

in the nature of a substitute. The resolution makes in order only those further amendments printed in part C of this report. 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 the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in part C of this report. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 2647 includes a waiver of clause 3(e)(1) of rule XIII (“Ramseyer”), requiring a committee report accompanying a bill amending or repealing statutes to show, by typographical device, parts of statute affected. The waiver is provided because the submission provided by the committees on Agriculture and Natural Resources was insufficient to meet the standards established by the rule in its current form. The Committee on Rules continues to work with the House Office of Legislative Counsel and committees to determine the steps necessary to comply with the updated rule.

The waiver of all points of order against the amendment in the nature of a substitute made in order as original text includes a waiver of clause 7 of rule XVI, which requires that no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. Provisions contained in the Rules Committee Print are not germane to the underlying bill.

Although the resolution waives all points of order against the amendments printed in part C of this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

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. 84

Motion by Ms. Slaughter to report open rules for H.R. 5 and H.R. 2647. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Cole	Nay	Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Burgess	Nay	Mr. Polis	Yea
Mr. Stivers	Nay		
Mr. Collins	Nay		
Mr. Byrne	Nay		
Mr. Newhouse	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 85

Motion by Mr. Polis to make in order and provide the appropriate waivers for amendment #115, offered by Rep. Polis (CO), which encourages the State to work with charter schools to promote access for students, including addressing any barriers based on the transportation needs of the student; the amendment #123 by Rep. Polis (CO), Rep. Carolyn Maloney (NY), Rep. Pocan (WI), Rep. Cicilline (RI), Rep. Takano (CA), Rep. Sinema (AZ) and Rep. Scott (VA), which prohibits discrimination on the basis of sexual orientation or gender identity in public schools; the amendment #138 offered by Rep. Polis (CO) and Rep. Young (IA), which requires states and districts to include in their Title I plans what steps they will take to assist local school districts in supporting gifted students, including those who have not been formally identified as gifted and also amends Title II to support professional development programs for teachers and school leaders to help better serve gifted students; and the amendment #131 offered by Rep. Polis (CO), which creates a grant program to fund the identification, development, evaluation, and expansion of innovative, evidence-based practices, programs, and strategies in K–12 education. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Cole	Nay	Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Burgess	Nay	Mr. Polis	Yea
Mr. Stivers	Nay		
Mr. Collins	Nay		
Mr. Byrne	Nay		
Mr. Newhouse	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 86

Motion by Ms. Foxx to report the rule. Adopted: 9–4

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Yea	Ms. Slaughter	Nay
Mr. Cole	Yea	Mr. McGovern	Nay
Mr. Woodall	Yea	Mr. Hastings of Florida	Nay
Mr. Burgess	Yea	Mr. Polis	Nay
Mr. Stivers	Yea		
Mr. Collins	Yea		
Mr. Byrne	Yea		
Mr. Newhouse	Yea		
Mr. Sessions, Chairman	Yea		

SUMMARY OF THE AMENDMENTS TO H.R. 5 IN PART A MADE IN ORDER

45. Rokita (IN), Grothman (WI): Sets the authorization from fiscal year 2016 through 2019 (10 minutes)

46. Walker (NC), DeSantis (FL): Adds A PLUS, which would send funding under NCLB back to states in the form of block grants, and states would then be able to direct that funding to any education purpose under state law. (10 minutes)

47. Salmon, (AZ): Allows parents to opt their student out of the testing required under this bill and exempts schools from including