text of four FY2018 regular appropriations bills. The special rule that governed consideration of this minibus measure (H.Res. 473) designated the text of H.Prt. 115-30 as the text that would be considered by the House. That committee print included the text of four regular appropriations bills that had been reported by the House Appropriations Committee.[23] In that same session of Congress, the text of the eight remaining regular appropriations bills were also considered by the House as part of a minibus measure (H.R. 3354).[24] As shown in **Table B-1**, in each subsequent appropriations cycle, minibus measures containing the text of multiple regular appropriations bills became the norm for the House's initial floor consideration of regular appropriations bills.

Although this practice has been used to combine the text of multiple regular appropriations bills into a single measure, the text of each bill is still treated as separate within the minibus measure. Within the combined measure, the text of each regular appropriations bill is organized as a separate division.[25] Furthermore, the special rule providing for the consideration of the combined measure makes in order only amendments that affect only a single division, which prohibits amendments that would transfer funding between different divisions of the measure.[26]

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[21] For a discussion of this practice, see "Recent Innovations in Special Rules in the House of Representatives," by Megan S. Lynch and Mark J. Oleszek in U.S. Senate, Committee on Rules and Administration, *The Evolving Congress*, S.Prt. 113-30 (Washington: GPO, 2014), pp. 251-254.

[22] For purposes of this report, the term *minibus* refers to any measure that contained the text of multiple regular appropriations bills for their initial consideration by the House. Although the combination of the text of multiple appropriations measures into a consolidated or omnibus measure is not unusual, initial consideration has been through separate measures. Omnibus combinations have occurred at a later stage in the legislative process when differences between the House and Senate were being resolved. For more information on this practice, see CRS Report RL32473, *Omnibus Appropriations Acts: Overview of Recent Practices*.

[23] The text of the committee print designated the Department of Defense appropriations bill (H.R. 3219) as Division A, the Legislative Branch appropriations bill as Division B, the Military Construction and Veterans Affairs appropriations bill as Division C, and the Energy and Water Development appropriations bill as Division D. A second special rule, H.Res. 478, subsequently added Department of Homeland Security Border Infrastructure Construction appropriations as Division E.

[24] H.Res. 500 provided for the consideration of H.R. 3354, the Interior-Environment regular appropriations bill, as modified by Rules Committee prints 115-31 and 115-32 and a self-executing amendment contained in H.Rept. 115-295. The final amended text initially considered by the House included the text of the eight remaining appropriations bills as well as the addition of the text of the four remaining regular appropriations bills contained in H.R. 3219, as previously passed by the House.

[25] Such bills also typically include language that states that unless expressly provided otherwise, any reference to "this Act" or a "report accompanying this Act" be treated as applying only to that division. For example, see Sections 2 and 3 of H.R. 7608.

[26] For example, see H.Rept. 116-459, which accompanied H.Res. 1060, the special rule providing for the consideration of H.R. 7608.

This practice also preserves the Section 302(b) allocations under the Congressional Budget Act and Impoundment Control Act of 1974 (P.L. 93-344). These allocations create limits on the amount of budget authority that can be provided by each regular appropriations bill. For more information, see CRS Report R42388, *The Congressional Appropriations Process: An Introduction*.

The frequent use of minibus measures during the 115th and 116th Congresses to combine the text of multiple regular appropriations bills for their initial floor consideration represents another aspect of the House's changing practices for considering regular appropriations. This change has two principal implications for the House's consideration of regular appropriations bills. The use of minibus measures requires Members to vote on the text of multiple regular appropriations bills, as compared to voting on each one individually. By requiring Members to vote on the text of multiple bills together, the leadership of the House may be able to assemble majority coalitions that may not otherwise be possible when voting separately on regular appropriations bills. This change augments the role of the Rules Committee in the appropriations process, because the committee has the responsibility of combining the texts of multiple regular appropriations bills in a committee print and designating those prints as the legislative text in order for consideration.

Table B-1 displays more detail about the each of the regular appropriations bills considered during the 115th and 116th Congresses. The table shows:

- whether or not the text of a regular appropriations bill was considered as part of a minibus measure,
- the special rule that governed the measure's consideration,
- the Rules Committee prints that contained the legislative text made in order for consideration, and
- information about the corresponding appropriations bills reported by the House Appropriations Committee (if applicable).

Changes in Amending Practices

In addition to changes in the way appropriations bills are brought to the floor of the House for consideration, there were also several notable changes in amending practices related to regular appropriations bills during the 113th-116th Congresses. These changes in practice are reflected in **Table 3** and **Table 4**, which show how many amendments were offered to each appropriations bill as well as more information about their disposition.

Table 3 shows the number of amendments that were offered to each regular appropriations bill during the 113th-116th Congresses. The number of amendments offered are listed for every bill that received initial consideration by the House, while the number of amendments made in order are listed in parentheses for the applicable measures that were considered under the terms of a structured rule. These counts of amendments were arrived at by compiling information about the amendments made in order by the Rules Committee from the reports accompanying structured rules and information about the amendments that were offered during each regular appropriations measure's initial floor consideration from Congress.gov.

The Defense and the Energy and Water Development bills were the only regular appropriations bills considered in every session during the 113th-116th Congresses. The number of amendments offered to the Defense bill during this period varied between a low of 37 (FY2019) and a high of 86 (FY2014). For the Energy and Water Development bill, the number of offered amendments varied between 40 (FY2018) and 78 (FY2015). Other bills, although not considered in every session, show a similar range of variance. Despite this variation, the data also show which bills are generally subject to the most amending activity, from an average of seven amendments offered during consideration of the Legislative Branch appropriations bill to an average of 79 amendments offered during consideration of the Interior-Environment appropriations bill.

Table 4 shows the disposition of amendments that were made in order and offered during the initial consideration of regular appropriations measures during this period. The table displays the number of amendments considered under structured rules separately from those considered under open and modified-open rules for FY2014-FY2017 in order to distinguish how many amendments were specified as in order by structured rules prior to floor consideration. The sixth column of the table first shows how many of those amendments received a vote, as well as (in parentheses) how many of those amendments were considered and disposed of en bloc. The seventh and eighth columns display the number of amendments that were either agreed to or not agreed to, and the ninth and 10th columns, respectively, show the number of amendments that either were withdrawn or had a point of order sustained against them. Additionally, in 20 cases a rollcall vote on an amendment was postponed pursuant to House Rule XVIII, clause 6, but the House did not subsequently complete consideration of the amendment. No disposition of these amendments is indicated in the table.[27]

[27] For example, Amendment 437 to the FY2014 Transportation-HUD appropriations bill (H.R. 2610, 113th Congress). *Congressional Record*, daily edition (July 30, 2013), pp. H5160-H5161. A recorded vote was postponed on July 30, 2013, but the House rose that day without having completed consideration of the bill and did not subsequently resume consideration of the bill.

Table 3. Number of Amendments Offered to and Made in Order for the Consideration of Regular Appropriations Bills, FY2014-FY2021

Appropriations Bill	Number of Amendments Offered (Number of Amendments Made in Order)								Total Offered Amend., FY2014-FY2021	Total Bills Initially Considered, FY2014-FY021	Average Amend. Offered per Bill, FY2014-FY2021[a]
	113th Congress		114th Congress		115th Congress		116th Congress				
	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021			
Agriculture	N/A	19[b,c]	N/A	N/A	18 (20)	N/A	33 (35)	24 (24)	94	4	24
Commerce-Justice-Science	N/A	84[d]	87[b]	N/A	41 (50)	N/A	87 (90)	66 (67)	365	5	73
Defense	86 (100)	80[b]	67[b]	72 (75)	48 (54)	37 (53)	53 (57)	83 (83)	526	8	66
Energy-Water	73[d]	78[b]	61[b]	68[b,e]	40 (46)	44 (50)	49 (51)	43 (43)	456	8	57
Financial Services	N/A	51[b]	N/A	61 (70)	28 (35)	16 (17)	43 (46)	24 (24)	223	6	37
Homeland Security	45[d]	N/A	N/A	N/A	27 (29)	N/A	N/A	N/A	72	2	36
Interior-Environment	N/A	N/A	116	120 (131)	67 (80)	65 (70)	64 (69)	44 (45)	476	6	79
Labor-HHS-Education	N/A	N/A	N/A	N/A	50 (59)	N/A	71 (79)	92 (92)	213	3	71
Legislative Branch	N/A	8 (8)	3 (3)	10 (13)	10 (10)	5 (7)	N/A	N/A	36	5	7
Military-Construction-Veterans Affairs	20[d]	24[d]	43[b]	30[b]	13 (16)	20 (21)	33 (34)	27 (27)	210	8	26
State-Foreign Operations	N/A	N/A	N/A	N/A	22 (28)	N/A	33 (35)	36 (36)	91	3	30
Transportation-HUD	27[d,c]	68[d]	79[b]	N/A	38 (40)	N/A	58 (62)	31 (31)	301	6	50

Total number of offered amendments, during a session of Congress, by fiscal year	251	412	456	361	402	187	524	470	3063	64	48

Source: Prepared by CRS using data obtained from Congress.gov, the *Congressional Record*, and the House Committee on Rules' website (available at house.rules.gov).

Notes: Numbers in parentheses are the number of amendments made in order by the Rules Committee prior to the consideration of measures pursuant to structured rule.

Amendments disposed of via en bloc votes are counted as separate amendments.

All regular appropriations bills during this period were considered under structured rules except as noted.

All regular appropriations bills were passed by the House except as noted.

All of the FY2018-FY2021 appropriations bills were considered as separate divisions within minibus measures that combined the text of multiple regular appropriations bills (except for the FY2019 Defense and FY2020 Financial Services bills).

The totals in this table do not include "self-executing" amendments that were agreed to when the House agreed to a special rule. The following measures were modified by self-executing amendments: H.R. 3219 (H.Res. 473, H.Res. 478), H.R. 3354 (H.Res. 500), H.R. 5895 (H.Res. 918, H.Res. 923), H.R. 6157 (H.Res. 961), H.R. 6147 (H.Res. 996), H.R. 2740 (H.Res. 431, H.Res. 445), H.R. 3055 (H.Res. 445), H.R. 7608 (H.Res. 1060), H.R. 7617 (H.Res. 1067).

a. This column displays the average number of amendments per each type of regular appropriations bill (e.g., Agriculture, Commerce-Justice-Science, Defense, etc.). The average is equal to the total number of amendments offered to that type of bill during the 113th-116th Congresses divided by the total number of regular appropriations bills of the same type initially considered by the House during the 113th-116th Congresses rounded to the nearest whole number.

b. Regular appropriations bill considered under a modified-open rule.

c. House did not complete initial consideration of regular appropriations bill, leaving it as unfinished business.

d. Regular appropriations bill considered under an open rule.

e. House did not pass this regular appropriations bill (H.R. 5055, H.Res. 743).

Table 4. Disposition of Amendments For Regular Appropriations Bills Considered by the House by Type of Special Rule, FY2014-FY2021

Cong.	FY	Type of Special Rule	Amend. Made in Order by Special Rule[a]	Amendments Offered	Amend. Receiving a Vote (Disposed of En Bloc)	Disposition of Offered Amendments			
						Agreed To	Not Agreed To	Withdrawn	Point of Order Sustained
113th	2014	Open and Modified-Open	N/A	165	147 (3)	83	64	6	7
113th	2014	Structured	100	86	80 (19)	57	23	6	0
113th	*2014*	*Total*	*100*	*251*	*227 (22)*	*140*	*87*	*12*	*7*
113th	2015	Open and Modified-Open	N/A	404	331 (0)	235	96	37	36
113th	2015	Structured	13	8	8 (0)	4	4	0	0
113th	*2015*	*Total*	*13*	*412*	*339 (0)*	*239*	*100*	*37*	*36*
114th	2016	Open and Modified-Open	N/A	453	357 (0)	239	118	59	22
114th	2016	Structured	3	3	3 (0)	2	1	0	0
114th	*2016*	*Total*	*3*	*456*	*360 (0)*	*241*	*119*	*59*	*22*
114th	2017	Open and Modified-Open	N/A	98	83 (0)	52	31	10	5
114th	2017	Structured	290	263	255 (66)	161	94	8	0
114th	*2017*	*Total*	*290*	*361*	*338 (66)*	*213*	*125*	*18*	*5*
115th	2018	Structured	468	402	385 (182)	289	96	17	0
115th	*2018*	*Total*	*468*	*402*	*385 (182)*	*289*	*96*	*17*	*0*
115th	2019	Structured	218	187	174 (0)	136	38	13	0
115th	*2019*	*Total*	*218*	*187*	*174 (0)*	*136*	*38*	*13*	*0*
116th	2020	Structured	557	524	513 (303)	465	48	11	0

116th	*2020*	*Total*	*557*	*524*	*513 (303)*	*465*	*48*	*11*	*0*
116th	2021	Structured	472	470	470 (455)	420	50	0	0
116th	*2021*	*Total*		*470*	*470 (455)*	*420*	*50*	*0*	*0*

Source: Prepared by CRS using data obtained from Congress.gov, the *Congressional Record,* and the House Committee on Rules' website (available at house.rules.gov).

Notes: The consideration of five amendments offered during the FY2014 appropriations cycle and 15 amendments offered during the FY2016 appropriations cycle were postponed pursuant to House Rule XVIII, clause 6. The House did not complete the consideration of these amendments, and they are included in the total number of amendments offered during floor consideration.

Amendments considered en bloc and disposed of via a single vote are counted as separate amendments.

The totals in this table do not include "self-executing" amendments that were agreed to when the House agreed to a special rule. The following measures were modified by self-executing amendments: H.R. 3219 (H.Res. 473, H.Res. 478), H.R. 3354 (H.Res. 500), H.R. 5895 (H.Res. 918, H.Res. 923), H.R. 6157 (H.Res. 961), H.R. 6147 (H.Res. 996), H.R. 2740 (H.Res. 431, H.Res. 445), H.R. 3055 (H.Res. 445), H.R. 7608 (H.Res. 1060), H.R. 7617 (H.Res. 1067).

Open rules place no additional restrictions on the number or content of amendments that may be offered beyond the applicable standing rules of the House and other rulemaking requirements such as those established in the Congressional Budget and Impoundment Control Act of 1974 (P.L. 93-344).

Modified-open rules, like open rules, place no additional restrictions on the number or content of amendments that may be offered but typically require that amendments be pre-printed in the *Congressional Record* before a measure's floor consideration. They may also impose an overall time limit on the debate of a measure or each amendment offered to the bill.

Structured rules limit amendments that may be offered to those that are made in order by the special rule reported by the Rules Committee and adopted by the House.

a. The totals in this column are the number of amendments that were made in order by structured rules.

"Plus-Minus" Amendments

One type of amendment to appropriations bills that Members have used increasingly in recent years is referred to as a "plus-minus" amendment. These amendments propose to both increase and decrease the level of budget authority in the same appropriations account by the same dollar amount. The typical form of a plus-minus amendment is to insert two parenthetical phrases after a dollar amount in an appropriations bill, with one phrase specifying an increase and the other phrase specifying an offsetting decrease (or vice versa) to a specific dollar amount of budget authority. The following amendment to the Department of Energy's Departmental Administration account, offered during the initial consideration of the FY2017 Energy-Water appropriations bill (H.R. 5055), is an illustrative example of a plus-minus amendment's typical form:

> Page 50, line 21, after the dollar amount, insert '(reduced by $1,000,000) (increased by $1,000,000).'[28]

Although the text of plus-minus amendments has no net impact on the level of funding made available—and does not impose any new statutory requirements—the use of the plus-minus form of amendment allows Members to signal congressional interest in how agencies may choose to allot appropriated funds through their floor remarks rather than by establishing any statutory requirement.[29]

One procedural advantage derived from plus-minus amendments is that they may allow Members to express their preferences for how an agency should prioritize the obligation of a specific appropriation without violating House Rule XXI, clause 2. That clause imposes several restrictions on the content of appropriations bills and any amendments offered to them, including a requirement that limits appropriations to purposes previously authorized by law and a prohibition against including legislative language in appropriations bills. Because plus-minus amendments propose only to insert a parenthetical increase and decrease of a dollar amount, they do not have any language that would be prohibited by this rule and therefore would not be subject to a point of order if offered.[30]

Plus-minus amendments are typically not included in the final version of the bill as enacted into law.[31] By raising a particular issue on the floor via a plus-minus amendment, however, a Member can explain how that issue is affecting his or her constituents, offer comments on a particular aspect of the appropriations measure, and advocate for specific policy alternatives. These remarks

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[28] See Rep. Keith Ellison, "Energy and Water Development and Related Agencies Appropriations Act, 2017," House debate, *Congressional Record*, daily edition, vol. 162, part 82 (May 24, 2016), p. H3080.

[29] For example, in remarks made after offering such an amendment, one Representative explained that his specific intent for offering the amendment was to express his interest in how the National Nuclear Security Administration should spend $1 million to submit two reports to Congress. Remarks of Rep. John Garamendi, "Energy and Water Development and Related Agencies Appropriations Act, 2014," *Congressional Record*, daily edition, vol. 159, part 97 (July 9, 2013), p. H4302.

[30] In addition, because there is no net budgetary effect, plus-minus amendments would also not be subject to points of order under Sections 302(f)(1), 302(f)(2)(A), 311(a)(1), or 314(f) of the Congressional Budget and Impoundment Control Act of 1974 (P.L. 93-344).

[31] In the cases where a House-passed appropriations bill has contained parenthetical phrases inserted by plus-minus amendments, those parenthetical phrases have typically been removed in the final text of the appropriations measures as enacted into law. For example, the amended version of the FY2017 Energy and Water Development bill that was engrossed in the House contained numerous parenthetical phrases that had been inserted by plus-minus amendments. (For one such example, see page 135 of H.R. 5895 as engrossed by the House at https://www.congress.gov/bill/115th-congress/house-bill/5895/text/eh.) These parenthetical phrases had been removed in the final version of the bill. (See pages 147-148 at https://www.congress.gov/bill/115th-congress/house-bill/5895/text/eas.)

can, in turn, have an informal influence on the final outcome of the appropriation process or agency actions when executing the budget in much the same way that the directives included in the Appropriations Committee reports that accompany regular appropriations bills (i.e., "committee report language") can affect the use of appropriations following enactment.[32]

Plus-minus amendments became increasingly common during the 113th-116th Congresses. Whereas between 5% and 10% of the amendments offered to regular appropriations measures in the 113th and 114th Congresses were plus-minus amendments, 19% of offered amendments to regular appropriations bills in the 115th Congress and 32% of those offered during the 116th Congress were plus-minus amendments.

En Bloc Consideration and Disposition of Amendments

The en bloc consideration and disposition of amendments—where multiple amendments are offered together in order to be considered simultaneously and disposed of with a single vote—can occur either by unanimous consent or when authorized by a special rule. A special rule that authorizes the chair of the committee to group together amendments in order to dispose of them simultaneously has been referred to by the Rules Committee as a "Chair's En Bloc Authority Rule."[33] This type of special rule also typically specifies a separate amount of controlled time, equally divided between the majority and minority floor managers, to debate those amendments that the majority floor manager (or his or her designee) chooses to group together for consideration en bloc. Under the typical practice, an amendment's sponsor must agree to the en block consideration of their amendment and is also allowed to insert a statement about the amendment into the *Congressional Record* immediately before the amendment is voted on.[34] When used in the context of appropriations bills, special rules that provide en bloc authority allow the floor manager to have an additional tool to manage debate on amendments, particularly with respect to amendments that do not increase budget authority or outlays in the bill.[35]

Between the 104th Congress (FY1996-FY1997) and the 112th Congress (FY2012-FY2013), the Chair's En Bloc Authority rules were used primarily to set the terms of consideration for the National Defense Authorization Act and other measures related to national security that receive a large number of amendments during their floor consideration.[36] This type of special rule was not, however, used to consider any regular appropriations bills during that period.

The first instance of the chair of the Appropriations Committee being given en bloc amendment authority in a special rule was H.Res. 312 (113th Congress, first session), which provided for consideration of the FY2014 Department of Defense Appropriations Act (H.R. 2397). The procedure was not used again for an appropriations measure until the FY2017 appropriations cycle (114th Congress, 2nd session), when it was used in the consideration of three measures.[37] It

[32] For more information about those forms of directives, see CRS Report R44124, *Appropriations Report Language: Overview of Development, Components, and Issues for Congress*.

[33] For a description of the typical form of this type of rule, see U.S. Congress, House Committee on Rules, *Survey of Activities of the House Committee on Rules 116th Congress*, 116th Cong., 2nd sess., January 2, 2021, H.Rept. 106-722 (Washington: GPO, 2021), p. 30.

[34] Ibid.

[35] Ibid.

[36] Committee on Rules' *Surveys of Activities* for the 104th-112th Congresses.

[37] H.Res. 783 for consideration of the Department of Defense Appropriations Act (H.R. 5293), H.Res. 794 for consideration of the Financial Services and General Government Appropriations Act (H.R. 5485), and H.Res. 820 for the consideration of the Department of Interior, Environment, and Related Agencies Appropriations Act (H.R. 5538).

was used at least once during each subsequent appropriations cycle during the 115th and 116th Congresses.

The en bloc consideration and disposition of amendments to regular appropriations bills increased substantially during the 113th-116th Congresses. During the 113th Congress, 3% of the amendments offered to regular appropriations bills were disposed of via en bloc votes, and that percentage increased to 8% during the 114th Congress. During the 115th Congress, 31% of the amendments offered to regular appropriations bills were disposed of via en bloc votes, and that percentage increased to 76% in the 116th Congress. One factor that may have contributed to the sharp increase in en bloc consideration is a change in House floor procedure during the second session of the 116th Congress in response to the COVID-19 pandemic. Specifically, the House began allowing Members to remotely cast floor votes by proxy.[38] The use of remote proxy voting during floor consideration increased the amount of time required for floor votes, which likely contributed to an increased use of en bloc authority on all types of legislation during this period.

[38] For more information see CRS Insight IN11372, *The Prior Practice of Proxy Voting in House Committee*. In addition, regular appropriations measures have been considered in the House rather than the Committee of the Whole following the authorization of remote proxy voting under H.Res. 965, because remote proxy voting is not allowed in the Committee of the Whole. For more information, see page 22 of H.Rept. 116-420.

Appendix A. Summary of Special Rules Governing the Initial Consideration of Regular Appropriations

Table A-1 shows more detailed information about each of the 36 measures that were used to consider the 64 regular appropriations bills during the 113th-116th Congresses, including the legislative vehicle's bill number, the regular appropriations bills contained in the measure, the special rule that governed the measure's consideration, and the Rules Committee report that accompanied the special rule. This table also provides data on three different changes in practice that are discussed in this report:

- Whether a Rules Committee Print was applicable to a measure's initial consideration and, if so, the print number;[39]
- Whether the rule provided for amending under the "five-minute rule" or "controlled time;"[40] and
- Whether the rule authorized the en bloc consideration and disposition of amendments.[41]

[39] Special rules designate the legislative text to be considered by the House, and multiple types of legislative documents can be designated for that purpose, such as a bill, as introduced, or a bill as reported by a committee. In more recent practice, the Rules Committee has designated the text of a Rules Committee print as the legislative text intended to be the focus of debate and amendment. For more information, see the "Committee Prints and "Minibus" Appropriations Measures" section above and CRS Report R44362, *Post-Committee Adjustment in the Modern House: The Use of Rules Committee Prints*.

[40] Under the standing rules of the House, appropriations measures are considered by the Committee of the Whole on the State of the Union (commonly referred to as the Committee of the Whole). When the House has resolved into the Committee of the Whole, the default procedure is for amendments to be debated under the "five-minute rule." Under that procedure, total debate time is not controlled and a Member offering an amendment is recognized to speak for five minutes. Under the terms of a special rule, this can be modified to provide that time for debate on amendments be allocated as "controlled time," that is, specific Members are recognized to control a specific amount of debate time, which they may use or yield to colleagues as they wish. For more information about how these modifications have affected the initial consideration of regular appropriations measures, see "The Increased Use of "Controlled Time" During Floor Debate and Limiting Pro Forma Amendments" section above. For more information about House procedure generally, see CRS Report 95-563, *The Legislative Process on the House Floor: An Introduction*.

[41] The House can consider multiple amendments simultaneously and dispose of them with a single vote, a practice known as offering amendments en bloc. The House may agree to do so by either a special rule or unanimous consent. See "En Bloc Consideration and Disposition of Amendments" section below for more information.

Table A-1. Summary of Appropriations Vehicles and Special Rules Used for the Initial House Consideration of Regular Appropriations, FY2014-FY2021

Cong.	FY	H.R.	Regular Appropriations Bil(s)	Special Rule (Committee Report)	Rules Committee Print	Type of Special Rule	Five-Minute Rule or Controlled Time[a]	En Bloc Consideration of Amendments[b]
113th	2014	H.R. 2216	Military Construction-Veterans Affairs	H.Res. 243, §1 (H.Rept. 113-95)	N/A	Open	Five-Minute Rule	No
113th	2014	H.R. 2217	Homeland Security	H.Res. 243, §2 (H.Rept. 113-95)	N/A	Open	Five-Minute Rule	No
113th	2014	H.R. 2609	Energy-Water	H.Res. 288, §1 (H.Rept. 113-144)	N/A	Open	Five-Minute Rule	No
113th	2014	H.R. 2397	Defense	H.Res. 312, §§1-5 (H.Rept. 113-170)	N/A	Structured	Controlled Time	Yes
113th	2014	H.R. 2610	Transportation-HUD	H.Res. 312, §6 (H.Rept. 113-170)	N/A	Open	Five-Minute Rule	No
113th	2015	H.R. 4486	Military Construction-Veterans Affairs	H.Res. 557, §1 (H.Rept. 113-426)	N/A	Open	Five-Minute Rule	No
113th	2015	H.R. 4487	Legislative Branch	H.Res. 557, §2 (H.Rept. 113-426)	N/A	Structured	Controlled Time	No
113th	2015	H.R. 4660	Commerce-Justice-Science	H.Res. 585, §1 (H.Rept. 113-455)	N/A	Open	Five-Minute Rule	No
113th	2015	H.R. 4745	Transportation-HUD	H.Res. 604, §1 (H.Rept. 113-465)	N/A	Open	Five-Minute Rule	No
113th	2015	H.R. 4800	Agriculture	H.Res. 616, §1 (H.Rept. 113-472)	N/A	Modified-Open	Controlled Time	No
113th	2015	H.R. 4870	Defense	H.Res. 628, §1 (H.Rept. 113-475)	N/A	Modified-Open	Controlled Time	No
113th	2015	H.R. 4923	Energy-Water	H.Res. 641, §2 (H.Rept. 113-493)	N/A	Modified-Open	Controlled Time	No

113th	2015	H.R. 5016	Financial Services	H.Res. 661, §1 (H.Rept. 113-517)	N/A	Modified-Open	Controlled Time	No
114th	2016	H.R. 2028	Energy-Water	H.Res. 223, §§1-3 (H.Rept. 114-94)	N/A	Modified-Open	Controlled Time	No
114th	2016	H.R. 2029	Military Construction-Veterans Affairs	H.Res. 223, §§1-3 (H.Rept. 114-94)	N/A	Modified-Open	Controlled Time	No
114th	2016	H.R. 2250	Legislative Branch	H.Res. 271, §2 (H.Rept. 114-120)	N/A	Structured	Controlled Time	No
114th	2016	H.R. 2577	Transportation-HUD	H.Res. 287, §§1-2 (H.Rept. 114-135)	N/A	Modified-Open	Controlled Time	No
114th	2016	H.R. 2578	Commerce-Justice-Science	H.Res. 287, §§1-2 (H.Rept. 114-135)	N/A	Modified-Open	Controlled Time	No
114th	2016	H.R. 2685	Defense	H.Res. 303, §1 (H.Rept. 114-145)	N/A	Modified-Open	Controlled Time	No
114th	2016	H.R. 2822	Interior-Environment	H.Res. 333, §1 (H.Rept. 114-177)	N/A	Modified-Open	Controlled Time	No
114th	2017	H.R. 4974	Military Construction-Veterans Affairs	H.Res. 736, §§1, 3-5 (H.Rept. 114-572)	N/A	Modified-Open	Controlled Time	No
114th	2017	H.R. 5055	Energy-Water	H.Res. 743, §§1-3 (H.Rept. 114-591)	N/A	Modified-Open	Controlled Time	No
114th	2017	H.R. 5325	Legislative Branch	H.Res. 771, §§1-2 (H.Rept. 114-611)	N/A	Structured	Controlled Time	No
114th	2017	H.R. 5293	Defense	H.Res. 783, §§1-5 (H.Rept. 114-623)	N/A	Structured	Controlled Time	Yes
114th	2017	H.R. 5293	Defense	H.Res. 778, §§2-5 (H.Rept. 114-621)	N/A	N/A[c]	Controlled Time	No
114th	2017	H.R. 5485	Financial Services	H.Res. 794, §§1-7 (H.Rept. 114-639)	N/A	Structured	Controlled Time	Yes
114th	2017	H.R. 5538	Interior-Environment	H.Res. 820, §§1-7 (H.Rept. 114-683)	N/A	Structured	Controlled Time	Yes

115th	2018	H.R. 3219	Defense, Military Construction-Veterans Affairs, Legislative Branch, and Energy-Water	H.Res. 473, §§1-6 (H.Rept. 115-259)	H.Prt. 115-30	Structured	Controlled Time	Yes
115th	2018	H.R. 3219	Defense, Military Construction-Veterans Affairs, Legislative Branch, and Energy-Water	H.Res. 478, §§1-4 (H.Rept. 115-261)	H.Prt. 115-30	Structured	Controlled Time	Yes
115th	2018	H.R. 3354	Interior-Environment, Agriculture, Financial Services, Homeland Security, Labor-HHS-Education, State-Foreign Operations, Transportation-HUD, Military Construction-Veterans Affairs, Legislative Branch, Energy-Water	H.Res. 500, §§1-6 (H.Rept. 115-295)	H.Prt. 115-31, as modified by H.Prt. 115-31 and the amendment in Part A of H.Rept. 115-295	Structured	Controlled Time	Yes
115th	2018	H.R. 3354	Interior-Environment, Agriculture, Financial Services, Homeland Security, Labor-HHS-Education, State-Foreign Operations, Transportation-HUD, Military Construction-Veterans Affairs, Legislative Branch, Energy-Water	H.Res. 504, §§1-4 (H.Rept. 115-297)	H.Prt. 115-31, as modified by H.Prt. 115-31 and the amendment in Part A of H.Rept. 115-295	Structured	Controlled Time	Yes
115th	2019	H.R. 5895	Energy-Water, Legislative Branch, Military Construction- Veterans Affairs	H.Res. 918, §§3-5 (H.Rept. 115-711)	H.Prt. 115-71	Structured	Controlled Time	No
115th	2019	H.R. 5895	Energy-Water, Legislative Branch, Military Construction- Veterans Affairs	H.Res. 923, §1 (H.Rept. 115-712)	H.Prt. 115-71	Structured	Controlled Time	No
115th	2019	H.R. 6157	Defense	H.Res. 961, §§1, 3-4 (H.Rept. 115-783)	H.Prt. 115-77	Structured	Controlled Time	No

115th	2019	H.R. 6157	Defense	H.Res. 964, §1 (H.Rept. 115-785)	H.Prt. 115-77	Structured	Controlled Time	No
115th	2019	H.R. 6147	Interior-Environment, Financial Services	H.Res. 996, §§1-2 (H.Rept. 115-830)	H.Prt. 115-81	Structured	Controlled Time	No
116th	2020	H.R. 2740	Labor-HHS-Education, Defense, State-Foreign Operations, Energy-Water	H.Res. 431, §§1-6 (H.Rept. 116-109)	H.Prt. 116-17, as modified by the amendment in Part A of H.Rept. 116-109	Structured	Controlled Time	Yes
116th	2020	H.R. 2740	Labor-HHS-Education, Defense, State-Foreign Operations, Energy-Water	H.Res. 436, §§1-4 (H.Rept. 116-111)	H.Prt. 116-17, as modified by the amendment in Part A of H.Rept. 116-109	Structured	Controlled Time	Yes
116th	2020	H.R. 2740	Labor-HHS-Education, Defense, State-Foreign Operations, Energy-Water	H.Res. 445, §7 (H.Rept. 116-119)	H.Prt. 116-17, as modified by the amendment in Part A of H.Rept. 116-109, and further modified by the amendment in Part C of H.Rept. 116-119	Structured	Controlled Time	Yes
116th	2020	H.R. 3055	Commerce-Justice-Science, Agriculture, Interior-Environment, Military Construction-Veterans Affairs, Transportation-HUD	H.Res. 445, §§1-6 (H.Rept. 116-119)	H.Prt. 116-18, as modified by the amendment in Part A in H.Rept. 116-119	Structured	Controlled Time	Yes
116th	2020	H.R. 3351	Financial Services	H.Res. 460, §§3-7 (H.Rept. 116-126)	N/A	Structured	Controlled Time	Yes
116th	2021	H.R. 7608	State-Foreign Operations, Agriculture, Interior-Environment, Military Construction-Veterans Affairs	H.Res. 1060, §§1-5 (H.Rept. 116-459)	H.Prt. 116-59	Structured	Controlled Time	Yes
116th	2021	H.R. 7617	Defense, Commerce-Justice-Science, Energy-Water, Financial Services, Labor-HHS-Education, Transportation-HUD	H.Res. 1067, §§1-5 (H.Rept. 116-461)	H.Prt. 116-60, as modified by the amendment in Part A of H.Rept. 116-461	Structured	Controlled Time	Yes

Source: Prepared by CRS using data obtained from Congress.gov, the *Congressional Record*, and the House Committee on Rules' website (available at house.rules.gov).

Notes: *Open rules* place no additional restrictions on the number or content of amendments that may be offered beyond the applicable standing rules of the House and other rulemaking requirements such as those established in the Congressional Budget and Impoundment Control Act of 1974 (P.L. 93-344).

Modified-open rules, like open rules, place no additional restrictions on the number or content of amendments that may be offered but typically require that amendments be pre-printed in the *Congressional Record* before a measure's floor consideration. They may also impose an overall time limit on debate.

Structured rules limit amendments that may be offered to those that are made in order by the special rule reported by the Rules Committee and adopted by the House.

a. Under the standing rules of the House, appropriations measures are considered by the Committee of the Whole on the State of the Union (commonly referred to as the Committee of the Whole). When the House has resolved into the Committee of the Whole, the default procedure is for amendments to be debated under the "five-minute rule." Under that rule, total debate time is not controlled and a Member offering an amendment is recognized to speak for five minutes. Under a special rule, this can be modified to provide that time for debate on amendments be allocated as "controlled time." For more on House procedure generally, see CRS Report 95-563, *The Legislative Process on the House Floor: An Introduction*.

b. The House can dispose of multiple amendments simultaneously with a single vote, a practice known as en bloc voting. The House may agree to do so either by unanimous consent or if authorized by a special rule.

c. H.Res. 778 provided for one hour of general debate on H.R. 5293 but did not provide for any further debate or amending of the measure.

Appendix B. Detail of Minibus Measures Considered During the 115th and 116th Congresses

Table B-1 displays more detail about each of the regular appropriations bills considered during the 115th and 116th Congresses. The table shows whether or not the text of a regular appropriations bill was considered as part of a minibus measure, as well as the special rule that governed the measure's consideration, and the Rules Committee prints that contained the legislative text made in order for consideration, as well as information about the applicable corresponding appropriations bills reported by the House Appropriations Committee (if applicable).

Table B-1. Detail on Regular Appropriations Measures Made in Order by Rules Committee, 115th and 116th Congresses

Cong.	FY	Bill Number (Minibus or Regular Appropriations Measure)	Accompanying Special Rule Number(s), and Section(s)	Rules Committee Print	Corresponding Regular Appropriations Bill	Corresponding Committee-Reported Bill
115	2018	H.R. 3219 (Minibus)	H.Res. 473, §§1-6, and H.Res. 478, §§1-4	H.Prt. 115-30, Division A	Defense	H.R. 3219
115	2018	H.R. 3219 (Minibus)	H.Res. 473, §§1-6, and H.Res. 478, §§1-4	H.Prt. 115-30, Division B	Legislative Branch	H.R. 3162
115	2018	H.R. 3219 (Minibus)	H.Res. 473, §§1-6, and H.Res. 478, §§1-4	H.Prt. 115-30, Division C	Military Construction-Veterans Affairs	H.R. 2988
115	2018	H.R. 3219 (Minibus)	H.Res. 473, §§1-6, and H.Res. 478, §§1-4	H.Prt. 115-30, Division D	Energy-Water	H.R. 3266
115	2018	H.R. 3219 (Minibus)	H.Res. 500, §§1-6, and H.Res. 504, §§1-4	H.Prt. 115-31, Division A	Interior, Environment	H.R. 3354
115	2018	H.R. 3219 (Minibus)	H.Res. 500, §§1-6, and H.Res. 504, §§1-4	H.Prt. 115-31, Division B	Agriculture	H.R. 3268
115	2018	H.R. 3354 (Minibus)	H.Res. 500, §§1-6, and H.Res. 504, §§1-4	H.Prt. 115-31, Division C	Commerce-Justice,-Science	H.R. 3267
115	2018	H.R. 3354 (Minibus)	H.Res. 500, §§1-6, and H.Res. 504, §§1-4	H.Prt. 115-31, Division D	Financial Services	H.R. 3280
115	2018	H.R. 3354 (Minibus)	H.Res. 500, §§1-6, and H.Res. 504, §§1-4	H.Prt. 115-31, Division E	Homeland Security	H.R. 3355
115	2018	H.R. 3354 (Minibus)	H.Res. 500, §§1-6, and H.Res. 504, §§1-4	H.Prt. 115-31, Division F	Labor-HHS-Education	H.R. 3358
115	2018	H.R. 3354 (Minibus)	H.Res. 500, §§1-6, and H.Res. 504, §§1-4	H.Prt. 115-31, Division G	State-Foreign Operations	H.R. 3362
115	2018	H.R. 3354 (Minibus)	H.Res. 500, §§1-6, and H.Res. 504, §§1-4	H.Prt. 115-31, Division H	Transportation-HUD	H.R. 3353

115	2018	H.R. 3354 (Minibus)	H.Res. 500, §§1-6, and H.Res. 504, §§1-4	H.Prt. 115-32, Division I	Defense	H.R. 3219, as passed by the House[a]
115	2018	H.R. 3354 (Minibus)	H.Res. 500, §§1-6, and H.Res. 504, §§1-4	H.Prt. 115-32, Division J	Legislative Branch	H.R. 3219, as passed by the House[a]
115	2018	H.R. 3354 (Minibus)	H.Res. 500, §§1-6, and H.Res. 504, §§1-4	H.Prt. 115-32, Division K	Military Construction-Veterans Affairs	H.R. 3219, as passed by the House[a]
115	2018	H.R. 3354 (Minibus)	H.Res. 500, §§1-6, and H.Res. 504, §§1-4	H.Prt. 115-32, Division L	Energy-Water	H.R. 3219, as passed by the House[a]
115	2018	H.R. 3354 (Minibus)	H.Res. 500, §§1-6, and H.Res. 504, §§1-4	H.Prt. 115-32, Division M	Department of Homeland Security Border Infrastructure Construction Appropriation Act, 2018	H.R. 3219, as passed by the House[a]
115	2019	H.R. 5895 (Minibus)	H.Res. 918, §§3-5, and H.Res. 923, §1	H.Prt. 115-71, Division A	Energy-Water	H.R. 5895
115	2019	H.R. 5895 (Minibus)	H.Res. 918, §§3-5, and H.Res. 923, §1	H.Prt. 115-71, Division B	Legislative Branch	H.R. 5894
115	2019	H.R. 5895 (Minibus)	H.Res. 918, §§3-5, and H.Res. 923, §1	H.Prt. 115-71, Division C	Military Construction-Veterans Affairs	H.R. 5786
115	2019	H.R. 6157 (Regular appropriation)	H.Res. 961, §§1, 3-4, and H.Res. 964, §1	H.Prt. 115-77[b]	Defense	H.R. 6157[b]
115	2019	H.R. 6147 (Minibus)	H.Res. 996, §§1-2	H.Prt. 115-81, Division A	Interior-Environment	H.R. 6147
115	2019	H.R. 6147 (Minibus)	H.Res. 996, §§1-2	H.Prt. 115-81, Division B	Financial Services	H.R. 6258
116	2020	H.R. 2740 (Minibus)	H.Res. 431, §1-6, H.Res. 436, §§1-4, and H.Res. 445, §§1-5 & 7	H.Prt. 116-17, Division A	Labor-HHS-Education	H.R. 2740
116	2020	H.R. 2740 (Minibus)	H.Res. 431, §1-6, H.Res. 436, §§1-4, and H.Res. 445, §§1-5 & 7	H.Prt. 116-17, Division B[c]	Legislative Branch[c]	H.R. 2779
116	2020	H.R. 2740 (Minibus)	H.Res. 431, §§1-6, H.Res. 436, §§1-4, and H.Res. 445, §§1-5 & 7	H.Prt. 116-17, Division C	Defense	H.R. 2968

116	2020	H.R. 2740 (Minibus)	H.Res. 431, §§1-6, H.Res. 436, §§1-4, and H.Res. 445, §§1-5 & 7	H.Prt. 116-17, Division D	State-Foreign Operations	H.R. 2839
116	2020	H.R. 2740 (Minibus)	H.Res. 431, §§1-6, H.Res. 436, §§1-4, and H.Res. 445, §§1-5 & 7	H.Prt. 116-17, Division E	Energy-Water	H.R. 2960
116	2020	H.R. 3055 (Minibus)	H.Res. 445, §§1-6	H.Prt. 116-18, Division A	Commerce-Justice-Science	H.R. 3055
116	2020	H.R. 3055 (Minibus)	H.Res. 445, §§1-6	H.Prt. 116-18, Division B	Agriculture	H.R. 3164
116	2020	H.R. 3055 (Minibus)	H.Res. 445, §§1-6	H.Prt. 116-18, Division C	Interior-Environment	H.R. 3052
116	2020	H.R. 3055 (Minibus)	H.Res. 445, §§1-6	H.Prt. 116-18, Division D	Military Construction-Veterans Affairs	H.R. 2745
116	2020	H.R. 3055 (Minibus)	H.Res. 445, §§1-6	H.Prt. 116-18, Division E	Transportation-HUD	H.R. 3163
116	2020	H.R. 3055 (Minibus)	H.Res. 445, §§1-6	H.Prt. 116-18, Division F	Fair Compensation for Low-Wage Contractor Employees Act of 2019	H.R. 678
116	2020	H.R. 3351 (Regular appropriation)	H.Res. 460, §§3-7	N/A[d]	Financial Services	N/A[d]
116	2021	H.R. 7608 (Minibus)	H.Res. 1060, §§1-5	H.Prt. 116-59, Division A	State-Foreign Operations	H.R. 7608
116	2021	H.R. 7608 (Minibus)	H.Res. 1060, §§1-5	H.Prt. 116-59, Division B	Agriculture	H.R. 7610
116	2021	H.R. 7608 (Minibus)	H.Res. 1060, §§1-5	H.Prt. 116-59, Division C	Interior-Environment	H.R. 7612
116	2021	H.R. 7608 (Minibus)	H.Res. 1060, §§1-5	H.Prt. 116-59, Division D	Military Construction-Veterans Affairs	H.R. 7609
116	2021	H.R. 7617 (Minibus)	H.Res. 1067, §§1-5	H.Prt. 116-60, Division A	Defense	H.R. 7617
116	2021	H.R. 7617 (Minibus)	H.Res. 1067, §§1-5	H.Prt. 116-60, Division B	Commerce-Justice-Science	H.R. 7667
116	2021	H.R. 7617 (Minibus)	H.Res. 1067, §§1-5	H.Prt. 116-60, Division C	Energy-Water	H.R. 7613
116	2021	H.R. 7617 (Minibus)	H.Res. 1067, §§1-5	H.Prt. 116-60, Division D	Financial Services	H.R. 7668
116	2021	H.R. 7617 (Minibus)	H.Res. 1067, §§1-5	H.Prt. 116-60, Division E[e]	Homeland Security	H.R. 7669
116	2021	H.R. 7617 (Minibus)	H.Res. 1067, §§1-5	H.Prt. 116-60, Division F	Labor-HHS-Education	H.R. 7614

116	2021	H.R. 7617 (Minibus)	H.Res. 1067, §§1-5	H.Prt. 116-60, Division G	Transportation-HU	H.R. 7616

Source: Prepared by CRS using data obtained from Congress.gov, the *Congressional Record*, and the House Committee on Rules' website (available at house.rules.gov).

Notes: "Self-executing" amendments are amendments that are agreed to without a separate vote on the House's adoption of a special rule. The text of such amendments are specified in the Rules Committee reports accompanying a special rule providing for self-executing amendments.

a. Rules Committee Print 115-32 superseded Rules Committee Print 115-31 by inserting the text of the appropriations measures contained within H.R. 3219, as previously passed by the House, with technical and conforming changes.

b. The Rules Committee inserted the text of H.R. 6157 into Rules Committee Print 115-77 without any substantive revisions.

c. Division B of H.Prt. 116-17 was struck from the committee print before floor consideration by a self-executing amendment contained in Part A of H.Rept. 116-109.

d. H.R. 3351, as reported by the Appropriations Committee, was made in order as the base text for floor consideration.

e. Division E of Rules Committee Print 116-60 was stricken from the print before floor consideration via a self-executing amendment contained in Part A of H.Rept. 116-461 that accompanied H.Res. 1067, the rule that governed the floor consideration of H.R. 7617. Because it was not considered on the floor of the House, the measure is not included in any of the other totals presented in the other tables included in this report.

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