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of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 104<sup>th</sup> CONGRESS, FIRST SESSION

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No. 1

## House of Representatives

This being the day fixed by the 20th amendment to the Constitution for the annual meeting of the Congress of the United States, the Members-elect of the 104th Congress met in their Hall, and at 12 noon, were called to order by the Clerk of the House of Representatives, the Honorable Donald K. Anderson.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

With gratefulness and praise and with a sense of duty and honor, we express our thanksgivings, O gracious God, that we have the opportunity to serve at this time and place. When we contemplate the demands of justice and the high calling to public service, we pray that Your spirit will illumine our minds, strengthen our resolve and give us hearts of wisdom, tolerance, and compassion. May each person be faithful to the vocation of Government service, that we will be good stewards of the resources of the land, hold to the standards of integrity and loyalty and do all those good things that honor You and serve people everywhere. May Your benediction, O God, that is new every morning and is with us in all the moments of life, continue to bless us and keep us in Your grace, now and evermore. As the prophet Micah has said, "And what does the Lord require of you, but to do justice, to love mercy, and to walk humbly with your God." Amen.

### PLEDGE OF ALLEGIANCE

The CLERK. Will the Members-elect and their guests please remain standing and join with us in the Pledge of Allegiance to the Flag.

The Clerk led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The CLERK. Representatives-elect, this is the day fixed by the 20th amendment to the Constitution and Public Law 103-395 for the meeting of the 104th Congress and, as the law directs, the Clerk of the House has prepared the official roll of the Representatives-elect.

Certificates of election covering 428 seats in the 104th Congress have been received by the Clerk of the House, and the names of those persons whose credentials show that they were regularly elected as Representatives in accordance with the laws of their respective States or of the United States will be called.

The Clerk lays before the House the following communication from the Secretary of the State of the State of Alabama.

STATE OF ALABAMA,  
OFFICE OF THE SECRETARY OF STATE,  
*Montgomery, AL, December 19, 1994.*  
Hon. DONNALD K. ANDERSON,  
*Clerk,*  
*U.S. House of Representatives,*  
*Washington, DC.*

DEAR MR. ANDERSON: According to the unofficial results of the election held on November 8, 1994, in the state of Alabama, the following individuals received a majority of the votes for a term of two years beginning on January 3, 1995, to the United States House of Representatives:

Sonny Gallahan—1st District.  
Terry Everett—2nd District.  
Glen Browder—3rd District.  
Tom Beville—4th District.  
Robert E. (Bud) Cramer, Jr.—5th District.  
Spencer Bachus—6th District.  
Earl F. Hilliard—7th District.

The official results and certificates of election will be transmitted to you as soon as I am authorized to do so. Should the official results differ from this in any way, I will notify you immediately.

Sincerely,

JIM BENNETT,  
*Secretary of State.*

The CLERK. Without objection, the Representatives-elect from the State of Alabama will be allowed to record

their presence by electronic device and also to vote on the election of the speaker.

There was no objection.

The CLERK. Without objection, the Representatives-elect will record their presence by electronic device and their names will be reported in alphabetical order by States, beginning with the State of Alabama, to determine whether a quorum is present.

There was no objection.

The CLERK. Representatives-elect who have not obtained their voting ID cards may do so now in the Speaker's lobby.

The call was taken by electronic device, and the following Representatives-elect responded to their names:

[Roll No. 1]

ANSWERED "PRESENT"—432

ALABAMA		
Beville	Hilliard	Everett
Browder	Bachus	
Cramer	Callahan	
ALASKA		
	Young	
ARIZONA		
Pastor	Kolbe	Shadegg
Hayworth	Salmon	Stump
ARKANSAS		
Dickey	Lambert-Lincoln	
Hutchinson	Thornton	
CALIFORNIA		
Baker	Farr	Packard
Becerra	Fazio	Pelosi
Beilenson	Filner	Pombo
Berman	Galleghy	Radanovich
Bilbray	Harman	Riggs
Bono	Heger	Rohrabacher
Brown	Horn	Roybal-Allard
Calvert	Hunter	Royce
Condit	Kim	Seastrand
Cox	Lantos	Stark
Cunningham	Lewis	Thomas
Dellums	Lofgren	Torres
Dixon	Martinez	Tucker
Dooley	Matsui	Waters
Doolittle	McKeon	Waxman
Dornan	Miller	Woolsey
Dreier	Mineta	
Eshoo	Moorhead	

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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	COLORADO			MISSOURI		Johnson, Sam	Smith	Tejeda
Allard	McInnis	Schroeder	Clay	Gephardt	Skelton	Laughlin	Stenholm	Thornberry
Hefley	Schaefer	Skaggs	Danner	Hancock	Talent	Ortiz	Stockman	Wilson
	CONNECTICUT		Emerson	McCarthy	Volkmer		UTAH	
DeLauro	Gejdenson	Kennelly		MONTANA		Hansen	Orton	Waldholtz
Franks	Johnson	Shays		Williams			VERMONT	
	DELAWARE			NEBRASKA			Sanders	
	Castle		Barrett	Bereuter	Christensen		VIRGINIA	
	FLORIDA			NEVADA		Bateman	Goodlatte	Scott
Bilirakis	Goss	Ros-Lehtinen	Ensign	Vucanovich		Bliley	Moran	Sisisky
Brown	Hastings	Scarborough		NEW HAMPSHIRE		Boucher	Payne	Wolf
Canady	Johnston	Shaw		Zeliff		Davis	Pickett	
Deutsch	McColum	Stearns	Bass				WASHINGTON	
Diaz-Balart	Meek	Thurman		NEW JERSEY		Dicks	McDermott	Smith
Foley	Mica	Weldon		Menendez	Smith	Dunn	Nethercutt	Tate
Fowler	Miller	Young	Andrews	Franks	Torrice	Hastings		White
Gibbons	Peterson		Frelinghuysen	Payne	Zimmer		WEST VIRGINIA	
	GEORGIA		LoBiondo	Roukema			Rahall	Wise
Barr	Deal	Linder		NEW MEXICO		Mollohan	WISCONSIN	
Bishop	Gingrich	McKinney		Schiff	Skeen		Klug	Petri
Chambliss	Kingston	Norwood	Richardson			Barrett	Neumann	Roth
Collins	Lewis			NEW YORK		Gunderson	Obey	Sensenbrenner
	HAWAII		Ackerman	LaFalce	Paxon		WYOMING	
Abercrombie	Mink		Boehlert	Lazio	Quinn		Cubin	
	IDAHO		Engel	Lowey	Rangel		□ 1230	
Chenoweth	Crapo		Flake	Maloney	Schumer			
	ILLINOIS		Forbes	Manton	Serrano			
Collins	Flanagan	Porter	Frisa	McHugh	Slaughter			
Costello	Gutierrez	Poshard	Hinchee	McNulty	Solomon			
Crane	Hastert	Reynolds	Houghton	Molinari	Towns			
Durbin	Hyde	Rush	Kelly	Nadler	Walsh			
Evans	LaHood	Weller	King	Owens				
Ewing	Lipinski	Yates		NORTH CAROLINA				
Fawell	Manzullo		Ballenger	Funderburk	Myrick			
	INDIANA		Burr	Hefner	Rose			
Burton	Jacobs	Souder	Clayton	Heineman	Taylor			
Buyer	McIntosh	Visclosky	Coble	Jones	Watt			
Hamilton	Myers			NORTH DAKOTA				
Hostettler	Roemer			Pomeroy				
	IOWA		Boehner	Hoke	Pryce			
Ganske	Leach	Nussle	Brown	Kaptur	Regula			
Latham	Lightfoot		Chabot	Kasich	Sawyer			
	KANSAS		Cremeans	LaTourette	Stokes			
Brownback	Roberts		Gillmor	Ney	Traficant			
Meyers	Tiahrt		Hall	Oxley				
	KENTUCKY		Hobson	Portman				
Baessler	Lewis	Ward	Brewster	Istook	Lucas			
Bunning	Rogers	Whitfield	Coburn	Largent				
	LOUISIANA			OREGON				
Baker	Jefferson	Tauzin	Bunn	DeFazio	Wyden			
Fields	Livingston		Cooley	Furse				
Hayes	McCrery			PENNSYLVANIA				
	MAINE		Borski	Fox	Mascara			
Baldacci	Longley		Clinger	Gekas	McDade			
	MARYLAND		Coyne	Goodling	McHale			
Bartlett	Gilchrest	Morella	Doyle	Greenwood	Murtha			
Cardin	Hoyer	Wynn	English	Holden	Shuster			
Ehrlich	Mfume		Fattah	Kanjorski	Walker			
	MASSACHUSETTS		Foglietta	Klink	Weldon			
				RHODE ISLAND				
Blute	Meehan	Studds	Kennedy	Reed				
Frank	Moakley	Torkildsen		SOUTH CAROLINA				
Kennedy	Neal		Clyburn	Inglis	Spence			
Markey	Olver		Graham	Sanford	Spratt			
	MICHIGAN			SOUTH DAKOTA				
Barcia	Dingell	Levin		Johnson				
Bonior	Ehlers	Rivers		TENNESSEE				
Camp	Hoekstra	Stupak	Bryant	Ford	Quillen			
Chrysler	Kildee	Smith	Clement	Gordon	Tanner			
Conyers	Knollenberg	Upton	Duncan	Hilleary	Wamp			
	MINNESOTA			TEXAS				
Gutknecht	Oberstar	Sabo	Archer	Coleman	Frost			
Luther	Peterson	Vento	Armey	Combest	Geren			
Minge	Ramstad		Barton	de la Garza	Gonzalez			
	MISSISSIPPI		Bentsen	DeLay	Green			
Montgomery	Taylor	Wicker	Bonilla	Doggett	Hall			
Parker	Thompson		Bryant	Edwards	Jackson-Lee			
			Chapman	Fields	Johnson, E. B.			

The CLERK. The quorum call discloses that 432 Representatives-elect have responded to their names. A quorum is present.

#### ANNOUNCEMENT BY THE CLERK

The CLERK. The Clerk will state that credentials, regular in form, have been received showing the election of the Honorable CARLOS ROMERO-BARCELÓ as Resident Commissioner from the Commonwealth of Puerto Rico for a term of 4 years beginning January 3, 1993; the election of the Honorable ELEANOR HOLMES NORTON as Delegate from the District of Columbia; the election of the Honorable VICTOR O. FRAZER as Delegate from the Virgin Islands; the election of the Honorable ENI F.H. FALEOMAVAEGA as Delegate from American Samoa; and the election of the Honorable ROBERT A. UNDERWOOD as Delegate from Guam.

#### FAREWELL REMARKS OF THE HONORABLE DONNALD K. ANDERSON

The CLERK. Ladies and gentlemen of the House, if you will indulge me for just one moment, I will shortly take leave of this Chamber after 35 years in your service, the last 8 in the high stewardship as your Clerk.

My heart is filled with the happy reflections of those years, a deep sense of fulfillment, and profound gratitude for your unfailing confidence and friendship. Indeed, I am grateful above all to the one Nation which affords opportunity for an ordinary citizen to achieve extraordinary responsibility. You will remain constantly in my thoughts and in my prayers that God will bless each of you in the work which you are about and may He forever prosper this House and the United States of America.

I bid you an affectionate farewell.

(Applause, the Members rising.)

TRIBUTE TO THE HONORABLE  
DONNALD K. ANDERSON

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Clerk, before we proceed with the nominations for Speaker of the House, on behalf of Republican Members of the House, we want to thank you for your 35 years of service to this institution, and your 35 years of service to the American people. You have done your job ably on behalf of all Members on both sides of the aisle.

And to the other officers of the House, who have served the House so ably and the American people so ably, we want to thank them as well for their service in this House.

Farewell, and best wishes from all of us.

Mr. FAZIO. Will the gentleman yield?

Mr. BOEHNER. I yield to my friend, the gentleman from California [Mr. FAZIO].

Mr. FAZIO. I appreciate my friend yielding.

I, too, would like to add a few words of tribute to our friend.

When the 103d Congress came to an official close on noon Tuesday, the House literally lived on for the next 24 hours in the person of the gentleman from Sacramento, CA, the Clerk of the House, Donald K. Anderson. In serving as the first presiding officer for the purpose of organizing the 104th Congress, he fulfilled his last ministerial duty to this institution. After four successive terms as Clerk and a career with the House that began as a Page when Dwight Eisenhower was President and Sam Rayburn sat in the Speaker's chair, Donn Anderson now leaves a distinguished career of public service.

On a personal level for many of us in this Chamber, it was only natural for Donn Anderson to have been the thread of continuity from one Congress to the next. For over 30 years, Donn has embodied every good virtue of this House. He has been its memory, its defender, its champion and often its conscience. He understood perhaps better than anyone here the meaning of the word "bipartisanship" and he lived it daily in his work with the Members. In his 8 years as the second highest ranking officer of the House, he worked tirelessly to move the House into the information age and so greatly benefited our constituents, the American people.

As chairman of the Subcommittee on Legislative Appropriations, I looked forward to our annual ritual of hearings knowing that I could always count on the Clerk for the most splendid testimony. Although Donn himself admitted to his preference for Victorian manners, there was nothing old-fashioned about the direction of his office. He was thoroughly modern in his vi-

sion for the future of the House, and he fought hard to keep us current with the times. Just as Donn could explain the artistic nuances of paintings in the Rotunda, he could just as easily give you the technical lowdown of cameras in this Chamber and on this floor. As the House moves forward today with the institutional reforms and the reorganization, we do so with the solid foundation left behind by Donn Anderson.

Perhaps in parting we can borrow a phrase from our late and great Speaker Tip O'Neill. He simply said on so many occasions, "So long, old pal."

Thank you, Donn Anderson.

ELECTION OF SPEAKER

The CLERK. The next order of business is the election of the Speaker of the House of Representatives for the 104th Congress.

Nominations are now in order.

The Clerk recognizes the gentleman from Ohio [Mr. BOEHNER].

Mr. BOEHNER. Mr. Clerk, as chairman of the Republican Conference, I am honored and privileged to welcome my colleagues and the American people to this historic day. We have been sent here—to the People's House—to write, together, a new chapter in our blessed Nation's history. There is great anticipation, excitement, and expectation in America about what this new chapter will say. To America I say, we shall write the chapter as you dictate it to us. This is your House and your will will be reflected in our actions.

As the first sentence of this new chapter, I am directed by the unanimous vote of the Republican Conference to present the name of the Honorable NEWT GINGRICH, a Representative-elect from the State of Georgia, for election to the Office of the Speaker of the House of Representatives for the 104th Congress.

The CLERK. The Clerk now recognizes the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Clerk, as chairman of the Democratic Caucus, I am directed by the unanimous vote of that caucus to present for election to the Office of the Speaker of the House of Representatives for the 104th Congress the name of the Honorable RICHARD A. GEPHARDT, a Representative-elect from the State of Missouri. I am proud to so make that nomination.

□ 1240

The CLERK. The Honorable NEWT GINGRICH, a Representative-elect from the State of Georgia, and the Honorable RICHARD A. GEPHARDT, a Representative-elect from the State of Missouri, have been placed in nomination.

Are there any further nominations?

There being no further nominations, the Clerk will appoint tellers.

The Chair appoints the gentleman from California [Mr. THOMAS], the gentleman from California [Mr. FAZIO], the gentlewoman from New Jersey [Mrs.

ROUKEMA], and the gentlewoman from Colorado [Mrs. SCHROEDER].

The tellers will come forward and take their seats at the desk in the front of the Speaker's rostrum.

The roll will now be called, and those responding to their names will indicate by surname the nominee of their choice.

The reading clerk will now call the roll.

The tellers having taken their places, the House proceeded to vote for the Speaker.

The following is the result of the vote:

[Roll No. 2]

GINGRICH—228

Allard	Franks (CT)	Mica
Archer	Franks (NJ)	Miller (FL)
Armey	Frelinghuysen	Molinari
Bachus	Frisa	Moorhead
Baker (CA)	Funderburk	Morella
Baker (LA)	Galleghy	Myers
Ballenger	Ganske	Myrick
Barr	Gekas	Nethercutt
Barrett (NE)	Gilchrest	Neumann
Bartlett	Gillmor	Ney
Barton	Gilman	Norwood
Bass	Goodlatte	Nussle
Bateman	Goodling	Oxley
Bereuter	Goss	Packard
Bilbray	Graham	Paxon
Bilirakis	Greenwood	Petri
Bliley	Gunderson	Pombo
Blute	Gutknecht	Porter
Boehler	Hancock	Portman
Boehner	Hansen	Pryce
Bonilla	Hastert	Quillen
Bono	Hastings (WA)	Quinn
Brownback	Hayworth	Radanovich
Bryant (TN)	Hefley	Ramstad
Bunn	Heineman	Regula
Bunning	Herger	Riggs
Burr	Hilleary	Roberts
Burton	Hobson	Rogers
Buyer	Hoekstra	Rohrabacher
Callahan	Hoke	Ros-Lehtinen
Calvert	Horn	Roth
Camp	Hostettler	Roukema
Canady	Houghton	Royce
Castle	Hunter	Salmon
Chabot	Hutchinson	Sanford
Chambliss	Hyde	Saxton
Chenoweth	Inglis	Scarborough
Christensen	Istook	Schaefer
Chrysler	Johnson (CT)	Schiff
Clinger	Johnson, Sam	Seastrand
Coble	Jones	Sensenbrenner
Coburn	Kasich	Shadegg
Collins (GA)	Kelly	Shaw
Combest	Kim	Shays
Cooley	King	Shuster
Cox	Kingston	Skeen
Crane	Klug	Smith (MI)
Crapo	Knollenberg	Smith (NJ)
Cremeans	Kolbe	Smith (TX)
Cubin	LaHood	Smith (WA)
Cunningham	Largent	Solomon
Davis	Latham	Souder
DeLay	LaTourette	Spence
Diaz-Balart	Lazio	Stearns
Dickey	Leach	Stockman
Doolittle	Lewis (CA)	Stump
Dornan	Lewis (KY)	Talent
Dreier	Lightfoot	Tate
Duncan	Linder	Taylor (NC)
Dunn	Livingston	Thomas
Ehlers	LoBiondo	Thornberry
Ehrlich	Longley	Tiahrt
Emerson	Lucas	Torkildsen
English	Manzullo	Upton
Ensign	Martini	Vucanovich
Everett	McCollum	Waldholtz
Ewing	McCrery	Walker
Fawell	McDade	Walsh
Fields (TX)	McHugh	Wamp
Flanagan	McInnis	Weldon (FL)
Foley	McIntosh	Weldon (PA)
Forbes	McKeon	Weller
Fowler	Metcalf	White
Fox	Meyers	Whitfield

Wicker	Young (AK)	Zeliff
Wolf	Young (FL)	Zimmer

## GEPHARDT—202

Abercrombie	Gonzalez	Ortiz
Ackerman	Gordon	Orton
Andrews	Green	Owens
Baesler	Gutierrez	Pallone
Baldacci	Hall (OH)	Pastor
Barcia	Hall (TX)	Payne (NJ)
Barrett (WI)	Hamilton	Payne (VA)
Becerra	Harman	Pelosi
Beilenson	Hastings (FL)	Peterson (FL)
Bentsen	Hayes	Peterson (MN)
Berman	Hefner	Pickett
Bevill	Hilliard	Pomeroy
Bishop	Hinchey	Poshard
Bonior	Holden	Rahall
Borski	Hoyer	Rangel
Boucher	Jackson-Lee	Reed
Brewster	Jacobs	Reynolds
Browder	Jefferson	Richardson
Brown (CA)	Johnson (SD)	Rivers
Brown (FL)	Johnson, E. B.	Roemer
Brown (OH)	Johnston	Rose
Bryant (TX)	Kanjorski	Roybal-Allard
Cardin	Kaptur	Rush
Chapman	Kennedy (MA)	Sabo
Clay	Kennedy (RI)	Sanders
Clayton	Kennelly	Sawyer
Clement	Kildee	Schroeder
Clyburn	Klecicka	Schumer
Coleman	Klink	Scott
Collins (IL)	LaFalce	Serrano
Collins (MI)	Lambert-Lincoln	Sisisky
Condit	Lantos	Skaggs
Conyers	Laughlin	Skelton
Costello	Levin	Slaughter
Coyne	Lewis (GA)	Spratt
Cramer	Lipinski	Stark
Danner	Lofgren	Stenholm
de la Garza	Lowe	Stokes
Deal	Luther	Studds
DeFazio	Maloney	Stupak
DeLauro	Manton	Tanner
Dellums	Markey	Tauzin
Deusch	Martinez	Tejeda
Dicks	Mascara	Thompson
Dingell	Matsui	Thornton
Dixon	McCarthy	Thurman
Doggett	McDermott	Torres
Dooley	McHale	Torricelli
Doyle	McKinney	Towns
Durbin	McNulty	Traficant
Edwards	Meehan	Tucker
Engel	Meek	Velazquez
Eshoo	Menendez	Vento
Evans	Mfume	Visclosky
Farr	Miller (CA)	Volkmer
Fattah	Mineta	Ward
Fazio	Minge	Waters
Fields (LA)	Mink	Watt (NC)
Filner	Moakley	Waxman
Flake	Mollohan	Williams
Foglietta	Montgomery	Wilson
Ford	Moran	Wise
Frank (MA)	Murtha	Woolsey
Frost	Nadler	Wyden
Furse	Neal	Wynn
Gejdenson	Oberstar	Yates
Geren	Obey	
Gibbons	Olver	

## ANSWERED "PRESENT"—4

Gephardt	Parker
Gingrich	Taylor (MS)

□ 1310

The CLERK. If there are any Representatives-elect who did not answer the rollcall, they may come to the well and vote at this time.

The tellers agree in their tallies that the total number of votes cast is 434, of which the Honorable NEWT GINGRICH of the State of Georgia has received 228 and the honorable RICHARD A. GEPHARDT of the State of Missouri has received 202, with 4 voting "present."

Therefore, the Honorable NEWT GINGRICH of the State of Georgia is duly elected Speaker of the House of Representatives for the 104th Congress, having received a majority of the votes cast.

The Clerk would request visitors on the floor, most respectfully, including former members, to relinquish seats on the floor to Members-elect, prior to the presentation of the Speaker-elect.

□ 1320

The Clerk appoints the following committee to escort the Speaker-elect to the chair: The gentleman from Missouri [Mr. GEPHARDT], the gentleman from Texas [Mr. ARMEY], the gentleman from Texas [Mr. DELAY], the gentleman from Michigan [Mr. BONIOR], the gentleman from Ohio [Mr. BOEHNER], the gentleman from California [Mr. FAZIO], the gentleman from Georgia [Mr. COLLINS], the gentleman from Georgia [Mr. LEWIS], the gentleman from Georgia [Mr. BISHOP], the gentleman from Georgia [Mr. DEAL], the gentleman from Georgia [Mr. KINGSTON], the gentleman from Georgia [Mr. LINDER], the gentlewoman from Georgia [Ms. MCKINNEY], the gentleman from Georgia [Mr. BARR], the gentleman from Georgia [Mr. CHAMBLISS], and the gentleman from Georgia [Mr. NORWOOD].

The committee will retire from the Chamber to escort the Speaker-elect to the chair.

The Doorkeeper announced the Speaker-elect of the House of Representatives of the 104th Congress, who was escorted to the chair by the committee of escort.

Mr. GEPHARDT. Mr. Speaker, let me say to the ladies and gentleman of the House that I first want to thank my Democratic colleagues for their support and their confidence. I noted we were a little short, but I appreciate your friendship and your support.

As you might imagine, this is not a moment that I had been waiting for. When you carry the mantle of progress, there is precious little glory in defeat. But sometimes we spend so much time lionizing the winners and labeling the losers, we lose sight of the victory we all share in this crown jewel of democracy.

You see, Mr. Speaker, this is a day to celebrate a power that belongs not to any political party, but to the people, no matter the margin, no matter the majority. All across the world, from Bosnia to Chechnya to South Africa, people lay down their lives for the kind of voice we take for granted. Too often the transfer of power is an act of pain and carnage, not one as we see today of peace and decency.

□ 1330

But here in the House of Representatives, for 219 years, longer than any democracy in the world, we heed the people's voice with peace and civility and respect. Each and every day, on this very floor, we echo the hopes and dreams of our people, their fears and their failures, their abiding belief in a better America.

We may not all agree with today's changing of the guard. We may not all like it, but we enact the people's will with dignity and honor and pride. In

that endeavor, Mr. Speaker, there can be no losers, and there can be no defeat.

Of course, in the 104th Congress there will be conflict and compromise. Agreements will not always be easy; agreements sometimes not even possible. However, while we may not agree on matters of party and principle, we all abide with the will of the people. That is reason enough to place our good faith and our best hopes in your able hands.

I speak from the bottom of my heart when I say that I wish you the best in these coming 2 years, for when this gavel passes into your hands, so do the futures and fortunes of millions of Americans. To make real progress, to improve real people's lives, we both have to rise above partisanship. We have to work together where we can and where we must.

It is a profound responsibility, one which knows no bounds in party or politics. It is the responsibility not merely for those who voted for you, not merely for those who cast their fate on your side of the aisle, but also for those who did not.

These are the responsibilities I pass, along with the gavel I hold, will hold in my hand, but there are some burdens that the Democratic Party will never cease to bear. As Democrats, we came to Congress to fight for America's hard-working middle-income families, the families who are working, often for longer hours, for less pay, for fewer benefits in jobs they are not sure they can keep.

We, together, must redeem their faith that if they work hard and they play by the rules they can build a better life for their children. Mr. Speaker, I want this entire House to speak for those families. The Democratic Party will. That mantle we will never lay to rest.

So with partnership but with purpose, I pass this great gavel of our Government. With resignation, but with resolve, I hereby end 40 years of Democratic rule of this House; with faith and with friendship and the deepest respect. You are now my Speaker, and let the great debate begin.

I now have the high honor and distinct privilege to present to the House of Representatives our new Speaker, the gentleman from Georgia, NEWT GINGRICH.

Mr. GINGRICH. Let me say first of all that I am deeply grateful to my good friend, DICK GEPHARDT. When my side maybe overreacted to your statement about ending 40 years of Democratic rule, I could not help but look over at Bob Michel, who has often been up here and who knows that everything DICK said was true. This is difficult and painful to lose, and on my side of the aisle, we have for 20 elections been on the losing side. Yet there is something

so wonderful about the process by which a free people decides things.

In my own case, I lost two elections, and with the good help of my friend VIC FAZIO came close to losing two others. I am sorry, guys, it just did not quite work out. Yet I can tell you that every time when the polls closed and I waited for the votes to come in, I felt good, because win or lose, we have been part of this process.

In a little while, I am going to ask the dean of the House, JOHN DINGELL, to swear me in, to insist on the bipartisan nature of the way in which we together work in this House. JOHN's father was one of the great stalwarts of the New Deal, a man who, as an FDR Democrat, created modern America. I think that JOHN and his father represent a tradition that we all have to recognize and respect, and recognize that the America we are now going to try to lead grew from that tradition and is part of that great heritage.

I also want to take just a moment to thank Speaker Foley, who was extraordinarily generous, both in his public utterances and in everything that he and Mrs. Foley did to help Marianne and me, and to help our staff make the transition. I think that he worked very hard to reestablish the dignity of the House. We can all be proud of the reputation that he takes and of the spirit with which he led the speakership. Our best wishes go to Speaker and Mrs. Foley.

I also want to thank the various house officers, who have been just extraordinary. I want to say for the public record that faced with a result none of them wanted, in a situation I suspect none of them expected, that within 48 hours every officer of this House reacted as a patriot, worked overtime, bent over backwards, and in every way helped us. I am very grateful, and this House I think owes a debt of gratitude to every officer that the Democrats elected 2 years ago.

This is a historic moment. I was asked over and over, how did it feel, and the only word that comes close to adequate is overwhelming. I feel overwhelmed in every way, overwhelmed by all the Georgians who came up, overwhelmed by my extended family that is here, overwhelmed by the historic moment. I walked out and stood on the balcony just outside of the Speaker's office, looking down the Mall this morning, very early. I was just overwhelmed by the view, with two men I will introduce and know very, very well. Just the sense of being part of America, being part of this great tradition, is truly overwhelming.

I have two gavels. Actually, DICK happened to use one. Maybe this was appropriate. This was a Georgia gavel I just got this morning, done by Dorsey Newman of Tallapoosa. He decided that the gavels he saw on TV weren't big enough or strong enough, so he cut down a walnut tree in his backyard, make a gavel, put a commemorative item on it, and sent it up here.

So this is a genuine Georgia gavel, and I am the first Georgia Speaker in over 100 years. The last one, by the way, had a weird accent, too. Speaker Crisp was born in Britain. His parents were actors and they came to the United States—a good word, by the way, for the value we get from immigration.

Second, this is the gavel that Speaker Martin used. I am not sure what it says about the inflation of Government, to put them side by side, but this was the gavel used by the last Republican Speaker.

I want to comment for a minute on two men who served as my leaders, from whom I learned so much and who are here today. When I arrived as a freshman, the Republican Party, deeply dispirited by Watergate and by the loss of the Presidency, banded together and worked with a leader who helped pave the way for our great party victory of 1980, a man who just did a marvelous job. I cannot speak too highly of what I learned about integrity and leadership and courage from serving with him in my freshman term. He is here with us again today. I hope all of you will recognize Congressman John Rhodes of Arizona.

□ 1340

I want to say also that at our request, the second person was not sure he should be here at all, then he thought he was going to hide in the back of the room. I insisted that he come on down front, someone whom I regard as a mentor. I think virtually every Democrat in the House would say he is a man who genuinely cares about, loves the House, and represents the best spirit of the House. He is a man who I studied under and, on whom I hope as Speaker I can always rely for advice. I hope frankly I can emulate his commitment to this institution and his willingness to try to reach beyond his personal interest and partisanship. I hope all of you will join me in thanking for his years of service, Congressman Bob Michel of Illinois.

I am very fortunate today. My mom and my dad are here, they are right up there in the gallery. Bob and Kit Gingrich. I am so delighted that they were both able to be here. Sometimes when you get to my age, you cannot have everyone near you that you would like to have. I cannot say how much I learned from my Dad and his years of serving in the U.S. Army and how much I learned from my Mother, who is clearly my most enthusiastic cheerleader.

My daughters are here up in the gallery, too. They are Kathy Lovewith and her husband Paul, and Jackie and her husband Mark Zylar. Of course, the person who clearly is my closest friend and my best adviser and whom if I listened to about 20 percent more, I would get in less trouble, my wife Marianne, is in the gallery as well.

I have a very large extended family between Marianne and me. They are virtually all in town, and we have done our part for the Washington tourist season. But I could not help, when I

first came on the floor earlier, I saw a number of the young people who are here. I met a number of the children who are on the floor and the young adults, who are close to 12 years of age. I could not help but think that sitting in the back rail near the center of the House is one of my nephews, Kevin McPherson, who is 5. My nieces Susan Brown, who is 6, and Emily Brown, who is 8, and Laura McPherson, who is 9, are all back there, too. That is probably more than I was allowed to bring on, but they are my nieces and my nephews. I have two other nephews a little older who are sitting in the gallery.

I could not help but think as a way I wanted to start the Speakership and to talk to every Member, that in a sense these young people around us are what this institution is really all about. Much more than the negative advertising and the interest groups and all the different things that make politics all too often cynical, nasty, and sometimes frankly just plan miserable, what makes politics worthwhile is the choice, as DICK GEPHARDT said, between what we see so tragically on the evening news and the way we try to work very hard to make this system of free, representative self-government work. The ultimate reason for doing that is these children, the country they will inherit, and the world they will live in.

We are starting the 104th Congress. I do not know if you have every thought about this, but for 208 years, we bring together the most diverse country in the history of the world. We send all sorts of people here. Each of us could find at least one Member we thought was weird. I will tell you, if you went around the room the person chosen to be weird would be different for virtually every one of us. Because we do allow and insist upon the right of a free people to send an extraordinary diversity of people here.

Brian Lamb of C-SPAN read to me Friday a phrase from de Tocqueville that was so central to the House. I have been reading Remini's biography of Henry Clay and Clay, as the first strong Speaker, always preferred the House. He preferred the House to the Senate although he served in both. He said the House is more vital, more active, more dynamic, and more common.

This is what de Tocqueville wrote: "Often there is not a distinguished man in the whole number. Its members are almost all obscure individuals whose names bring no associations to mind. They are mostly village lawyers, men in trade, or even persons belonging to the lower classes of society."

If we include women, I do not know that we would change much. But the word "vulgar" in de Tocqueville's time had a very particular meaning. It is a meaning the world would do well to study in this room. You see, de Tocqueville was an aristocrat. He lived

in a world of kings and princes. The folks who come here do so by the one single act that their citizens freely chose them. I do not care what your ethnic background is, or your ideology. I do not care if you are younger or older. I do not care if you are born in America or if you are a naturalized citizen. Everyone of the 435 people have equal standing because their citizens freely sent them. Their voice should be heard and they should have a right to participate. It is the most marvelous act of a complex giant country trying to argue and talk. And, as DICK GEPHARDT said, to have a great debate, to reach great decisions, not through a civil war, not by bombing one of our regional capitals, not by killing a half million people, and not by having snipers. Let me say unequivocally, I condemn all acts of violence against the law by all people for all reasons. This is a society of law and a society of civil behavior.

Here we are as commoners together, to some extent Democrats and Republicans, to some extent liberals and conservatives, but Americans all. STEVE GUNDERSON today gave me a copy of the "Portable Abraham Lincoln." He suggested there is much for me to learn about our party, but I would also say that it does not hurt to have a copy of the portable F.D.R.

This is a great country of great people. If there is any one factor or acts of my life that trikes me as I stand up here as the first Republican in 40 years to do so. When I first became whip in 1989, Russia was beginning to change, the Soviet Union as it was then. Into my whip's office one day came eight Russians and a Lithuanian, members of the Communist Party, newspaper editors. They asked me, "What does a whip do?"

They said, "In Russia we have never had a free parliament since 1917 and that was only for a few months, so what do you do?"

I tried to explain, as DAVE BONIOR or TOM DELAY might now. It is a little strange if you are from a dictatorship to explain you are called the whip but you do not really have a whip, you are elected by the people you are supposed to pressure—other members. If you pressure them too much they will not reelect you. On the other hand if you do not pressure them enough they will not reelect you. Democracy is hard. It is frustrating.

So our group came into the Chamber. The Lithuanian was a man in his late sixties, and I allowed him to come up here and sit and be Speaker, something many of us have done with constituents. Remember, this is the very beginning of perestroika and glasnost. When he came out of the chair, he was physically trembling. He was almost in tears. He said, "Ever since World War II, I have remembered what the Americans did and I have never believed the propaganda. But I have to tell you, I did not think in my life that I would be able to sit at the center of freedom."

It was one of the most overwhelming, compelling moments of my life. It struck me that something I could not help but think of when we were here with President Mandela. I went over and saw RON DELLUMS and thought of the great work RON had done to extend freedom across the planet. You get that sense of emotion when you see something so totally different than you had expected. Here was a man who reminded me first of all that while presidents are important, they are in effect an elected kingship, that this and the other body across the way are where freedom has to be fought out. That is the tradition I hope that we will take with us as we go to work.

Today we had a bipartisan prayer service. FRANK WOLF made some very important points. He said, "We have to recognize that many of our most painful problems as a country are moral problems, problems of dealing with ourselves and with life."

□ 1350

He said character is the key to leadership and we have to deal with that. He preached a little bit. I do not think he thought he was preaching, but he was. It was about a spirit of reconciliation. He talked about caring about our spouses and our children and our families. If we are not prepared to model our own family life beyond just having them here for 1 day, if we are not prepared to care about our children and we are not prepared to care about our families, then by what arrogance do we think we will transcend our behavior to care about others? That is why with Congressman GEPHARDT's help we have established a bipartisan task force on the family. We have established the principle that we are going to set schedules we stick to so families can count on time to be together, built around school schedules so that families can get to know each other, and not just by seeing us on C-SPAN.

I will also say that means one of the strongest recommendations of the bipartisan committee, is that we have 17 minutes to vote. This is the bipartisan committee's recommendations, not just mine. They pointed out that if we take the time we spent in the last Congress where we waited for one more Member, and one more, and one more, that we literally can shorten the business and get people home if we will be strict and firm. At one point this year we had a 45-minute vote. I hope all of my colleagues are paying attention because we are in fact going to work very hard to have 17 minute votes and it is over. So, leave on the first bell, not the second bell. OK? This may seem particularly inappropriate to say on the first day because this will be the busiest day on opening day in congressional history.

I want to read just a part of the Contract With America. I don't mean this as a partisan act, but rather to remind all of us what we are about to go through and why. Those of us who

ended up in the majority stood on these steps and signed a contract, and here is part of what it says:

On the first day of the 104th Congress the new Republican majority will immediately pass the following reforms aimed at restoring the faith and trust of the American people in their government: First, require all laws that apply to the rest of the country also to apply equally to the Congress. Second, select a major, independent auditing firm to conduct a comprehensive audit of the Congress for waste, fraud or abuse. Third, cut the number of House committees and cut committee staffs by a third. Fourth, limit the terms of all committee chairs. Fifth, ban the casting of proxy votes in committees. Sixth, require committee meetings to be open to the public. Seventh, require a three-fifths majority vote to pass a tax increase. Eighth, guarantee an honest accounting of our federal budget by implementing zero baseline budgeting.

Now, I told DICK GEPHARDT last night that if I had to do it over again we would have pledged within 3 days that we will do these things, but that is not what we said. So we have ourselves in a little bit of a box here.

Then we go a step further. I carry the T.V. Guide version of the contract with me at all times.

We then say that within the first 100 days of the 104th Congress we shall bring to the House floor the following bills, each to be given full and open debate, each to be given a full and clear vote, and each to be immediately available for inspection. We made it available that day. We listed 10 items. A balanced budget amendment and line-item veto, a bill to stop violent criminals, emphasizing among other things an effective and enforceable death penalty. Third was welfare reform. Fourth, legislation protecting our kids. Fifth was to provide tax cuts for families. Sixth was a bill to strengthen our national defense. Seventh was a bill to raise the senior citizens' earning limit. Eighth was legislation rolling back Government regulations. Ninth was a commonsense legal reform bill, and tenth was congressional term limits legislation.

Our commitment on our side, and this is an absolute obligation, is first of all to work today until we are done. I know that is going to inconvenience people who have families and supporters. But we were hired to do a job, and we have to start today to prove we will do it. Second, I would say to our friends in the Democratic Party that we are going to work with you, and we are really laying out a schedule working with the minority leader to make sure that we can set dates certain to go home. That does mean that if 2 or 3 weeks out we are running short we will, frankly, have longer sessions on Tuesday, Wednesday, and Thursday. We will try to work this out on a bipartisan basis to, in a workmanlike way, get it done. It is going to mean the busiest early months since 1933.

Beyond the Contract I think there are two giant challenges. I know I am a partisan figure. But I really hope

today that I can speak for a minute to my friends in the Democratic Party as well as my own colleagues, and speak to the country about these two challenges so that I hope we can have a real dialog. One challenge is to achieve a balanced budget by 2002. I think both Democratic and Republican Governors will say we can do that but it is hard. I do not think we can do it in a year or two. I do not think we ought to lie to the American people. This is a huge, complicated job.

The second challenge is to find a way to truly replace the current welfare state with an opportunity society.

Let me talk very briefly about both challenges. First, on the balanced budget I think we can get it done. I think the baby boomers are now old enough that we can have an honest dialog about priorities, about resources, about what works, and what does not work. Let me say I have already told Vice President GORE that we are going to invite him to address a Republican conference. We would have invited him in December but he had to go to Moscow, I believe there are grounds for us to talk together and to work together, to have hearings together, and to have task forces together. If we set priorities, if we apply the principles of Edwards Deming and of Peter Drucker we can build on the Vice President's reinventing government effort and we can focus on transforming, not just cutting. The choice becomes not just do you want more or do you want less, but are there ways to do it better? Can we learn from the private sector, can we learn from Ford, IBM, from Microsoft, from what General Motors has had to go through? I think on a bipartisan basis we owe it to our children and grandchildren to get this Government in order and to be able to actually pay our way. I think 2002 is a reasonable timeframe. I would hope that together we could open a dialog with the American people.

I have said that I think Social Security ought to be off limits, at least for the first 4 to 6 years of the process, because I think it will just destroy us if we try to bring it into the game. But let me say about everything else, whether it is Medicare, or it is agricultural subsidies, or it is defense or anything that I think the greatest Democratic President of the 20th century, and in my judgment the greatest President of the 20th century, said it right. On March 4, 1933, he stood in braces as a man who had polio at a time when nobody who had that kind of disability could be anything in public life. He was President of the United States, and he stood in front of this Capitol on a rainy March day and he said, "We have nothing to fear but fear itself." I want every one of us to reach out in that spirit and pledge to live up to that spirit, and I think frankly on a bipartisan basis. I would say to Members of the Black and Hispanic Caucuses that I would hope we could arrange by late spring to genuinely share districts.

You could have a Republican who frankly may not know a thing about your district agree to come for a long weekend with you, and you will agree to go for a long weekend with them. We begin a dialog and an openness that is totally different than people are used to seeing in politics in America. I believe if we do that we can then create a dialog that can lead to a balanced budget.

But I think we have a greater challenge. I do want to pick up directly on what DICK GEPHARDT said, because he said it right. No Republican here should kid themselves about it. The greatest leaders in fighting for an integrated America in the 20th century were in the Democratic Party. The fact is, it was the liberal wing of the Democratic Party that ended segregation. The fact is that it was Franklin Delano Roosevelt who gave hope to a Nation that was in distress and could have slid into dictatorship. Every Republican has much to learn from studying what the Democrats did right.

But I would say to my friends in the Democratic Party that there is much to what Ronald Reagan was trying to get done. There is much to what is being done today by Republicans like Bill Weld, and John Engler, and Tommy Thompson, and George Allen, and Christy Whitman, and Pete Wilson. There is much we can share with each other.

We must replace the welfare state with an opportunity society. The balanced budget is the right thing to do. But it does not in my mind have the moral urgency of coming to grips with what is happening to the poorest Americans.

I commend to all Marvin Olasky's "The Tragedy of American Compassion." Olasky goes back for 300 years and looked at what has worked in America, how we have helped people rise beyond poverty, and how we have reached out to save people. He may not have the answers, but he has the right sense of where we have to go as Americans.

□ 1400

I do not believe that there is a single American who can see a news report of a 4-year-old thrown off of a public housing project in Chicago by other children and killed and not feel that a part of your heart went, too. I think of my nephew in the back, Kevin, and how all of us feel about our children. How can any American read about an 11-year-old buried with his Teddy bear because he killed a 14-year-old, and then another 14-year-old killed him, and not have some sense of "My God, where has this country gone?" How can we not decide that this is a moral crisis equal to segregation, equal to slavery? How can we not insist that every day we take steps to do something?

I have seldom been more shaken than I was after the election when I had breakfast with two members of the Black Caucus. One of them said to me, "Can you imagine what it is like to

visit a first-grade class and realize that every fourth or fifth young boy in that class may be dead or in jail within 15 years? And they are your constituents and you are helpless to change it?" For some reason, I do not know why, maybe because I visit a lot of schools, that got through. I mean, that personalized it. That made it real, not just statistics, but real people.

Then I tried to explain part of my thoughts by talking about the need for alternatives to the bureaucracy, and we got into what I think frankly has been a pretty distorted and cheap debate over orphanages.

Let me say, first of all, my father, who is here today, was a foster child. He was adopted as a teenager. I am adopted. We have relatives who were adopted. We are not talking out of some vague impersonal Dickens "Bleak House" middle-class intellectual model. We have lived the alternatives.

I believe when we are told that children are so lost in the city bureaucracies that there are children who end up in dumpsters, when we are told that there are children doomed to go to schools where 70 or 80 percent of them will not graduate, when we are told of public housing projects that are so dangerous that if any private sector ran them they would be put in jail, and the only solution we are given is, "Well, we will study it, we will get around to it," my only point is that this is unacceptable. We can find ways immediately to do things better, to reach out, break through the bureaucracy and give every young American child a better chance.

Let me suggest to you Morris Schectman's new book. I do not agree with all of it, but it is fascinating. It is entitled "Working Without a Net." It is an effort to argue that in the 21st century we have to create our own safety nets. He draws a distinction between caring and caretaking. It is worth every American reading.

He said caretaking is when you bother me a little bit, and I do enough, I feel better because I think I took care of you. That is not any good to you at all. You may be in fact an alcoholic and I just gave you the money to buy the bottle that kills you, but I feel better and go home. He said caring is actually stopping and dealing with the human being, trying to understand enough about them to genuinely make sure you improve their life, even if you have to start with a conversation like, "If you will quit drinking, I will help you get a job." This is a lot harder conversation than, "I feel better. I gave him a buck or 5 bucks."

I want to commend every Member on both sides to look carefully. I say to those Republicans who believe in total privatization, you cannot believe in the Good Samaritan and explain that as long as business is making money we can walk by a fellow American who is hurt and not do something. I would say to my friends on the left who believe

there has never been a government program that was not worth keeping, you cannot look at some of the results we now have and not want to reach out to the humans and forget the bureaucracies.

If we could build that attitude on both sides of this aisle, we would be an amazingly different place, and the country would begin to be a different place.

We have to create a partnership. We have to reach out to the American people. We are going to do a lot of important things. Thanks to the House Information System and Congressman VERN EHLERS, as of today we are going to be on line for the whole country, every amendment, every conference report. We are working with C-SPAN and others, and Congressman GEPHARDT has agreed to help on a bipartisan basis to make the building more open to television, more accessible to the American people. We have talk radio hosts here today for the first time. I hope to have a bipartisan effort to make the place accessible for all talk radio hosts of all backgrounds, no matter their ideology. The House Historian's office is going to be more aggressively run on a bipartisan basis to reach out to Close Up, and to other groups to teach what the legislative struggle is about. I think over time we can and will this Spring rethink campaign reform and lobbying reform and review all ethics, including the gift rule.

But that isn't enough. Our challenge shouldn't be just to balance the budget or to pass the Contract. Our challenge should not be anything that is just legislative. We are supposed to, each one of us, be leaders. I think our challenge has to be to set as our goal, and maybe we are not going to get there in 2 years. This ought to be the goal that we go home and we tell people we believe in: that there will be a Monday morning when for the entire weekend not a single child was killed anywhere in America; that there will be a Monday morning when every child in the country went to a school that they and their parents thought prepared them as citizens and prepared them to compete in the world market; that there will be a Monday morning where it was easy to find a job or create a job, and your own Government did not punish you if you tried.

We should not be happy just with the language of politicians and the language of legislation. We should insist that our success for America is felt in the neighborhoods, in the communities, is felt by real people living real lives who can say, "Yes, we are safer, we are healthier, we are better educated, America succeeds."

This morning's closing hymn at the prayer service was the Battle Hymn of the Republic. It is hard to be in this building, look down past Grant to the Lincoln Memorial and not realize how painful and how difficult that battle hymn is. The key phrase is, "As he died

to make men holy, let us live to make men free."

It is not just political freedom, although I agree with everything Congressman GEPHARDT said earlier. If you cannot afford to leave the public housing project, you are not free. If you do not know how to find a job and do not know how to create a job, you are not free. If you cannot find a place that will educate you, you are not free. If you are afraid to walk to the store because you could get killed, you are not free.

So as all of us over the coming months sing that song, "As he died to make men holy, let us live to make men free," I want us to dedicate ourselves to reach out in a genuinely non-partisan way to be honest with each other. I promise each of you that without regard to party my door is going to be open. I will listen to each of you. I will try to work with each of you. I will put in long hours, and I will guarantee that I will listen to you first. I will let you get it all out before I give you my version, because you have been patient with me today, and you have given me a chance to set the stage.

But I want to close by reminding all of us of how much bigger this is than us. Because beyond talking with the American people, beyond working together, I think we can only be successful if we start with our limits. I was very struck this morning with something Bill Emerson used, a very famous quote of Benjamin Franklin, at the point where the Constitutional Convention was deadlocked. People were tired, and there was a real possibility that the Convention was going to break up. Franklin, who was quite old and had been relatively quiet for the entire Convention, suddenly stood up and was angry, and he said:

I have lived, sir, a long time, and the longer I live the more convincing proofs I see of this truth, that God governs in the affairs of men, and if a sparrow cannot fall to the ground without His notice, is it possible that an empire can rise without His aid?

At that point the Constitutional Convention stopped. They took a day off for fasting and prayer.

Then, having stopped and come together, they went back, and they solved the great question of large and small States. They wrote the Constitution, and the United States was created. All I can do is pledge to you that, if each of us will reach out prayerfully and try to genuinely understand each other, if we will recognize that in this building we symbolize America, and that we have an obligation to talk with each other, then I think a year from now we can look on the 104th Congress as a truly amazing institution without regard to party, without regard to ideology. We can say, "Here, America comes to work, and here we are preparing for those children a better future."

Thank you. Good luck and God bless you.

Let me now call on the gentleman from Michigan [Mr. DINGELL].

(Applause, the Members rising.)

□ 1410

I am now ready to take the oath of office. I ask the dean of the House of Representatives, the Honorable JOHN D. DINGELL of Michigan, to administer the oath of office.

Mr. DINGELL then administered the oath of office to Mr. GINGRICH of Georgia, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

(Applause, the Members rising.)

#### SWEARING IN OF MEMBERS

The SPEAKER. According to the precedent, the Chair will swear in all Members of the House at this time and, without objection, the Members from the State of Alabama will also be sworn in at this time, there being no contest as to their elections.

There was no objection.

The SPEAKER. If the Members will rise, the Chair will now administer the oath of office.

The Members-elect and Delegates-elect and the Resident Commissioner-elect rose, and the Speaker administered the oath of office to them, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

Congratulations, the gentlemen and gentlewomen are now Members of the 104th Congress.

#### MAJORITY LEADER

Mr. BOEHNER. Mr. Speaker, as chairman of the Republican conference, I am directed by that conference to officially notify the House that the gentleman from Texas, the Honorable RICHARD K. ARMEY, has been selected as the majority leader of the House.

#### MINORITY LEADER

Mr. FAZIO. Mr. Speaker, as chairman of the Democratic caucus, I have been directed to report to the House that the Democratic Members have selected as minority leader the gentleman from Missouri, the Honorable RICHARD A. GEPHARDT.

## MAJORITY WHIP

Mr. BOEHNER. Mr. Speaker, as chairman of the Republican conference, I am directed by that conference to notify the House officially that the Republican Members have selected as our majority whip the gentleman from Texas, the Honorable TOM DELAY.

## MINORITY WHIP

Mr. BOEHNER. Mr. Speaker, as chairman of the Democratic caucus, I have been directed to report to the House that the Democratic members have selected as minority whip the gentleman from Michigan, the Honorable David E. Bonior.

## ELECTION OF CLERK OF THE HOUSE, SERGEANT AT ARMS, CHIEF ADMINISTRATIVE OFFICER, AND CHAPLAIN

Mr. BOEHNER. Mr. Speaker, I offer a privileged resolution (H. Res. 1) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 1

*Resolved*, That Robin H. Carle, of the Commonwealth of Virginia, be, and she is hereby, chosen Clerk of the House of Representatives;

That Wilson S. Livingood, of the Commonwealth of Virginia, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That Scott M. Faulkner, of the State of West Virginia, be, and he is hereby, chosen Chief Administrative Officer of the House of Representatives; and

That Reverend James David Ford, of the Commonwealth of Virginia, be, and he is hereby, chosen Chaplain of the House of Representatives.

Mr. FAZIO. Mr. Speaker, I have an amendment to the resolution, but I request there be a division of the question on the resolution so that we may have a separate vote on the Chaplain.

□ 1420

The SPEAKER. The question will be divided.

The question is on agreeing to that portion of the resolution providing for the election of the Chaplain.

That portion of the resolution was agreed to.

## AMENDMENT OFFERED BY MR. FAZIO

Mr. FAZIO. Mr. Speaker, I offer an amendment to the remainder of the resolution offered by the gentleman from Ohio [Mr. BOEHNER].

The Clerk read as follows:

Amendment offered by Mr. FAZIO: That Thomas O'Donnell, of the State of Maryland, be, and he is hereby, chosen Clerk of the House of Representatives;

That George Kundanis, of the District of Columbia, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives; and

That Marti Thomas, of the District of Columbia, be, and she is hereby, chosen Chief Administrative Officer of the House of Representatives.

The SPEAKER. The question is on the amendment offered by the gentleman from California [Mr. FAZIO].

The amendment was rejected.

The SPEAKER. The question is on the remainder of the resolution offered by the gentleman from Ohio [Mr. BOEHNER].

The remainder of the resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair will now swear in the officers of the House. The officers will come forward, please.

The officers-elect presented themselves at the bar of the House and took the oath of office.

The SPEAKER. The gentlemen and gentlewomen are now Members of the 104th Congress. Congratulations.

## NOTIFICATION TO SENATE OF ORGANIZATION OF THE HOUSE

Mr. ARMEY. Mr. Speaker, I offer a privileged resolution (H. Res. 2) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 2

*Resolved*, That the Senate be informed that a quorum of the House of Representatives has assembled; that NEWT GINGRICH, a Representative from the State of Georgia, has been elected Speaker; and Robin H. Carle, a citizen of the Commonwealth of Virginia, has been elected Clerk of the House of Representatives of the One Hundred Fourth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## COMMITTEE TO NOTIFY THE PRESIDENT OF THE UNITED STATES OF THE ASSEMBLY OF THE CONGRESS

Mr. ARMEY. Mr. Speaker, I offer a privileged resolution (H. Res. 3) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 3

*Resolved*, That a committee of two Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to join a committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled, and that Congress is ready to receive any communication that he may be pleased to make, the gentleman from Texas [Mr. ARMEY], and the gentleman from Missouri [Mr. GEPHARDT].

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE UNITED STATES OF THE ELECTION OF THE SPEAKER AND THE CLERK OF THE HOUSE OF REPRESENTATIVES

Mr. ARMEY. Mr. Speaker, I offer a privileged resolution (H. Res. 4) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 4

*Resolved*, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected NEWT GINGRICH, a Representative from the State of Georgia, Speaker; and Robin H. Carle, a citizen of the Commonwealth of Virginia, Clerk of the House of Representatives of the One Hundred Fourth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## MAKING IN ORDER IMMEDIATE CONSIDERATION OF HOUSE RESOLUTION ADOPTING THE RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 104TH CONGRESS

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that it be in order immediately to consider in the House a resolution adopting the rules of the House of Representatives for the 104th Congress; that the resolution be considered as read; that the resolution be debatable initially for 30 minutes, to be equally divided and controlled by the majority leader and the minority leader, or their designees; that the previous question be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question, except that the question of adopting the resolution shall be divided among nine parts, to wit: Each of the eight sections of title I, and then title II; each portion of the divided question shall be debatable separately for 20 minutes, to be equally divided and controlled by the majority leader and the minority leader, or their designees, and shall be disposed of in the order stated, but if the yeas and nays are ordered on the question of adopting any portion of the divided question, the Speaker may postpone further proceedings on that question until a later time during the consideration of the resolution; and, pending the question of adopting the ninth portion of the divided question, it shall be in order to move the previous question thereon, and if the previous question is ordered, to move that the House commit the resolution to a select committee, with or without instructions, and that the previous question be considered as ordered on the motion to commit to final adoption without intervening motion.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. BONIOR. Reserving the right to object, Mr. Speaker, under my reservation I would like to ask the gentleman

from Texas [Mr. ARMEY] several questions about his unanimous-consent request.

First of all, does the gentleman's request allow us to offer an amendment to ban gifts by lobbyists?

Mr. ARMEY. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I say to the gentleman, You are entitled under the rules to offer a germane amendment in your motion to commit if it is ruled by the Parliamentarian that such an amendment is germane.

Mr. BONIOR. Further reserving the right to object, Mr. Speaker, I would propound to my distinguished friend from Texas another question:

Is your request an open amendment process which allows Members the opportunity to offer germane amendments? We have the opportunity to offer germane amendments?

Mr. ARMEY. If the gentleman would yield, I am advised by the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules, that the rule is more open than any we have ever had in the past.

Mr. BONIOR. Is the gentleman saying that no amendments are in order under the request and this is a closed rule?

Mr. ARMEY. If the gentleman would yield, there are plenty of amendments in order.

Mr. BONIOR. Does this afford the minority a right to offer an amendment, I would ask the gentleman from Texas?

Mr. ARMEY. Mr. Speaker, if the gentleman would yield, I am again advised by the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules, that my colleague can include any amendment he wants in the motion to commit so long as it meets the test of germaneness.

Mr. BONIOR. Will we have time to debate the motion to commit?

Mr. ARMEY. I believe under the rules of the House it is a nondebateable motion.

Mr. BONIOR. So we can offer the motion and we cannot debate it?

Mr. ARMEY. If the gentleman would yield, there will be about 3½ hours of debate, and it is the judgment of this Member that there will be plenty of opportunity within that time since time will be allocated to the minority for debate purposes to make the points that the gentleman might want to make related to their motion to commit.

□ 1430

It is a common practice that we used many times when we were in the minority exercising our prerogative to make a motion to commit.

Mr. BONIOR. Mr. Speaker, it is my understanding we will not be able to offer amendments on the motion the gentleman has put forward, and that we will not be able, for instance, to offer the amendment that we wish to offer on the gift ban.

In fact, I would ask another question of my friend. Does this request envision a division of the open-amendment process for the Congressional Accountability Act to be considered at the end of the day?

Mr. ARMEY. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Perhaps at this point I might address the Speaker and express my wonderment as to whether or not the gentleman is going to make an objection.

Mr. BONIOR. Mr. Speaker, reserving my right to object, let me just say that given that the gentleman has informed the House that he is requesting two completely closed rules, two gag rules, I might add, on the first day of the Congress, I object.

The SPEAKER. An objection has been heard.

The Chair now recognizes the distinguished gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, by direction of the House Republican Conference, since there is no Committee on Rules yet, and the Committee on Rules has not met yet to organize and will not until tomorrow, by direction of the Republican Conference, I call up a privileged resolution and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

#### H. RES. 5

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the resolution (H. Res. 6) adopting the Rules of the House of Representatives for the One Hundred Fourth Congress. The resolution shall be considered as read. The resolution shall be debatable initially for 30 minutes to be equally divided and controlled by the Majority Leader and the Minority Leader or their designees. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question except as specified in sections 2 and 3 of this resolution.

SEC. 2. The question of adopting the resolution shall be divided among nine parts, to wit: each of the eight sections of title I; and title II. Each portion of the divided question shall be debatable separately for 20 minutes, to be equally divided and controlled by the Majority Leader and the Minority Leader or their designees, and shall be disposed of in the order stated.

SEC. 3. Pending the question of adopting the ninth portion of the divided question, it shall be in order to move that the House commit the resolution to a select committee, with or without instructions. The previous question shall be considered as ordered on the motion to commit to final adoption without intervening motion.

The SPEAKER. The resolution is a matter of privilege. The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for the purposes of debate only, I yield 30 minutes to the distinguished minority leader, or in this case the minority

whip, or his designee, pending which I yield myself such time as I may consume.

(Mr. SOLOMON asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. SOLOMON. Mr. Speaker, the resolution before us is a special rule authorized by the Republican Conference providing for the consideration of a resolution adopting the rules of the House for the 104th Congress.

While such a special rule is not unprecedented, I think the last time it was done was back in 1893. So this is an unusual situation. We have never before had an objection to the rules being brought up by unanimous consent.

As returning Members are aware, ordinarily the resolution adopting House rules at the beginning of a Congress is considered as privileged in the House and subject to just 1 hour of debate, with no amendments, and on up-or-down vote following the vote on the previous question and any motion to commit the resolution.

This special rule allows for a different and more expansive consideration of the House rules resolution.

First, instead of just 1 hour of debate, which is customary in this House and traditional over the years, certainly all of the years I have been here, it provides for a total of 3½ hours of debate, equally divided and controlled by the majority and the minority party.

Second, instead of just one vote on adopting the resolution, the special rule allows for nine separate votes, not counting a vote on committing the resolution. I would again call this to the attention of the Members on that side of the aisle. It allows for nine separate votes, not counting a vote on committing the resolution, which I assume the minority would be offering.

This time will be divided as follows:

First, there will be 30 minutes of general debate on the resolution, equally divided between the majority and the minority.

Second, there will follow 20 minutes of debate each on the eight sections contained in title I of the resolution, and that is the Contract with America: The Bill of Accountability Act.

Mr. Speaker, each of these sections will be subject to a separate vote under an automatic division of the question.

Third, there will be additional 20 minutes of debate on title II of the resolution, containing an additional 23 sections, followed by a separate vote on title II. That is nine votes altogether.

It would be in order for the minority, prior to the final vote on adopting title II of this bill, to offer a motion to commit the resolution.

However, I want to point out that this special rule does not allow for a separate previous question vote on title II. So if the minority wishes to have a previous question vote to alter

the terms of this procedure and make in order additional amendments, it must defeat the previous question on this special rule. They have that prerogative.

We are allowing the minority its traditional previous question vote through this rule, but we are not being so generous as to allow the minority two previous question votes. We are going to be here until 10:30, 11:30, possibly even 2 o'clock in the morning, and we want to expedite this as quickly as possible.

I would also point out in that same regard that the previous question is automatically ordered on the adoption of each of the eight sections in title I.

That means that there will be no separate previous question votes on those sections, nor will there be an opportunity to commit any of those sections, with or without instructions.

That does not mean, Mr. Speaker, that the minority will be precluded in its final motion to commit on title II from revisiting any matter that has been adopted in title I. They can still take that opportunity, if they wish. On the contrary, all of the rules of the House that have been adopted to that point are still subject to further amendment in any motion to commit, and any additional amendments to House rules will be in order as well.

In conclusion, Mr. Speaker, we have designed in this procedure the fairest and most open process on a House rules resolution in over a century in this House. We have allowed over three times as much debate as is usual on opening day, and nine times as many votes.

We will be giving Members on both sides of the aisle an opportunity to separately vote on each of the nine items contained in our Contract with America as embodied in title I. And the minority will retain its usual right to alter this procedure further if it defeats the previous question on this rule, and it will retain its usual right to commit the resolution with a final amendment at the conclusion of debate on title II.

I therefore, Mr. Speaker, urge adoption of this special rule.

Mr. Speaker, I reserve the balance of my time, perhaps for a colloquy with the minority whip.

Mr. BONIOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, last November, the American people voted for change.

They sent a message to this House, a message of anger and frustration.

We, in our party, have heard that message, the message of working families whose incomes are squeezed, working families who are tired of business as usual, who feel that no one speaks for them.

In the days and weeks and months ahead, we, in the Democratic Party intend to be their voice.

When tax cuts are proposed, we intend to make sure that it is working

families who benefit, not the wealthiest few.

In our efforts to balance the budget, we intend to make sure that our seniors are not robbed of their right to Social Security or Medicare, that our children are not deprived of their right to education and practical training for good jobs.

And we intend to make sure that when we talk about reforming this House, those reforms are real, concrete, and that they make a difference. We have seen the symbols of change today. In what is the greatest tribute to, this, the world's greatest democratic institution, the gavel has changed hands. Power has shifted.

The Republican Party has promised an agenda of reform. We, Democrats intend to make sure they keep their promises. Today, we deal with the rules of this House. These issues may seem arcane, removed from the lives of average Americans. But what we do today sends a powerful signal. For today, we define the rules and standards that we, as Members of Congress, are determined to live by.

Most Democrats will support most of the reforms that are being offered. Some of them were our own reforms, reforms that were blocked last year, in a cynical move for partisan advantage by the Republican Party. Some of them are of little consequence. Whether they pass or not makes little difference. But, none of these reforms go far enough. They stop short. They are just window dressing, hiding the real shift in power the Republicans intend to bring about.

The American people voted for change last November. They did not vote to create a Congress that is for sale to the highest bidder. They voted for change. But they did not vote for a Congress where leaders take care of their own private profits before they take care of the public business.

They voted for change. But they did not vote for a Congress that is beholden to multimillionaires. And they did not vote to allow Members of Congress to trade on the public trust, and become millionaires themselves. They did not vote for a Congress that is entangled with special interests or tied to the powerful concerns of foreign corporations.

The American people did not vote to open the doors of Congress to the Power Rangers or the powers that be, but to the power of the average American. With this paltry package of reforms, the Republican Party has shown that they just don't get the message.

We are about to witness the biggest takeover by special interests in the history of the U.S. Congress, and this so-called reform package does nothing to stop it. This rules package is nothing more than a string of broken promises.

After the years of whining and complaining on the Republican side about the damages to democracy of closed rules, what is the first thing they offer

us? A closed rule. Not just one closed rule, but a closed rule within a closed rule.

Where is democracy, where is open debate, where is the free flow of ideas? Not one amendment will be able to be offered to anything the Republicans do today. Not one amendment.

This would not matter so much, if the Republicans had offered us real reform. But their package leaves out the single most important effort that could help stop the influence of special interests, a ban on gifts from lobbyists.

Last year, the Republicans ran from reform, and blocked passage of the gift ban bill in the Senate. This year, they are going even further. With this closed rule, with this gag rule, they have prevented a gift ban from being offered as a separate amendment.

We need to defeat the previous question on this gag rule, to provide an open rule that will allow us to get to the real issues of reform, including a ban on gifts from special interests.

This is essentially the same gift ban provision that was passed overwhelmingly last year, Republicans claimed to be for it then, now that they are in control, it is time to get real about reform, and pass this ban on gifts.

In recent weeks, it has become clear that there is a serious loophole in even this major reform. We have discovered that there are backdoors to getting gifts. And one of these back doors is through book deals, with lucrative advances and multimillion dollar royalty contracts.

I will be urging my colleagues to defeat the previous question so that we can offer an open rule which will allow an amendment to directly address this issue of whether a Member of Congress should be allowed to earn millions of dollars in book royalties while employed at the taxpayers expense.

We intend to try to offer an amendment that would cap royalties from any individual book to one-third of a Member's annual salary.

Let me make this very clear: by making this proposal today, we are not trying to discourage Members from writing books. Public officials all the way back to ancient Greece have written books, including many esteemed Members of this body.

But at the same time, no Member should be able to use the prestige of this office to cut a special deal.

No Member of Congress should be allowed to use this office—this public trust—for personal gain. No Member of Congress should make a book deal in one day that equals far more than the average American family earns in their entire lifetime.

A one-third cap on royalties is reasonable. It is more than generous. The public expects us to do no less.

We were not elected to this body to get rich; we're here to do the people's business and that is a full time job.

It is important today that we send the word out across America that we are serious about reform, that this

Congress is not for sale, our offices are not open to the highest bidder.

A vote for the previous question and for this gag rule is a vote to shut out real reform. It is a vote to fling open the doors to special interests. It is a vote to continue the old order.

I urge my colleagues, especially those of you for whom this is your very first vote, those of you who ran on the promise of reform, do not side with the special interest. Let us open the door to real reform. Vote no on the previous question and let's come back with a rule that will allow us to ban gifts from lobbyists and to limit the royalties of Members of Congress.

This House of Representatives is not for sale. Say no to gifts. Say no to excessive book deals. Support an open rule.

□ 1440

Mr. Speaker, I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, let me yield myself such time as I might consume just briefly.

Mr. Speaker, I would just like to point out to my good friend, the gentleman from Michigan [Mr. BONIOR], and he is a good friend and I have deep respect for him, but I believe, DAVID, that you were a member of the task force on the ethics bipartisan task force that allowed Members to take book royalties from legitimate book firms back, what year was that, back in 1981 or 1982, I believe. 1989, it was even more recent.

But let me just address this rule business, because when Speaker GINGRICH called me before him when we were going to talk about the formation of the new Committee on Rules, he instructed me, along with the other eight Republicans that will make up that committee to be as open and fair and accountable as we possibly can. As the gentleman knows, in recent years under the past two Speakers, we have gone to almost a totally structured rule process, where Members on both sides of the aisle have literally been gagged. The House was not allowed to work its will.

The gentleman knows that conservative Democrats on your side of the aisle complained bitterly about it, people like the gentleman from Minnesota, Tim Penny, and the gentleman from Louisiana, BILL TAUZIN, and others, because they were not allowed to offer amendments on this floor.

Speaker GINGRICH has asked me to be as open and fair as we possible can, and to reverse the fact that 70 percent of all of the rules that came to this floor last year were closed or structured or restricted rules. He has asked us to try to make an open rule process the norm, and not the exception. We are going to do that. I am going to follow his instructions. Now, at this point, let me yield to a Member who served on the Speaker's task force to reform this House. I had the privilege of serving with him. We developed these kinds of reforms that we are offering here

today, 8 of them in the contract for America, 23 in title II, all of which are additional reforms to the existing 1993 Democrat rules package that is here.

Mr. Speaker, I yield such time as he may consume to a very distinguished member of the committee, the gentleman from California [Mr. DREIER].

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

□ 1450

Mr. DREIER. I thank my friend, the gentleman from Glens Falls, the soon to be chairman of the Committee on Rules, for yielding me this time, Mr. Speaker.

Let me just say that as I have listened to the words from my very dear friend, the gentleman from Mount Clemens, MI [Mr. BONIOR], who has described this as a closed rule, I have to say that it is absolutely preposterous to claim that what is clearly the most open rule on an opening day in recent congressional history is closed. Now, in the past we have regularly seen basically a single up-or-down vote, but as Speaker GINGRICH said in his remarks earlier, we are going to be today casting votes on eight different provisions, providing Members with the opportunity to look at virtually every aspect of the preamble of our contract with America.

As I listen to the arguments about a closed rule here, I cannot help but think about the fact that nearly every single week during the second session of the 103d Congress I stood right there at that desk and asked the majority leader, the gentleman from Missouri [Mr. GEPHARDT], or his representative, the gentleman from Michigan [Mr. BONIOR], or the gentleman from Maryland [Mr. HOYER], or another Member when we could expect the congressional reform package to get to the House floor.

Mr. Speaker, the response was regularly "Well, we are hoping that we will be able to get it up first in early spring of 1994." Then it was late spring, then early summer, then midsummer then before we adjourned for August, and then after August it was before we adjourned. As we all know very well, at the end of the 103d Congress, we got a little speck and nothing more than that when we passed this rule calling for congressional compliance.

It seems to me that as we look at this issue, this issue is a very important one which we have struggled to get our friends who were formerly in the majority to bring to the House floor, and because of their recalcitrance on the issue of congressional reform over the past 2 years, we are on the opening day bringing these reforms as expeditiously as we possibly can. Why? Because we have debated these throughout virtually every campaign. On every measure that dealt with the issue of congressional reform, I attempted to defeat the previous question, to make in order our congressional reform package, which again had

been promised for consideration by the leadership in the past.

I believe very strongly that this rule is going to allow us to have free, fair, and open debate on this extraordinarily important issue, on this extraordinarily important day. I say we have got to get the job of congressional reform completed and completed today, so that we can do what the American people are anticipating from us in the next 100 days.

Mr. BONIOR. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Texas [Mr. BRYANT].

(Mr. BRYANT of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Texas. Mr. Speaker, I would say to the gentleman from California, [Mr. DREIER], he also stood at that desk over there every single day and he condemned closed rules as being a violation of the democratic process, and he promised that if he were in charge we would never again see closed rules.

And where are we today? The first day of the first session of Congress, when you are finally in charge, and the very first rule you bring to the House is a closed rule. Now I would just have to say to the gentlemen from California and New York, Mr. DREIER and Mr. SOLOMON, it is a curious thing to see on the first day of the House these two gentlemen, who took up so much of our time talking about closed rules, to be the authors of a closed rule on the first day of this Congress.

It is indeed also curious that, after so much talk about reform, that they would bring to the House floor today a set of rules that excludes any reference to reform of the process we have today under which lobbyists are permitted to buy gifts, meals, and thinly disguised vacation trips for Members of Congress.

I must say it is especially curious inasmuch as in October the Speaker of the House, Mr. GINGRICH, was on "Meet the Press" saying, and I quote, "I am prepared to pass a bill that bans lobbyists from dealing with Members of Congress in terms of gifts."

Yet here we are on the first day, the first opportunity to do it, and not only is it not a part of the Republican package, we are prohibited from even offering an amendment to the Republican package to prohibit lobbyists from buying gifts, free meals, and thinly disguised vacations for Members of Congress.

They will not allow us to offer that amendment for a very simple reason, because they know that it would pass overwhelmingly.

The Speaker and his leadership allies fought tooth and nail last year to kill the ban on gifts from lobbyists. They tried to keep the bill from being considered in the House, and when that failed, they encouraged a Senate filibuster which succeeded in killing it,

even though twice it passed the House of Representatives overwhelmingly and with a bipartisan majority. They said they were against it because somehow or another it interfered with the grass-roots lobbying.

I have an amendment which we will bring up when this previous question is defeated, which says that gifts will no longer be permitted to be given to Members of Congress in the forms of meals, free trips, free costly golf vacations or anything else from members of the lobby, from the lobbyists.

I urge the new Republican Members, today you will decide whether you are in lock-step with this new Republican majority and the Speaker, or you are committed to the public. If you are committed to the public, vote against the previous question. Let us do the public's business today and prohibit lobbyists from giving gifts, free meals, free vacations, free golf trips, and all other manner of freebies to Members of the House of Representatives.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Texas mentioned lockstep. Yes, we Republicans are in lockstep. We are in lockstep with the message that was sent by the American people on November 8, and we are going to accomplish the things they asked us to do.

That means shrinking the size of this Congress by one-third, eliminating 600 jobs, and setting the example for what we will do when we take up the 100 days Contract With America in which we will shrink Government and we will grow the private sector. That is what we are laying the groundwork here today for.

Mr. Speaker, I yield 2½ minutes to the very distinguished member from Sanibel, FL [Mr. GOSS], a member of the Committee on Rules.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I thank the very distinguished chairman of the Committee on Rules, the gentleman from New York [Mr. SOLOMON], for yielding me this time.

It is the 4th of January, but it seems like the 4th of July, to me. It is Independence Day. It is Independence Day in this House, as we begin to set ourselves free from the shackles of what America knows is the status quo, business as usual.

I hardly need to remind my colleagues about the Dark Ages, when committee chairmen zealously perpetuated their turfs; when Members missed committee meetings because votes were taken by proxy; when committee meetings could be held in the dead of the night behind closed doors, sometimes locked closed doors, locked to the minority; when Members could come to this floor and apparently wilfully disclose classified information without admonition; when large tax bills could pass on the slimmest of

margins and huge spending packages could slide through on a voice vote.

The excesses of Congresses past are well documented. On November 8, Americans sent a message. Well, Mr. Speaker, message received. Limiting the terms of committee chairmen, banning proxy voting, establishing truth in budgeting, reducing staff, opening up and streamlining the committee process, mandating recorded votes on spending bills, these changes today will make this a more responsive and responsible House. By laying this groundwork for a new beginning, we take the first concrete steps toward earning back the trust of the people that we are here to serve.

I am pleased that this rules package includes a simple but important requirement that Members wishing access to classified material sign an oath of secrecy, a powerful change that should increase Members' awareness and accountability where national security is at stake.

At the same time, we are taking major steps to bring sunshine into the daily workings of this House's business and to ensure individual Members' accountability for all of their actions. All around, this is a balanced of package of substantive change.

It is not exclusive. There will be more, and I invite the distinguished gentleman from Texas [Mr. BRYANT] to join me in sponsoring my bill that bans lobbyist-paid travel, if he wants further reform. This is the beginning step.

I urge all of my colleagues to join me in support of these new rules today. It is not the final thing, but it is the most important thing we are going to do, because it is going to show America we are serious about making the changes. Of course, there will be more oncoming. Today it is a good agenda. It is an American agenda, and it is today's agenda, so let us pass it.

Mr. BONIOR. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentlewoman from Texas [Ms. SHEILA JACKSON-LEE].

Ms. JACKSON-LEE. Mr. Speaker, I am a proud new Member of the 104th Congress, and I want to speak just for a moment to my fellow new Members, because we all campaigned for reform. I urge you, do not get cold feet.

I come armed with the Constitution of the United States of America that says "We, the people of the United States, in order to form a more perfect Union," among other things, "secure the blessings of liberty to ourselves and our posterity," not to Congress, not to individual congressional Members, but the people want for themselves the right to live and the right to know that their Congress is not owned and bought.

□ 1500

The American people want reform, not phony reform but real reform. They want to know that the ties of special interests are now really broken. They want to know that the days of

free meals and free trips and special privileges are over. They are angry and we did hear their voices. We the Democratic Members heard their voices in November, and today we want to start fresh and anew talking about reform. But we need to go a lot further. If we want to send a real signal that we are really changing Washington, we need to ban gifts from lobbyists and special interests. As Members of Congress, we should not be using public office for private gain. We are here to make change, not to protect the old order. Let us begin by having an open debate. What is wrong with amendments allowing us to raise the voice of the American people? No more closed rules, no more status quo. Let the American people realize that we are not for sale.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

I would just point out to the gentlewoman, I know she is a freshman Member, but in the last Congress, the 103d Congress, 70 percent of every rule that came to this floor under Speaker Foley was a restricted, closed, or modified rule. We are reversing that through your order, sir, and we will have open rules in this House. We will have openness, fairness, and accountability.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. LINDER], the very distinguished new member of the Committee on Rules.

Mr. LINDER. Mr. Speaker, I thank the gentleman for yielding.

I would like to point out that it is clear what the theme of the day is from your side and, that is, gifts from lobbyists and that is going to appeal not to the people in this body but to the people watching this on C-SPAN.

It is worth noting that after 40 years of rule, including the last 2 when the Democrats had control of both the House and the Senate and also the White House, that this should have been able to have been passed. But this rule is not about gifts from lobbyists. That is a bill to come. This rule does not include amendments for campaign finance reform or parking at Washington National or indeed paid travel from lobbyists. This rule has to do with process, process of how Congress acts, the committees, the staffs, the way we budget. We will deal with those issues at a later date in separate bills. We have done that in the past. We have cooperated in trying to get campaign finance reform to the floor, in trying to get lobbying reform to this House, all in stand-alone, individual bills. Let us be honest about it.

We understand your point of view in the minority, trying to distract Americans' attention from the issue of the day, which is passing a rule by which we live for the next 2 years. This rule deals with process, how Congress conducts itself. Let us contain our comments to that point.

Mr. BONIOR. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas [Mr. DOGGETT].

(Mr. DOGGETT asked and was given permission to revise and extend his remarks.)

Mr. DOGGETT. Mr. Speaker, like our Republican colleagues as a new Member of this Congress, I came seeking constructive change, and of that change I was most eager to join with our Republican colleagues the concept of opening this House.

Yet at this first opportunity for change, this Republican rules package fails. I do not know what they call a rule in California or New York where you get no amendment and no alternative, but in Texas we call that closed government.

You propose two completely closed rules, two rules that do not allow one new Member, one old Member, one Republican, one Democrat to offer any amendment to this package. More than that, you have done what is unprecedented perhaps in the history of this country, and that is to provide a closed rule within a bill that is brought up under a closed rule.

This is not open government. This is not reform. It is more closed government as usual. This is barring the door, slamming the door shut and actually then barring that door for people to participate in the process of democracy.

It was only a few months ago that the distinguished gentleman from California [Mr. DREIER] suggested that when a closed rule is foisted on this House, the Members are denied the opportunity to represent their constituents. That is no less true today.

You have said that this is a new chapter in the history of this House, but you have made it an edited, indeed a censored chapter. You have said you have changed the course of business in this House, but I would submit, to use the words of the distinguished gentleman from New York, that it is merely shortchange.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume, just to say to Members on that side of the aisle how refreshing it is now to see Members from the Democratic Party standing up and fighting for those minority rights that we fought for for 40 years on this floor. We welcome you into this debate and we are going to open up this House today.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Ohio [Mr. REGULA], one of the senior Members of this House.

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

Mr. REGULA. Mr. Speaker, today is truly a momentous occasion. After serving in the minority for 11 terms, new and historic horizons are being opened as Republicans become the majority party in the House of Representatives for the first time in 40 years.

We are beginning the first day of the 104th Congress with a full schedule of much-needed internal reforms in the House of Representatives. We will vote

on eight separate reforms including a reduction of committee staff by one-third, requiring that committee meetings be open to the public and requiring that members of committees be present for votes in their committees.

This new openness in the committee process is important because it is the first step in establishing the accountability that the American people are demanding of the Congress. The most important decisions on legislation are often made during committee deliberations. Members of committees become experts in the areas of the committee's jurisdiction and other Members rely on their judgment.

One of the most important reforms we are voting on today is the ban of proxy voting in committees. Proxy voting allows another Member to cast a vote on legislation for a Member who is absent. Of the 22 standing committees in the last Congress, only 4 banned absentee voting. I am a member of the Appropriations Committee which has never allowed the use of proxy voting. All Members should be present to vote on issues before the committee.

Accountability to the American public begins in the committee system by Members being present for meetings and votes, and those meetings being open to the public. We must assure all of our constituents of the seriousness with which we approach our work of deliberating the issues of importance to our country. Only then can the integrity of the Congress be reestablished.

Today's action can be defined in five words: "Accountability in the People's House."

Mr. BONIOR. Mr. Speaker, for purposes of debate only, I yield 1 minute to the distinguished gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I rise to voice my opposition to the closed rule on the Republican rules package. This package contains many important reforms that I support, but it does not contain the most crucial reform, a ban on gifts from lobbyists. The gift ban is central to our ability to break the bond between the special interests and the Congress. That is what the public clamored for, separate special interests from the institution of the Congress.

The Democratic proposal would ban all gifts to Members of Congress. It bans meals, entertainment, and travel. It says no more business as usual.

On this first day of the 104th Congress when so many hopes are pinned on people reclaiming their Government, it is tie to end the special interests' influence over Congress. It is time to say no. No to dinners, no to golf junkets, no to the old style perks and privileges. The only privilege we need is the privilege to serve in this body.

The new Republican majority claims that they are leading a revolution to reform this institution. That is what they told the American public. But keeping closed rules, protecting perks and privileges is just more hypocrisy.

Support real change. Open the rule and support a gift ban.

Mr. DREIER. Mr. Speaker, I reserve the balance of my time.

Mr. BONIOR. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Speaker, there is a reason why the Republicans oppose the Democratic rules change in this closed rule. Our rules change makes every rules change proposed by the Republicans today pale in comparison. Theirs are plastic and papier mache. Ours have the hard steel of real change because they address the key issue of the integrity of Congress.

Today as we speak on this floor with a few Members, so many others are enjoying this wonderful first day of service in Congress. They came here promising to represent their districts, not the special interests. Our rules change addresses that straightforwardly. It prohibits and limits any gifts from lobbyists and special interest groups so that new Members and old Members alike will not be ensnared in these special interest tangles. And equally important, Mr. Speaker, it closes or at least restricts a dangerous loophole.

By the rules of the House I cannot go out and give a speech and earn one dollar. But I can go out, and in the name of writing a book, supposedly earn legally millions of dollars. That kind of ridiculous loophole puts this House in jeopardy and every Member of it.

I would suggest that we stick with the Democratic changes and defeat the previous question.

Mr. DREIER. Mr. Speaker, I am happy to yield 1 minute to a very distinguished new Member, the gentleman from South Carolina [Mr. GRAHAM].

(Mr. GRAHAM asked and was given permission to revise and extend his remarks.)

Mr. GRAHAM. Mr. Speaker, I came from South Carolina, a State that a few years ago sent about 18 people to jail because they took shirts, they took shoes, they took golf trips, and they sold their vote. If Members want to reform me, I challenge them to do so. But everything in its time. For 40 years Democrats have had control of this body to do that.

What the American people need to know, and what I want constituents to know at home is what we are talking about doing the first day is to change the way this institution operates. NEWT GINGRICH, the new Speaker of the House, has done something that no Speaker of the House has ever done in this body, Republican or Democrat. He has instituted a measure to limit his own term as Speaker. I congratulate him for doing that. Leadership and reform begins at the top, and that is what he has demonstrated, and on behalf of the freshman class we thank him for doing something other than talk.

Also in this rule is a provision that would limit committee chairmen to

serve 6 years. If we want to change America, that is a great place to start, and that is what we are talking about today, changing this institution to breathe the new life into it.

Mr. Speaker, ideas do matter, and they are going to have a new day.

Mr. BONIOR. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from New York [Mr. LAFALCE].

Mr. LAFALCE. Mr. Speaker, approximately 1 hour ago you addressed every Member of this body and the House, you addressed the entire United States of America and you said this is the 104th Congress. Think of it, 208 years. For 208 years, Mr. Speaker, we have existed under the rule of the majority.

Two hundred eight years ago, Mr. Speaker, as a student of history you know that the Constitutional Convention adopted the Constitution rejecting the Articles of Confederation that have a super majority requirement. By a rules change, with no committee hearings, with only 20 minutes of debate, you want to strike a blow at the most fundamental tenet of constitutional principle: rule of the majority, and revert to the Articles of Confederation.

Mr. Speaker, how can you do this on the first day of your tenure in office?

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from Cleveland, OH [Mr. HOKE].

Mr. HOKE. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, it is hard not to be somewhat amused by the shenanigans that are going on on the floor right now when we are being told that we are completely shackling the rights of the minority by not allowing them to have the central reform that should be in this rules package; that is, the gift and lobby reform.

It has to be pointed out that for 40 years Democrats have had the opportunity to pass this fundamental gift and lobby reform, and yet they have not been able to do it in a timely way that got through both the House and the Senate and was signed into law. For them now to claim that somehow, somehow this is preventing them from doing this when they know substantively we will get to this later, the question I have is why did they choose the gift and lobby reform as opposed to fundamental campaign finance reform, that is the elimination of special interest contributions. They know and I know that about \$250,000 plus goes into every single incumbent's campaign on a cyclical basis. That is real influence that is being purchased by special interest groups, and yet there is only one group, one group in the entire Congress, not the House Republicans, not the Senate Democrats, not the Senate Republicans that do not want to limit that genuine purchasing of influence, and that group is the House Democrats.

Mr. BONIOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me refresh my friend from Cleveland's memory. We did pass

the gift rule ban last Congress and it was killed in the other body by the Republican Party.

I also would like to refresh my friend's memory and suggest to him that we did pass campaign finance reform and it was killed also by Republicans.

Mr. HOKE. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I will not yield at this point. I would yield in a second to my friend using his time.

So we have complied with the wishes of the American people on two basic, fundamental reforms which is banning gifts and reducing the influence of outside interests in campaign reform. We passed them in this House not very long ago, a few months ago, sent them over to the Senate and they were killed by Republicans.

Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina [Mrs. CLAYTON].

Mr. DREIER. Mr. Speaker, I yield 5 seconds to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, I rise in support of congressional reform and in support of several parts of the proposed rules package. No Member in this Chamber has a premium on what's best for this Nation. We all have a contract with America.

The contract to which each Member is bound, is to work in the best interests of the American people.

On election day, we offered our services to this great country, and voters from Rocky Mount, NC, to the Silicone Valley of California, accepted our offer. We all have a contract with America.

That contract involves being open to the challenge of change. I will vote for several of the reforms offered in this rules package. However, I will vote against those proposals that are considered dangerous to the stability of the American people or undermine the Constitution of this country.

We must get beyond partisan politics and move to the high ground of principle—serving all Americans.

But, real reform must include an end to gag rules. There are important amendments that would be offered, amendments designed to improve and perfect this rules package, but Members are muzzled because the majority has insisted on a closed rule for this debate.

No Member can offer an amendment such as the gift ban. That is an issue that we debated and supported last Congress. As I am informed, the gift ban we passed would have included royalties from books. If we are to be leaders, we must also lead in following the rules under which we are governed. In this House, we have resolved that no Member should be enriched beyond what the people pay. That resolve should not end with the Speaker, it should begin with him.

I will support those thoughtful reforms that have been offered by the majority. But, I will continue to stand

up as part of the loyal opposition when I believe pomposity, audacity and duplicity confront us.

No party or person has an exclusive on such things as family values and personal responsibility. Those are standards I absolutely hold dear. And no party or person should be able to take the right to speak and participate from any of us. Too many have sacrificed for that precious liberty. We all, 435 Representatives, have a contract with America. Let no one forget.

Mr. DREIER. Mr. Speaker, as we continue with this freest and most open debate in congressional history, I yield 2 minutes to my friend, the gentleman from Greensboro, NC [Mr. COBLE].

□ 1520

Mr. COBLE. I thank the gentleman from Claremont, CA, for having yielded me this time.

Reform the House? We Republicans have previously engaged in this exercise of attempting to reduce the number of staff positions and the number of committees. So this is not a case of first impression.

But each time we proposed these reductions, they fell upon deaf ears, and the Democrat leadership rejected our attempts to streamline the Congress, and in so doing serve as better stewards for taxpayers.

During this session, pending passage of this proposal today, there will be 25 fewer subcommittees, 3 fewer standing committees. This will save taxpayers hundreds of thousands of dollars.

I am advised that we have eliminated 80 positions on one committee alone. I am not uncaring nor insensitive about this result, but these positions should never have been created in the first place. In applying retroactive psychology, Mr. Speaker, if our Democrat leadership friends had accepted our previous proposals which would have saved taxpayers millions of dollars, we Republicans may not be in the majority today.

But in this town, pride of authorship is jealously guarded, and many people are reluctant to permit any good change unless they can claim the credit therefor.

Today we Republicans again are offering proposals of change which we have previously attempted to no avail. On this day, Mr. Speaker, we will, indeed, prevail.

Mr. BONIOR. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, the American people sent us a message in November. They want less government, less bureaucracy, more ethics, and more accountability. They did not vote for arrogant government, and they did not vote for coronations of any one party or individual.

This rule is a gag rule, no amendments to the Republican rules package. While the Speaker's first statement was gracious, the first act of this new Republican majority is not about re-

form. It is about congressional retreat. For all of their talk about reforming the old guard, Republicans today are doing something that probably no other Congress in history has ever done. They have proposed a closed rule within a bill brought up under a closed rule.

Mr. Speaker, let us have openness and accountability.

Mr. DREIER. Mr. Speaker, as we continue with the most open and free debate in the history of congressional history on any opening day, I yield 2 minutes to my very good friend, the gentleman from Glenwood Springs, CO [Mr. MCINNIS], a new member of the Committee on Rules.

Mr. MCINNIS. Mr. Speaker, I thank the gentleman from California for yielding me this time.

Mr. Speaker, you know, we are talking about today new management versus old management, and it is often tough for old management to get used to the new management ideas. So what you have to do on the old management side of the aisle, you have to take a look and say, "How are we going to debate these rascals over there that want new management, that want accountability to the American people? How can we explain the fact we have allowed ghost voting, that we have had poor management for 40 years, allowed misleading budget information, allowed mostly closed rules, 70 percent last year? How can we explain to the American people there is no sunshine law in Congress? How can we explain these things so those rascals under the new management do not disclose the problems the American people recognized this last November?" The way you do it is you bring in distraction. You do not talk about the positive elements of this rule, which are manifold, elimination of committee staff, no more ghost voting, no more false budget numbers. You have got to bring in distraction.

So let us talk about gifts. I guess if it was your rule change maybe we ought to talk about inherited money and see if we have the same kind of merits.

Do not distract us. Work for improvement. Work for progress. Join the new management.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. There are to be no demonstrations in the gallery. Those in the gallery are here as guests of the House.

Mr. BONIOR. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. PETERSON].

Mr. PETERSON of Florida. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to this closed rule.

I agree with many of the reforms, but there are many, many opportunities for us to perfect this package. We are passing up an opportunity to close forever the huge ethical loophole in congressional activities, the potential for compromise by special interests. We

can do so by banning gifts and by restricting the benefits from lobbyists and by restricting the benefits one can receive from our writings as we do now from our speeches.

The American people sent us a message in November. They said they wanted personal accountability. They certainly do not wish for us to enrich ourselves as we serve them.

Let us seize this opportunity to clean up this huge ethical loophole and truly reform congressional activities on this first open day of the debate of the 104th Congress.

Mr. BONIOR. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, Members of the House, as a Member of this House on the Democratic side of the aisle who for 20 years never brought a bill to the floor under a closed rule, I am sure that I speak with credibility that this change is supposed to be about opening up this debate, and in fact that has not happened.

The test is not whether this is more open than what we did on opening day. The test is whether or not this rule is open or closed, and this rule is, in fact, closed.

What is your fear of having an open rule on congressional reform? That we would overreform the House of Representatives? Hard to conceive of that. What is your fear of having an open rule when you in fact have the votes to beat down any amendment that you do not like? What is your fear, that we would overreform? I do not think so.

Your fear is we would offer what is not in here. The point is this: It is what you do not put in these rules that disturbs us and disturbs the American public, and that is breaking the link between lawyers, lobbyists, money, and legislators, ending the gifts that can be given to legislators and recognizing when the freshman Members took the oath here today, they were given a voting card, not a right to receive gifts to NFL games, to lunches and to dinners.

Mr. DREIER. Mr. Speaker, as we continue with debate on the most open, open reform package that has come to this floor on an opening day, I yield 30 seconds to a very hard-working member of the Joint Committee on the Organization of Congress, my friend and classmate, the gentleman from Cape Girardeau, MO [Mr. EMERSON].

(Mr. EMERSON asked and was given permission to revise and extend his remarks.)

Mr. EMERSON. Mr. Speaker, I thank the gentleman for yielding me this time.

You know, I have been somewhat amused sitting here listening to our colleagues on the minority side talking about open rules. I hope members of the American public know that we are in the process of reforming the Rules of the House of Representatives here today, that are going to bring a higher

level of reform to this body than it has experienced in generations.

I am amused by some of the rhetoric here and chagrined really at what I consider to be the nitpicking. It ill serves you, I think, to be so petty in your quibbling when we are bringing about major reform to this body.

Mr. BONIOR. Well, with all due respect to my friend—and he is my friend—the gentleman from Missouri, breaking the ban and the link between lobbyists and lawyers and the power in this town in this institution we do not consider as petty.

Mr. Speaker, I yield 1 minute to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, if the debate is free, and truly free, then why cannot we offer significant amendments for reform?

Here is a list of what we can vote for; there is not a list of what we cannot vote for, because you will not permit us to offer certain amendments, and I offer this observation.

But today there is no longer an opportunity for Members to fully participate in offering amendments to reform the House as it should be reformed. Students of history should note BOB WISE did not say this, the distinguished chairman of the Committee on Rules, the gentleman from New York [Mr. SOLOMON] said that on opening day of 1991.

Why is it that those who say they want change—and we all want change—will not permit us to bring to this floor a ban on gifts from lobbyists, a ban on dinners from lobbyists? Is this something radical? It has passed the House twice before. Why can we not bring to the floor the amendment to limit royalties and address another area of concern to the House? If you want change, then you have to vote for it. If you want change, then you have to work for it. If you want change, then you have to let true change flourish, and you have to let us offer these amendments.

This is not true change, this is not reform that you are doing. You said you wanted open rules; make them open.

Mr. DREIER. Mr. Speaker, as we continue debate under the most open process in congressional history, I yield 1½ minutes to my friend, the gentleman from Roanoke, VA [Mr. GOODLATTE].

Mr. GOODLATTE. I thank the gentleman for yielding.

Mr. Speaker, this is a new day in the people's House, and a new day calls for new rules, and we are going to deliver those today.

Let me say to our friends on the other side of the aisle who are claiming our reforms today do not go far enough, for 40 years you ran this place behind closed doors, keeping every perk, privilege, and partisan advantage. Now, suddenly, you are trying to tell the American people you have now become reformers. Well, I realize everyone should have ambitious New

Year's resolutions, but this one is just too hard to swallow. Today, despite the resistance from the minority party, we are going to bring more reform to the House in 12 hours than the other party brought in 40 years of iron-fisted rule.

We are wiping out three full standing committees and over 20 subcommittees; we are slashing bloated committee staffs, imposing term limits on the Speaker and committee chairmen and eliminating proxy voting.

Finally, we are going to start making Congress live by the laws that American businesses and families live by. I think I can speak for many Americans when I say it is about time.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The gallery will not participate in the proceedings of the House. The gallery may watch as guests of the House.

Mr. BONIOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am sorry that the gentleman who just spoke could not join us today, as he was one who in fact did vote on the gift ban in the last Congress when the issue was before us. I am sorry he did not join us today, when this party in fact has real power but I guess that is not in the cards.

Mr. Speaker, for purposes of debate only, I yield 1 minute to the distinguished gentleman from Pennsylvania [Mr. MASCARA].

Mr. MASCARA. I thank the gentleman from Michigan for yielding to me.

Mr. Speaker, I too am proud to be a Member of the 104th Congress. Like many of my new colleagues, I campaigned on the issue of reform. I want to urge other Members to not get cold feet now.

Our task today is very simple: It is to prove to the American people that we care more about the public interest than we do about the special interests; it is to provide that Congress is not for sale.

Mr. Speaker, we are not royalty and, therefore, we do not need gifts. We do not need free trips or free meals or special privileges. We are stewards of the public trust. Our constituents elected us to work hard, to make tough decisions, and to stand up for what is right.

As Members of Congress, we represent the public interest, not private profits.

We are here to make change, not to protect the old order. Let us begin by having an open debate about the real needs of our constituents. No more closed rules, no more status quo.

Mr. DREIER. Mr. Speaker, as we proceed with the most open debate in congressional history, I would like to yield 1 minute to my friend, the gentleman from Ocala, FL [Mr. STEARNS].

Mr. STEARNS. I thank the gentleman.

Good afternoon, Mr. Speaker—it is a wonderful afternoon.

I thank my colleague from California.

My colleague from Florida on the other side of the aisle talked about seizing the opportunity. He agrees with a lot of the reforms that we are going to present here shortly, but he is complaining about the parliamentary procedure. So I say to him why did he not, he and his party, bring all of these forward during the last 40 years? Let us take this opportunity to look at one of these, the Congressional Accountability Act, that we are going to pass here on opening day.

What we are saying is that it will not be business as usual around here, and we intend to make Congress operate in a more fair and open manner.

Thomas Jefferson said, "When a man assumes public trust, he should consider himself as public property." By enacting this new set of rules for the House, we are stating unequivocally we believe in practicing what we preach.

We must continue providing the bold and decisive leadership that brought us to this moment here in history.

I urge my colleague from Florida who talked about seizing the opportunity: Let us move forward.

Mr. BONIOR. Mr. Speaker, I yield myself such time as I may consume, just to answer my friend the gentleman from Florida [Mr. STEARNS]. He raised the issue why did we not do this before? In fact, we did the very reform that the gentleman from Florida spoke about, and that was congressional accountability.

We authored the legislation, we passed it in this body. It was killed by the Republicans in the other body. We came back, incorporated it in a rule which was governable for the rest of the session.

So, to suggest to this Chamber and to the folks who are listening that we did not do that is just not the case.

Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from California [Mr. BECERRA].

(Mr. BECERRA asked and was given permission to revise and extend his remarks.)

Mr. BECERRA. Mr. Speaker and Members, I do not think this is a debate about whether this is the most open of open rules or closed rules in the history of this Congress, because it is a completely closed rule.

If I had in my hand today an amendment to try to preserve for us the right to ban the gifts from lobbyists, I would not be able to do that right now. So let me quote to you some words that I think are most eloquently stated, back in May 25, 1993, "With closed rules, voices all across America are silenced. Republicans want the people to have choices, and that can only be done by having open rules." Those very eloquent words were uttered by our new Speaker, Mr. NEWT GINGRICH.

I would urge all of my colleagues in this House to recognize the words uttered by our new Speaker, that we should have open rules. This is a closed rule, it is not a good way to start this first year of this new Congress.

Mr. DREIER. Mr. Speaker, as we continue with the most open debate in congressional history on opening day, I yield 1½ minutes to the chairman emeritus of the Committee on Rules, my friend the gentleman from Kingsport, TN [Mr. QUILLEN].

(Mr. QUILLEN asked and was given permission to revise and extend his remarks.)

Mr. QUILLEN. Mr. Speaker, I thank the gentleman for yielding me this time. I have been a member of the House for 32 years and a member of the Rules Committee for 30 of those years, always in the minority until now. I have probably spoken out on the House floor against closed rules more times than any other Member of this body.

But even as a member of the minority, I have always believed that there were certain issues such as this that should be decided under a restricted or closed rule. To the best of my recollection, the resolutions establishing the rules of the House have been considered under a completely closed rule—with a straight up or down vote. This rule will allow Members the opportunity to vote on nine separate portions of the rules package. This is certainly a much more open process than any that I have seen in my 32 years.

I think the minority should appreciate that the Republican majority chose to open up consideration of this rules package instead of following the traditional closed process that the Democrats embraced and promoted when they controlled the House.

Mr. BONIOR. Mr. Speaker, I have one speaker remaining.

□ 1540

Mr. DREIER. Mr. Speaker, I yield 30 seconds to the gentleman from Omaha, NE [Mr. CHRISTENSEN], a new Member who has joined us.

(Mr. CHRISTENSEN asked and was given permission to revise and extend his remarks.)

Mr. CHRISTENSEN. Mr. Speaker, as a new Member of the Republican majority, I look forward to working with my colleagues in the Democrat Party to make sure that these reforms come to place, but we have to remember that the American people sent us to do change. They sent us here to send a message and to make sure that the opening day activities included in the Contract With America were enacted, and that is making Congress live under the same laws that the rest of the American people have to live under. That is cutting one out of every three congressional staffers, and that is looking at an audit and getting that started.

What I ask is: "Let's get to the business the American people sent us here to do, and that's the Contract With America."

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Miami, FL [Mr. DIAZ-BALART], a new member of the Committee on Rules.

Mr. DIAZ-BALART. Mr. Speaker, I admit that there are great parliamentary debaters on the other side of the aisle. Accordingly, I submit that they must do much better than this, to divert the attention of the American people from what we are doing today. What we are doing today is requiring all laws that apply to the rest of the country to apply to Congress. We are cutting the number of committee staff by a third. We are limiting the terms of committee chairs and subcommittee chairmanships to 6 years. We are banning the scandalous practice, scandalous practice, called proxy voting where Members did not have to go to a committee, and then the chairman, even if they did not have anybody there, did not have any of the Democrats there, they would ultimately win because he had the proxies of all the Members here, truly scandalous, profoundly undemocratic, conduct. That is what we are banning today. That is what we are doing in these rules.

And what the Democrats now are saying is, "Ah." They are using the parliamentary tactic of there is the Christmas gift for all children in the world is missing from this rules package. It is not going to work. That is not going to divert the attention of the American people from what we are doing today, and they are going to know what we are doing, they deserve what we are doing, and we are going to do it today.

Mr. BONIOR. Mr. Speaker, I yield the balance of my time to the distinguished minority leader, the gentleman from Missouri [Mr. GEPHARDT].

The SPEAKER. The gentleman from Missouri [Mr. GEPHARDT] is recognized for 4¼ minutes.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Speaker, I rise to urge every Member of the House to vote "no" on the previous question and "yes" on the motion to commit.

The Republican leadership would have us believe that they can pass eight or nine bills in a flurry of legislative accomplishment and debate.

In fact, there can be no debate; there can be no discussion; there can be no effort to amend, or strengthen, or truly consider any of their proposals.

This is what we call a closed rule. That means that unless you support every dot and comma in the Republican agenda, it is a closed discussion. And as far as serious public policy is concerned, it is a closed door.

That is a tragedy, because the American people deserve more than rubber-stamp Republicanism.

That is why we must reject this rule, and open the crucial issue of congressional reform to discussion and improvement.

The fact is, Democrats do not want to defeat this rules package. We want real reform. That is why many of the proposals being made today—such as making Congress abide by the laws it writes—have already been passed by

the House. And that is why Democrats fought for even tougher reforms, such as a bill to curb the influence of lobbyists, which the Republicans defeated.

The Republican reforms are all well and good—but they simply do not go far enough. They are a handful of procedural and administrative changes here in the House. Many of them are positive. Many of them deserve wide, bipartisan support—and they will have it.

But they do not touch the real problem: the rampant hand of special interests here on Capitol Hill.

If the Republicans were serious about attacking special interests, why would they fight the Democratic proposal to ban gifts from lobbyists?

Do we want to go along and get along, by rubber-stamping this closed rule? Or do we want to rein in the special interests by defeating the rule, and having a real debate about reform?

I urge the latter course. But at the same time, we must all recognize a broader point.

All of this Republican talk of reform—as necessary as it may be, and as productive as it may be—is ultimately a distraction from the real job at hand.

Improving the lives of the hard-working, middle-class families who have seen their incomes erode, and their standard of living slide, for 15 painful years.

No one should pretend that these narrow procedural changes will do anything to raise incomes, to restore economic security, to revive hope and faith in America's future.

And for that matter, no one should pretend that the Contract With America, with its huge tax cuts for the wealthy, and inevitable explosion of the Federal deficit—will improve people's lives, either.

Come back to my district in St. Louis. Meet some of the families where the husband works during the day, the wife works at night, and they barely ever see each other. Meet some of the families that have given up every minute of family time working two, three, even four jobs—and still cannot make ends meet.

Then ask yourself whether some new procedural change can make a difference in their lives.

My colleagues, I urge you to vote "no" on the previous question, and vote "yes" on the motion to commit, so we can have serious congressional reform. And then let us get down to the real business of the people.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER. The gentleman from California [Mr. DREIER] is recognized for 1 minute.

Mr. DREIER. Mr. Speaker, let me say with all due respect to my colleagues that I have never heard such preposterous arguments in my entire 14 years as a Member of this House, and let me say that this clearly is the most open debate that we have ever experienced on opening day in the history of the U.S. Congress. It is exactly what

Speaker GINGRICH has called for, and it is exactly what we are creating.

Now, over the past 2 years I had the privilege, mostly during calendar year 1993, to work with my friends, the gentleman from New York [Mr. SOLOMON], the gentleman from Pennsylvania [Mr. WALKER], the gentleman from Missouri [Mr. EMERSON], the gentleman from Colorado [Mr. ALLARD], the gentleman from Washington [Ms. DUNN] as Republican members of the Joint Committee on the Organization of Congress. We were charged with dealing with major reform in this institution. Reform in this institution is going to help working Americans because we are, by nearly 25 percent, reducing the number of committees in this place so we do not have 109 committees and subcommittees with jurisdiction over the Pentagon, 52 subcommittees and full committees with jurisdiction over programs dealing with children and families, and 92 subcommittees and committees dealing with the Environmental Protection Agency. We are creating an institution that is more accountable.

Unfortunately, Mr. Speaker, the majority in years past has prevented us from having the opportunity to even consider those things. On this opening day we are doing it. We are doing it under the most open process in the history of this institution, and I thank my friends for joining with us.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER. The question is on ordering the previous question.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BONIOR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to enunciate a clear policy with respect to the conduct of electronic votes.

As Members are aware, clause 5 of rule XV provides that Members shall have not less than 15 minutes in which to answer an ordinary rollcall vote or quorum call. The rule obviously establishes 15 minutes as a minimum. Still, with the cooperation of the Members, a vote can easily be completed in that time. On occasion, the Chair has announced, and then strictly enforced, a policy of closing electronic votes as soon as possible after the guaranteed period of 15 minutes. Members appreciated and cooperated with the Chair's enforcement of the policy on that occasion.

The Chair desires that those examples be made the regular practice of the House. To that end, the Chair enlists the assistance of all Members in avoiding the unnecessary loss of time in conducting the business of the House. The Chair encourages all Members to depart for the Chamber promptly

ly upon the appropriate bell and light signal. As in recent Congresses, the cloakrooms should not forward to the Chair requests to hold a vote by electronic device, but should simply apprise inquiring Members of the time remaining on the voting clock.

Although no occupant of the chair would prevent a Member who is in the well of the Chamber before the announcement of the result from casting his or her vote, each occupant of the chair will have the full support of the Speaker in striving to close each electronic vote at the earliest opportunity. Members should not rely on signals relayed from outside the Chamber to assume that votes will be held open until they arrive in the Chamber.

□ 1550

The vote was taken by electronic device, and there were—yeas 232, nays 199, not voting 3, as follows:

[Roll No. 3]

YEAS—232

Allard	English	Lazio
Archer	Ensign	Leach
Army	Everett	Lewis (CA)
Bachus	Ewing	Lewis (KY)
Baker (CA)	Fawell	Lightfoot
Baker (LA)	Fields (TX)	Linder
Ballenger	Flanagan	Livingston
Barr	Foley	LoBiondo
Barrett (NE)	Forbes	Longley
Bartlett	Fowler	Lucas
Barton	Fox	Manzullo
Bass	Franks (CT)	Martini
Bateman	Franks (NJ)	McCollum
Bereuter	Frelinghuysen	McCreery
Bilbray	Frisa	McDade
Bilirakis	Funderburk	McHugh
Bliley	Galleghy	McInnis
Blute	Ganske	McIntosh
Boehlert	Gekas	McKeon
Boehner	Gilchrest	Metcalf
Bonilla	Gillmor	Meyers
Bono	Gilman	Mica
Brewster	Goodlatte	Miller (FL)
Brownback	Goodling	Molinari
Bryant (TN)	Goss	Moorhead
Bunn	Graham	Morella
Bunning	Greenwood	Myers
Burr	Gunderson	Myrick
Burton	Gutknecht	Nethercutt
Buyer	Hall (TX)	Neumann
Callahan	Hancock	Ney
Calvert	Hansen	Norwood
Camp	Hastert	Nussle
Canady	Hastings (WA)	Oxley
Castle	Hayworth	Packard
Chabot	Hefley	Paxon
Chambliss	Heineman	Petri
Chenoweth	Hergert	Pombo
Christensen	Hilleary	Porter
Chrysler	Hobson	Portman
Clinger	Hoekstra	Pryce
Coble	Hoke	Quillen
Coburn	Horn	Quinn
Collins (GA)	Hostettler	Radanovich
Combest	Houghton	Ramstad
Cooley	Hunter	Regula
Cox	Hutchinson	Riggs
Crane	Hyde	Roberts
Crapo	Inglis	Rogers
Cremeans	Istook	Rohrabacher
Cubin	Johnson (CT)	Ros-Lehtinen
Cunningham	Johnson, Sam	Roth
Davis	Jones	Roukema
Deal	Kasich	Royce
DeLay	Kelly	Salmon
Diaz-Balart	Kim	Sanford
Dickey	King	Saxton
Doolittle	Kingston	Scarborough
Dornan	Klug	Schaefer
Dreier	Knollenberg	Schiff
Duncan	Kolbe	Seastrand
Dunn	LaHood	Sensenbrenner
Ehlers	Largent	Shadegg
Ehrlich	Latham	Shaw
Emerson	LaTourette	Shays

Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent

Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp

Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—199

Abercrombie	Gordon
Ackerman	Green
Andrews	Gutierrez
Baessler	Hall (OH)
Baldacci	Hamilton
Barcia	Harman
Barrett (WI)	Hastings (FL)
Becerra	Hayes
Beilenson	Hefner
Bentsen	Hilliard
Berman	Hinche
Bevill	Holden
Bonior	Hoyer
Borski	Jacobs
Boucher	Jefferson
Browder	Johnson (SD)
Brown (CA)	Johnson, E. B.
Brown (FL)	Johnston
Brown (OH)	Kanjorski
Bryant (TX)	Kaptur
Cardin	Kennedy (MA)
Chapman	Kennedy (RI)
Clay	Kennelly
Clayton	Kildee
Clement	Klecza
Clyburn	Klink
Coleman	LaFalce
Collins (IL)	Lambert-Lincoln
Collins (MI)	Lantos
Condit	Laughlin
Conyers	Levin
Costello	Lewis (GA)
Coyne	Lipinski
Cramer	Lofgren
Danner	Lowe
de la Garza	Luther
DeFazio	Maloney
DeLauro	Manton
Dellums	Markey
Deutsch	Martinez
Dicks	Mascara
Dingell	Matsui
Dixon	McCarthy
DeFazio	McDermott
Doggett	McHale
Dooley	McKinney
Doyle	McNulty
Durbin	McNulty
Edwards	Meehan
Engel	Meek
Eshoo	Menendez
Evans	Mfume
Farr	Miller (CA)
Fattah	Mineta
Fazio	Minge
Fields (LA)	Mink
Filner	Moakley
Flake	Mollohan
Foglietta	Montgomery
Ford	Moran
Frank (MA)	Murtha
Frost	Nadler
Furse	Neal
Gejdenson	Oberstar
Gephardt	Obey
Geren	Olver
Gibbons	Ortiz
Gonzalez	Orton

NOT VOTING—3

Bishop	Gingrich	Jackson-Lee
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□ 1605

Mr. STUMP and Mr. DICKEY changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

MOTION TO COMMIT OFFERED BY MR. BONIOR

Mr. BONIOR. Mr. Speaker, I offer a motion to commit.

The SPEAKER. The Clerk will report the motion to commit.

The Clerk read as follows:

H. RES. —

Mr. BONIOR moves to commit the resolution H.Res. to a select committee composed of the Majority Leader and the Minority Leader with instructions to report back the same to the House forthwith with only the following amendment:

Strike all after the resolving clause and insert:

That upon the adoption of this resolution it shall be in order to consider in the House the resolution (H.Res. ) adopting the Rules of the House of Representatives for the One Hundred Fourth Congress, [captioned Committee Print on H.Res. , bearing the date of January 4, 1995], as modified by the amendment printed in section 4 of this resolution. The resolution, as modified, shall be debatable initially for 30 minutes to be equally divided and controlled by the Majority Leader and the Minority Leader or their designees. The previous question shall be considered as ordered on the resolution, as modified, to final adoption without intervening motion or demand for division of the question except as specified in sections 2 and 3 of this resolution.

Sec. 2. The question of adopting the resolution, as modified, shall be divided among ten parts, to wit: each of the nine sections of title I; and then title II. Each portion of the divided question shall be debatable separately for 20 minutes, to be equally divided and controlled by the Majority Leader and the Minority Leader or their designees, and shall be disposed of in the order stated.

Sec. 3. Pending the question of adopting the tenth portion of the divided question, it shall be in order to move that the House commit the resolution, as modified, to a select committee, with or without instructions. The previous question shall be considered as ordered on the motion to commit to final adoption without intervening motion.

Sec. 4. At the end of Title I add the following new section:

Sec. (109). The Rules of the House of Representatives of the One Hundred Third Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Third Congress, together with such amendments thereto as may otherwise have been adopted, are adopted as the Rules of the One Hundred Fourth Congress, with the following amendment:

BAN ON GIFTS FROM LOBBYISTS

(a) Clause 4 of rule XLIII of the Rules of the House of Representatives is amended to read as follows:

"4. (a)(1) No Member, officer, or employee of the House of Representatives shall accept a gift, knowing that such gift is provided directly or indirectly by a paid lobbyist, a lobbying firm (a person or entity that has 1 or more employees who are lobbyists on behalf of a client other than that person or entity), or an agent of a Foreign principal (as defined in the foreign Agents Registration Act of 1938).

"(2) The prohibition in subparagraph (1) includes the following:

"(A) Anything provided by a lobbyist or a foreign agent which the Member, officer, or employee has reason to believe is paid for, charged to, or reimbursed by a client or firm of such lobbyist or foreign agent.

"(B) Anything provided by a lobbyist, a lobbying firm, or a foreign agent to an entity that is maintained or controlled by a Member, officer, or employee.

"(C) A charitable contribution (as defined in section 170(c) of the Internal Revenue

Code of 1986) made by a lobbyist, a lobbying firm, or a foreign agent on the basis of a designation, recommendation, or other specification of a Member, officer, or employee (not including a mass mailing or other solicitation directed to a broad category of persons or entities).

“(D) A contribution or other payment by a lobbyist, a lobbying firm, or a foreign agent to a legal expense fund established for the benefit of a Member, officer, or employee.

“(E) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a lobbyist, a lobbying firm, or a foreign agent in lieu of an honorarium to a Member, officer, or employee.

“(F) A financial contribution or expenditure made by a lobbyist, a lobbying firm, or a foreign agent relating to a conference, retreat, or similar event, sponsored by or affiliated with an official congressional organization, for or on behalf of Members, officers, or employees.

“(3) The following are not gifts subject to the prohibition in subparagraph (1):

“(A) Anything for which the recipient pays the market value, or does not use and promptly returns to the donor.

“(B) A contribution, as defined in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

“(C) Food or refreshments of nominal value offered other than as part of a meal.

“(D) Benefits resulting from the business, employment, or other outside activities of the spouse of a Member, officer, or employee, if such benefits are customarily provided to others in similar circumstances.

“(E) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.

“(F) Informational materials that are sent to the office of a Member, officer, or employee in the form of books, articles, periodicals, other written materials, audio tapes, videotapes, or other forms of communication.

“(4)(A) A gift given by an individual under circumstances which make it clear that the gift is given for a nonbusiness purpose and is motivated by a family relationship or close personal friendship and not by the position of the Member, officer, or employee shall not be subject to the prohibition in subparagraph (1).

“(B) A gift shall not be considered to be given for a nonbusiness purpose if the Member, officer, or employee has reason to believe the individual giving the gift will seek—

“(i) to deduct the value of such gift as a business expense on the individual's Federal income tax return, or

“(ii) direct or indirect reimbursement or any other compensation for the value of the gift from a client or employer of such lobbyist or foreign agent.

“(C) In determining if the giving of a gift is motivated by a family relationship or close personal friendship, at least the following factors shall be considered:

“(i) The history of the relationship between the individual giving the gift and the recipient of the gift, including whether or not gifts have previously been exchanged by such individuals.

“(ii) Whether the Member, officer, or employee has reason to believe the gift was purchased by the individual who gave the item.

“(iii) Whether the Member, officer, or employee has reason to believe the individual who gave the gift also at the same time gave

the same or similar gifts to other Members, officers, or employees.

“(b) In addition to the restriction on receiving gifts from paid lobbyists, lobbying firms, and agents of foreign principals provided by paragraph (a) and except as provided in this Rule, no Member, officer, or employee of the House of Representatives shall knowingly accept a gift from any other person.

“(c)(1) For the purpose of this clause, the term ‘gift’ means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

“(2) A gift to the spouse or dependent of a Member, officer, or employee (or a gift to any other individual based on that individual's relationship with the Member, officer, or employee) shall be considered a gift to the Member, officer, or employee if it is given with the knowledge and acquiescence of the Member, officer, or employee and the Member, officer, or employee has reason to believe the gift was given because of the official position of the Member, officer, or employee.

“(d) The restrictions in paragraph (b) shall not apply to the following:

“(1) Anything for which the Member, officer, or employee pays the market value, or does not use and promptly returns to the donor.

“(2) A contribution, as defined in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

“(3) Anything provided by an individual on the basis of a personal or family relationship unless the Member, officer, or employee has reason to believe that, under the circumstances, the gift was provided because of the official position of the Member, officer, or employee and not because of the personal or family relationship. The Committee on Standards of Official Conduct shall provide guidance on the applicability of this clause and examples of circumstances under which a gift may be accepted under this exception.

“(4) A contribution or other payment to a legal expense fund established for the benefit of a Member, officer, or employee, that is otherwise lawfully made, if the person making the contribution or payment is identified for the Committee on Standards of Official Conduct.

“(5) Any food or refreshments which the recipient reasonably believes to have a value of less than \$20.

“(6) Any gift from another Member, officer, or employee of the Senate or the House of Representatives.

“(7) Food, refreshments, lodging, and other benefits—

“(A) resulting from the outside business or employment activities (or other outside activities that are not connected to the duties of the Member, officer, or employee as an officeholder) of the Member, officer, or employee, or the spouse of the Member, officer, or employee, if such benefits have not been offered or enhanced because of the official position of the Member, officer, or employee and are customarily provided to others in similar circumstances;

“(B) customarily provided by a prospective employer in connection with bona fide employment discussions; or

“(C) provided by a political organization described in section 527(e) of the Internal Revenue Code of 1986 in connection with a

fundraising or campaign event sponsored by such an organization.

“(8) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.

“(9) Informational materials that are sent to the office of the Member, officer, or employee in the form of books, articles, periodicals, other written materials, audio tapes, videotapes, or other forms of communication.

“(10) Awards or prizes which are given to competitors in contests or events open to the public, including random drawings.

“(11) Honorary degrees (and associated travel, food, refreshments, and entertainment) and other bona fide, nonmonetary awards presented in recognition of public service (and associated food, refreshments, and entertainment provided in the presentation of such degrees and awards).

“(12) Donations of products from the State that the Member represents that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any individual recipient.

“(13) Food, refreshments, and entertainment provided to a Member or an employee of a Member in the Member's home State, subject to reasonable limitations, to be established by the Committee on Standards of Official Conduct.

“(14) An item of little intrinsic value such as a greeting card, baseball cap, or a T shirt.

“(15) Training (including food and refreshments furnished to all attendees as an integral part of the training) provided to a Member, officer, or employee, if such training is in the interest of the House of Representatives.

“(16) Bequests, inheritances, and other transfers at death.

“(17) Any item, the receipt of which is authorized by the Foreign Gifts and Decorations Act, the Mutual Educational and Cultural Exchange Act, or any other statute.

“(18) Anything which is paid for by the Federal Government, by a State or local government, or secured by the Government under a Government contract.

“(19) A gift of personal hospitality of an individual, as defined in section 109(14) of the Ethics in Government Act.

“(20) Free attendance at a widely attended event permitted pursuant to paragraph (e).

“(21) Opportunities and benefits which are—

“(A) available to the public or to a class consisting of all Federal employees, whether or not restricted on the basis of geographic consideration;

“(B) offered to members of a group or class in which membership is unrelated to congressional employment;

“(C) offered to members of an organization, such as an employees' association or congressional credit union, in which membership is related to congressional employment and similar opportunities are available to large segments of the public through organizations of similar size;

“(D) offered to any group or class that is not defined in a manner that specifically discriminates among Government employees on the basis of branch of Government or type of responsibility, or on a basis that favors those of higher rank or rate of pay;

“(E) in the form of loans from banks and other financial institutions on terms generally available to the public; or

“(F) in the form of reduced membership or other fees for participation in organization activities offered to all Government employees by professional organizations if the only restrictions on membership relate to professional qualifications.

"(22) A plaque, trophy, or other memento of modest value.

"(23) Anything for which, in exceptional circumstances, a waiver is granted by the Committee on Standards of Official Conduct.

"(e)(1) Except as prohibited by paragraph (a), a Member, officer, or employee may accept an offer of free attendance at a widely attended convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar event, provided by the sponsor of the event, if—

"(A) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member's, officer's, or employee's official position; or

"(B) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

"(2) A Member, officer, or employee who attends an event described in subparagraph (1) may accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the House of Representatives.

"(3) Except as prohibited by paragraph (a), a Member, officer, or employee, or the spouse or dependent thereof, may accept a sponsor's unsolicited offer of free attendance at a charity event, except that reimbursement for transportation and lodging may not be accepted in connection with the event.

"(4) For purposes of this paragraph, the term 'free attendance' may include waiver of all or part of a conference or other fee, the provision of local transportation, or the provision of food, refreshments, entertainment, and instructional materials furnished to all attendees as an integral part of the event. The term does not include entertainment collateral to the event, or food or refreshments taken other than in a group setting with all or substantially all other attendees.

"(f) No Member, officer, or employee may accept a gift the value of which exceeds \$250 on the basis of the personal relationship exception in paragraph (d)(3) or the close personal friendship exception in section 106(d) of the Lobbying Disclosure Act of 1995 unless the Committee on Standards of Official Conduct issues a written determination that one of such exceptions applies.

"(g)(1) The Committee on Standards of Official Conduct is authorized to adjust the dollar amount referred to in paragraph (d)(5) on a periodic basis, to the extent necessary to adjust for inflation.

"(2) The Committee on Standards of Official Conduct shall provide guidance setting forth reasonable steps that may be taken by Members, officers, and employees, with a minimum of paperwork and time, to prevent the acceptance of prohibited gifts from lobbyists.

"(3) When it is not practicable to return a tangible item because it is perishable, the item may, at the discretion of the recipient, be given to an appropriate charity or destroyed.

"(h)(1)(A) Except as prohibited by paragraph (a), a reimbursement (including payment in kind) to a Member, officer, or employee for necessary transportation, lodging and related expenses for travel to a meeting, speaking engagement, factfinding trip or similar event in connection with the duties of the Member, officer, or employee as an officeholder shall be deemed to be a reimbursement to the House of Representatives and not a gift prohibited by this paragraph, if the Member, officer, or employee—

"(i) in the case of an employee, receives advance authorization, from the Member or officer under whose direct supervision the employee works, to accept reimbursement, and

"(ii) discloses the expenses reimbursed or to be reimbursed and the authorization to the Clerk of the House of Representatives within 30 days after the travel is completed.

"(B) For purposes of clause (A), events, the activities of which are substantially recreational in nature, shall not be considered to be in connection with the duties of a Member, officer, or employee as an officeholder.

"(2) Each advance authorization to accept reimbursement shall be signed by the Member or officer under whose direct supervision the employee works and shall include—

"(A) the name of the employee;

"(B) the name of the person who will make the reimbursement;

"(C) the time, place, and purpose of the travel; and

"(D) a determination that the travel is in connection with the duties of the employee as an officeholder and would not create the appearance that the employee is using public office for private gain.

"(3) Each disclosure made under subparagraph (1)(A) of expenses reimbursed or to be reimbursed shall be signed by the Member or officer (in the case of travel by that Member or officer) or by the Member or officer under whose direct supervision the employee works (in the case of travel by an employee) and shall include—

"(A) a good faith estimate of total transportation expenses reimbursed or to be reimbursed;

"(B) a good faith estimate of total lodging expenses reimbursed or to be reimbursed;

"(C) a good faith estimate of total meal expenses reimbursed or to be reimbursed;

"(D) a good faith estimate of the total of other expenses reimbursed or to be reimbursed;

"(E) a determination that all such expenses are necessary transportation, lodging, and related expenses as defined in this paragraph; and

"(F) in the case of a reimbursement to a Member or officer, a determination that the travel was in connection with the duties of the Member or officer as an officeholder and would not create the appearance that the Member or officer is using public office for private gain.

"(4) For the purposes of this paragraph, the term 'necessary transportation, lodging, and related expenses'—

"(A) includes reasonable expenses that are necessary for travel—

"(i) for a period not exceeding 4 days including travel time within the unanimous consent or 7 days in addition to travel outside the United States; and

"(ii) within 24 hours before or after participation in an event in the United States or within 48 hours before or after participation in an event outside the United States, unless approved in advance by the Committee on Standards of Official Conduct;

"(B) is limited to reasonable expenditures for transportation, lodging, conference fees and materials, and food and refreshments, including reimbursement for necessary transportation, whether or not such transportation occurs within the periods described in clause (A);

"(C) does not include expenditures for recreational activities or entertainment other than that provided to all attendees as an integral part of the event; and

"(D) may include travel expenses incurred on behalf of either the spouse or a child of the Member, officer, or employee, subject to

a determination signed by the Member or officer (or in the case of an employee, the Member or officer under whose direct supervision the officer or employee works) that the attendance of the spouse or child is appropriate to assist in the representation of the House of Representatives.

"(5) The Clerk of the House of Representatives shall make available to the public all advance authorizations and disclosures of reimbursement filed pursuant to subparagraph (1) as soon as possible after they are received."

#### SEC. . LIMITATION ON ROYALTY INCOME.

(a) LIMITATION.—Clause 3 of rule XLVII of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

"(g) In calendar year 1995 or thereafter, a Member, officer, or employee of the House may not—

"(1) receive any copyright royalties for any work—

"(A) unless the royalty is received from an established publisher pursuant to usual and customary contractual terms;

"(B) unless the total amount of such royalties for that work does not exceed one-third of that individual's annual pay as a Member, officer, or employee for the year in which the contract is entered into; and

"(C) without the prior notification and approval of the contract for that work by the Committee on Standards of Official Conduct; or

"(2) receive any advance payment for any such work."

(b) CONFORMING AMENDMENT.—Clause 3(e)(5) of rule XLVII of the Rules of the House of Representatives is amended to read as follows:

"(5) copyright royalties."

(c) EFFECTIVE DATE.—The amendments made by this resolution shall apply only to copyright royalties received by any Member, officer, or employee of the House after adoption of this resolution pursuant to any contract entered into while that individual is such a Member, officer, or employee.

□ 1610

Mr. SPRATT (during the reading).  
Mr. Speaker, I ask unanimous consent that the motion to commit be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. BONIOR. Mr. Speaker, reserving the right to object, and I will not object, the point I want to make is that this is a question on the gift ban and on the book royalty at this point.

Mr. Speaker, I withdraw my reservation of objection.

Mr. SOLOMON. Mr. Speaker, reserving the right to object, I would just say to the gentleman, we have just been handed a 20-page document here. This is the motion to recommit?

Mr. BONIOR. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Michigan.

Mr. BONIOR. Mr. Speaker, this is the motion to commit.

Mr. SOLOMON. To commit?

Mr. BONIOR. If the gentleman will yield further, yes. This is what we were talking about for the last hour, the ban on gifts from lobbyists and book royalties.

Mr. SOLOMON. I do not know how that, with no debate, Mr. Speaker, we are going to have time to even know the details of this.

I would urge a no vote.

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman will yield, the gentleman makes a good point about debate. Would the gentleman agree to unanimous consent for about 20 minutes to debate this? Then we can discuss it.

Mr. Speaker, I ask unanimous consent for an additional 20 minutes.

Mr. SOLOMON. Mr. Speaker, I would move regular order.

Mr. FRANK of Massachusetts. Mr. Speaker, I have a unanimous-consent request. What happened to my unanimous-consent request?

Mr. THOMAS of California. Mr. Speaker, reserving the right to object—

Mr. SPRATT. Mr. Speaker, there is a unanimous-consent request to dispense with the reading of the 20-page motion.

The SPEAKER. That is the pending request. There can only be one request pending at a time.

Mr. VOLKMER. Mr. Speaker, reserving the right to object, it is apparent to me that, as one who has been here for several years and has seen what has gone on in past first days of the Congress, I attempted and my staff attempted, beginning back in December, to get a copy of the proposed new House rules for this Congress. We have not been able to.

Mr. THOMAS of California. Regular order, Mr. Speaker.

Mr. VOLKMER. I am reserving the right to object.

The SPEAKER. The gentleman may not reserve the right to object if regular order is requested.

Is there objection to the request to dispense with the reading?

Does the gentleman still tender his request?

Mr. SPRATT. What I seek, Mr. Speaker, is that we dispense with the reading of the motion.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. ACKERMAN. Mr. Speaker, I object.

The SPEAKER. The Member was not on his feet, and it was not timely.

The question is on the motion to commit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. BONIOR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Members are reminded that this is a 15-minute vote, with a maximum of 2 additional minutes.

The vote was taken by electronic device, and there were—yeas 196, nays 235, not voting 3, as follows:

[Roll No. 4]

YEAS—196

Abercrombie	Gordon	Owens
Ackerman	Green	Pallone
Andrews	Gutierrez	Parker
Baldacci	Hall (OH)	Pastor
Barcia	Hamilton	Payne (NJ)
Barrett (WI)	Harman	Payne (VA)
Becerra	Hastings (FL)	Pelosi
Beilenson	Hefner	Peterson (FL)
Bentsen	Hilliard	Peterson (MN)
Berman	Hinchev	Pickett
Bevill	Holden	Pomeroy
Bishop	Hoyer	Poshard
Bonior	Jackson-Lee	Rahall
Borski	Jacobs	Rangel
Boucher	Jefferson	Reed
Browder	Johnson (SD)	Reynolds
Brown (CA)	Johnson, E. B.	Richardson
Brown (FL)	Johnston	Rivers
Brown (OH)	Kanjorski	Roemer
Bryant (TX)	Kaptur	Rose
Cardin	Kennedy (MA)	Roybal-Allard
Chapman	Kennedy (RI)	Rush
Clay	Kennelly	Sabo
Clayton	Kildee	Sanders
Clement	Klecza	Sawyer
Clyburn	Klink	Schroeder
Coleman	LaFalce	Schumer
Collins (IL)	Lambert-Lincoln	Scott
Collins (MI)	Lantos	Serrano
Condit	Levin	Sisisky
Conyers	Lewis (GA)	Skaggs
Costello	Lipinski	Skelton
Coyne	Lofgren	Slaughter
Cramer	Lowe	Spratt
Danner	Luther	Stark
de la Garza	Maloney	Stenholm
DeFazio	Manton	Stokes
DeLauro	Markey	Studds
Dellums	Martinez	Stupak
Deutsch	Mascara	Taylor (MS)
Dicks	Matsui	Tejeda
Dingell	McCarthy	Thompson
Dixon	McDermott	Thornton
Doggett	McHale	Thurman
Doyle	McKinney	Torres
Durbin	McNulty	Torricelli
Edwards	Meehan	Towns
Engel	Meek	Trafficant
Eshoo	Menendez	Tucker
Evans	Mfume	Velazquez
Farr	Miller (CA)	Vento
Fattah	Mineta	Visclosky
Fazio	Minge	Volkmer
Fields (LA)	Mink	Ward
Filner	Moakley	Waters
Flake	Mollohan	Watt (NC)
Foglietta	Montgomery	Waxman
Ford	Moran	Williams
Frank (MA)	Murtha	Wilson
Frost	Nadler	Wise
Furse	Neal	Woolsey
Gejdenson	Oberstar	Wyden
Gephardt	Obey	Wynn
Geren	Olver	Yates
Gibbons	Ortiz	
Gonzalez	Orton	

NAYS—235

Allard	Burr	Dickey
Archer	Burton	Dooley
Armey	Buyer	Doolittle
Bachus	Callahan	Dornan
Baesler	Calvert	Dreier
Baker (CA)	Camp	Duncan
Baker (LA)	Canady	Dunn
Ballenger	Castle	Ehlers
Barr	Chabot	Ehrlich
Barrett (NE)	Chambliss	Emerson
Bartlett	Chenoweth	English
Barton	Christensen	Ensign
Bass	Clinger	Everett
Bateman	Coble	Ewing
Bereuter	Coburn	Fawell
Bilbray	Collins (GA)	Fields (TX)
Bilirakis	Combest	Flanagan
Bile	Cooley	Foley
Blute	Cox	Forbes
Boehlert	Crane	Fowler
Boehner	Crapo	Fox
Bonilla	Creameans	Franks (CT)
Bono	Cubin	Franks (NJ)
Brewster	Cunningham	Frelinghuysen
Brownback	Davis	Frisa
Bryant (TN)	Deal	Funderburk
Bunn	DeLay	Gallely
Bunning	Diaz-Balart	Ganske

Gekas	Lewis (CA)	Salmon
Gilchrest	Lewis (KY)	Sanford
Gillmor	Lightfoot	Saxton
Gilman	Linder	Scarborough
Goodlatte	Livingston	Schaefer
Goodling	LoBiondo	Schiff
Goss	Longley	Seastrand
Graham	Lucas	Sensenbrenner
Greenwood	Manzullo	Shadegg
Gunderson	Martini	Shaw
Gutknecht	McCollum	Shays
Hall (TX)	McCrery	Shuster
Hancock	McDade	Skeen
Hansen	McHugh	Smith (MI)
Hastert	McInnis	Smith (NJ)
Hastings (WA)	McIntosh	Smith (TX)
Hayes	McKeon	Smith (WA)
Hayworth	Metcalf	Solomon
Hefley	Meyers	Souder
Heineman	Mica	Spence
Herger	Miller (FL)	Stearns
Hilleary	Molinari	Stockman
Hobson	Moorhead	Stump
Hoekstra	Morella	Talent
Hoke	Myers	Tanner
Horn	Myrick	Tate
Hostettler	Nethercutt	Tauzin
Houghton	Neumann	Taylor (NC)
Hunter	Ney	Thomas
Hutchinson	Nussle	Thornberry
Hyde	Oxley	Tiahrt
Inglis	Packard	Torkildsen
Istook	Paxon	Upton
Johnson (CT)	Petri	Vucanovich
Johnson, Sam	Pombo	Waldholtz
Jones	Porter	Walker
Kasich	Portman	Walsh
Kelly	Pryce	Wamp
Kim	Quillen	Weldon (FL)
King	Quinn	Weldon (PA)
Kingston	Radanovich	Weller
Klug	Ramstad	White
Knollenberg	Regula	Whitfield
Kolbe	Riggs	Wicker
LaHood	Roberts	Wolf
Largent	Rogers	Young (AK)
Latham	Rohrabacher	Young (FL)
LaTourette	Ros-Lehtinen	Zeliff
Laughlin	Roth	Zimmer
Lazio	Roukema	
Leach	Royce	

NOT VOTING—3

Chrysler Gingrich Norwood

□ 1626

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. WALKER). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. SOLOMON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—yeas 251, nays 181, not voting 2, as follows:

[Roll No. 5]

YEAS—251

Allard	Bilirakis	Callahan
Archer	Bliley	Calvert
Armey	Blute	Camp
Bachus	Boehlert	Canady
Baesler	Boehner	Castle
Baker (CA)	Bonilla	Chabot
Baker (LA)	Bono	Chambliss
Ballenger	Boucher	Chenoweth
Barr	Brewster	Christensen
Barrett (NE)	Browder	Chrysler
Bartlett	Brownback	Clinger
Barton	Bryant (TN)	Coble
Bass	Bunn	Coburn
Bateman	Bunning	Collins (GA)
Bereuter	Burr	Combest
Bevill	Burton	Condit
Bilbray	Buyer	Cooley

Cox Hunter  
Cramer Hutchinson  
Crane Hyde  
Crapo Inglis  
Cremeans Istook  
Cubin Johnson (CT)  
Cunningham Johnson, Sam  
Danner Jones  
Davis Kasich  
Deal Kelly  
DeLay Kim  
Diaz-Balart King  
Dickey Kingston  
Doolittle Klug  
Dornan Knollenberg  
Dreier Kolbe  
Duncan LaHood  
Dunn Largent  
Ehlers Latham  
Ehrlich LaTourette  
Emerson Lazio  
English Leach  
Ensign Lewis (CA)  
Everett Lewis (KY)  
Ewing Lightfoot  
Fawell Linder  
Fields (TX) Livingston  
Flanagan LoBiondo  
Foley Longley  
Forbes Lucas  
Fowler Manzullo  
Fox Martini  
Franks (CT) McCollum  
Franks (NJ) McCrery  
Frelinghuysen McDade  
Frisa McHugh  
Funderburk McInnis  
Gallegly McIntosh  
Ganske McKeon  
Gekas Metcalf  
Geren Meyers  
Gilchrest Mica  
Gillmor Miller (FL)  
Gilman Molinari  
Goodlatte Montgomery  
Goodling Moorhead  
Goss Morella  
Graham Murtha  
Greenwood Myers  
Gunderson Myrick  
Gutknecht Nethercutt  
Hall (TX) Neumann  
Hancock Ney  
Hansen Norwood  
Hastert Nussle  
Hastings (WA) Orton  
Hayworth Oxley  
Hefley Packard  
Heineman Parker  
Herger Paxon  
Hilleary Peterson (MN)  
Hobson Petri  
Hoekstra Pickett  
Hoke Pombo  
Horn Porter  
Hostettler Portman  
Houghton Pryce

## NAYS—181

Abercrombie DeLauro  
Ackerman Dellums  
Andrews Deutsch  
Baldacci Dicks  
Barcia Dingell  
Barrett (WI) Dixon  
Becerra Doggett  
Beilenson Dooley  
Bentzen Doyle  
Berman Durbin  
Bishop Edwards  
Bonior Engel  
Borski Eshoo  
Brown (CA) Evans  
Brown (FL) Farr  
Brown (OH) Fattah  
Bryant (TX) Fazio  
Cardin Fields (LA)  
Chapman Filner  
Clay Flake  
Clayton Foglietta  
Clement Ford  
Clyburn Frank (MA)  
Coleman Frost  
Collins (IL) Furse  
Collins (MI) Gejdenson  
Conyers Gephart  
Costello Gibbons  
Coyne Gordon  
de la Garza Green  
DeFazio Gutierrez

Quillen  
Quinn  
Radanovich  
Ramstrod  
Regula  
Riggs  
Roberts  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Kim  
Roukema  
Royce  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer  
Schiff  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw  
Shays  
Shuster  
Sisisky  
Skeen  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Souder  
Spence  
Stearns  
Stenholm  
Stockman  
Stump  
Talent  
Tanner  
Tate  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thornberry  
Tiahrt  
Torkildsen  
Traficant  
Upton  
Vucanovich  
Waldholtz  
Walker  
Walsh  
Wamp  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wolf  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

Lofgren  
Lowey  
Luther  
Maconey  
Manton  
Markley  
Martinez  
Mascara  
Matsui  
McCarthy  
McDermott  
McHale  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Mfume  
Miller (CA)  
Mineta  
Minge  
Mink  
Shaw  
Mollohan  
Moran  
Nadler  
Neal  
Oberstar  
Obey  
Oliver

Gingrich

NOT VOTING—2

Gonzalez

□ 1643

Messrs. ORTIZ, FATTAH, and SKELTON changed their vote from "yea" to "nay."

So the resolution was agreed to.  
A motion to reconsider was laid on the table.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate has passed Resolutions of the following titles, in which the concurrence of the House is requested:

S. RES. 1

*Resolved*, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

S. RES. 2

*Resolved*, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

S. RES. 11

*Resolved*, That the House of Representatives be notified of the election of the Honorable Strom Thurmond, a Senator from the State of South Carolina, as President pro tempore of the Senate.

S. RES. 12

*Resolved*, That the House of Representatives be notified of the election of the Honorable Sheila P. Burke, of California, as Secretary of the Senate.

## RULES OF THE HOUSE

Mr. ARMEY. Mr. Speaker, pursuant to the resolution just agreed to, I call up House Resolution 6 and ask for its immediate consideration.

The Clerk read the title of the resolution.

The text of House Resolution 6 is as follows:

H. RES. 6

*Resolved*,

## TITLE I. CONTRACT WITH AMERICA: A BILL OF ACCOUNTABILITY

SEC. 101. The Rules of the House of Representatives of the One Hundred Third Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Third Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Fourth Congress, with the following amendments:

**Committee, Subcommittee, and Staff Reforms**

(a) COMMITTEE STAFF REDUCTIONS.—In the One Hundred Fourth Congress, the total number of staff of House committees shall be at least one-third less than the corresponding total in the One Hundred Third Congress.

(b) SUBCOMMITTEE REDUCTIONS.—In clause 6 of rule X, amend paragraph (d) to read as follows:

"(d) No committee of the House shall have more than five subcommittees (except the Committee on Appropriations, which shall have no more than thirteen; the Committee on Government Reform and Oversight, which shall have no more than seven; and the Committee on Transportation and Infrastructure, which shall have no more than six)."

(c) CONSOLIDATED COMMITTEE STAFF AND BIENNIAL FUNDING.—

(1) In clause 5(a) of rule XI, amend the first sentence to read as follows: "Whenever any committee, commission, or other entity (except the Committee on Appropriations) is to be granted authorization for the payment of its expenses (including all staff salaries) for a Congress, such authorization initially shall be procured by one primary expense resolution reported by the Committee on House Oversight."

(2)(A) In clause 5(b) of rule XI, amend the first sentence to read as follows: "After the date of adoption by the House of any such primary expense resolution for any such committee, commission, or other entity for any Congress, authorization for the payment of additional expenses (including staff salaries) in that Congress may be procured by one or more supplemental expense resolutions reported by the Committee on House Oversight, as necessary."

(B) In clause 5(c)(1) of rule XI—

(i) strike "the contingent fund" and insert "committee salary and expense accounts";

(ii) strike "any year" and insert "any odd-numbered year"; and

(iii) strike "for that year" and insert "for that Congress".

(C) In clause 5(c)(2) of rule XI, strike "the contingent fund" and insert "committee salary and expense accounts".

(D) In clause 5(f)(1) of rule XI—

(i) strike "the contingent fund" and insert "committee salary and expense accounts"; and

(ii) strike "of each year" and insert "in each odd-numbered year".

(3)(A) INTERIM FUNDING RULE.—For the purposes of implementing this section, and notwithstanding the provisions of clause 5(f) of rule XI, at the beginning of the One Hundred Fourth Congress, the committees established by this resolution are authorized, pending the adoption of the primary expense resolution for the One Hundred Fourth Congress, to expend such sums as are necessary to pay compensation for staff services performed for, or to pay other expenses of, the committee consistent with its planned reductions in committee staff.

(B) Notwithstanding any provision of clause 5(f) of rule XI, payments thereunder during the One Hundred Fourth Congress may be made only on vouchers signed by a Member elected as chairman of the committee concerned in the One Hundred Fourth Congress and approved by the Committee on House Oversight, or, in the case of late expenses of any committee from the One Hundred Third Congress not reestablished by the Rules of the One Hundred Fourth Congress, on vouchers signed by the chairman of the Committee on House Oversight.

(4) In clause 5 of rule XI, amend paragraph (d) to read as follows:

“(d) From the funds made available for the appointment of committee staff pursuant to any primary or additional expense resolution, the chairman of each committee shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the committee, and that the minority party is fairly treated in the appointment of such staff.”

(5)(A) In clause 6(a)(1) of rule XI, amend the first sentence to read as follows: “Subject to subparagraph (2) and paragraph (f), each standing committee may appoint, by majority vote of the committee, not more than thirty professional staff members from the funds provided for the appointment of committee staff pursuant to primary and additional expense resolutions.”

(B) In clause 6(a)(2) of rule XI, amend the first sentence by striking “six persons” and inserting “ten persons (or one-third of the total professional committee staff appointed under this clause, whichever is less)”.

(C) In clause 6(a) of rule XI, strike subparagraphs (3) through (5);

(D) In clause 6 of rule XI, amend paragraph (b) to read as follows:

“(b)(1) The professional staff members of each standing committee—

“(A) may not engage in any work other than committee business during congressional working hours; and

“(B) may not be assigned any duties other than those pertaining to committee business.

“(2) This paragraph does not apply to any staff designated by a committee as ‘associate’ or ‘shared’ staff who are not paid exclusively by the committee, provided that the chairman certifies that the compensation paid by the committee for any such employee is commensurate with the work performed for the committee, in accordance with the provisions of clause 8 of rule XLIII.

“(3) The use of any ‘associate’ or ‘shared’ staff by any committee shall be subject to the review of, and to any terms, conditions, or limitations established by, the Committee on House Oversight in connection with the reporting of any primary or additional expense resolution.

“(4) The foregoing provisions of this clause do not apply to the Committee on Appropriations.”

(E) In clause 6(c) of rule XI strike “, clerical and investigating” and insert “and investigative”.

(F) In clause 6(d) of rule XI, strike “and the Committee on Budget”.

(G)(i) In clause 6(f) of rule XI, strike “, or a minority clerical staff member under paragraph (b),” and strike “or paragraph (b), as applicable”.

(ii) In clause 6(f) of rule XI, strike “or the clerical staff, as the case may be.”

(H) In clause 6(g) of rule XI, strike “or (b)” in both places it appears.

(I) In clause 6 of rule XI, amend paragraph (h) to read as follows:

“(h) Paragraph (a) shall not be construed to authorize the appointment of additional professional staff members of a committee pursuant to a request under such paragraph

by the minority party members of that committee if ten or more professional staff members provided for in paragraph (a)(1) who are satisfactory to a majority of the minority party members, are otherwise assigned to assist the minority party members.”

(J) In clause 6(i) of rule XI, strike “paragraphs (a)(2) and (b)(2)” and insert “paragraph (a)(2)”.

SEC. 102. The Rules of the House of Representatives of the One Hundred Third Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Third Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Fourth Congress, with the following amendments:

#### Truth-in-Budgeting Baseline Reform

(a) In clause 2(l)(3)(B) of rule XI (relating to cost estimates in committee reports) insert before the semicolon the following: “, except that the estimates with respect to new budget authority shall include, when practicable, a comparison of the total estimated funding level for the relevant program (or programs) to the appropriate levels under current law”.

(b) In clause 7(a) of rule XIII (relating to required cost estimates in committee reports)—

(1) strike “and” at the end of the subparagraph (1);

(2) strike the period at the end of the paragraph and insert “; and”; and

(3) add the following new subparagraph at the end:

“(3) when practicable, a comparison of the total estimated funding level for the relevant program (or programs) with the appropriate levels under current law.”

SEC. 103. The Rules of the House of Representatives of the One Hundred Third Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Third Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Fourth Congress, with the following amendments:

#### Term Limits for Speaker, Committee and Subcommittee Chairmen

(a) In clause 7 of rule I, insert “(a)” after “7.” and add the following new paragraph at the end:

“(b) No person may serve as Speaker for more than four consecutive Congresses, beginning with the One Hundred Fourth Congress (disregarding for this purpose any service for less than a full session in any Congress).”

(b) In clause 6(c) of rule X, insert after the first sentence the following: “No Member may serve as the chairman of the same standing committee, or as the chairman of the same subcommittee thereof, for more than three consecutive Congresses, beginning with the One Hundred Fourth Congress (disregarding for this purpose any service for less than a full session in any Congress).”

SEC. 104. The Rules of the House of Representatives of the One Hundred Third Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Third Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Fourth Congress, with the following amendments:

#### Proxy Voting Ban

(a) In clause 2 of rule XI, amend paragraph (f) to read as follows:

#### “Prohibition against proxy voting

“(f) No vote by any member of any committee or subcommittee with respect to any measure or matter may be cast by proxy.”

(b) In clause 2(e)(1) of rule XI, strike “and whether by proxy or in person,” in the third sentence.

SEC. 105. The Rules of the House of Representatives of the One Hundred Third Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Third Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Fourth Congress, with the following amendments:

#### Committee Sunshine Rules

(a) In rule clause 2(g)(1) of rule XI—

(1) insert “, including to radio, television, and still photography coverage, except as provided by clause 3(f)(2),” after “public” the first place it appears;

(2) insert “because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, would tend to defame, degrade or incriminate any person, or otherwise would violate any law or rule of the House” after “public” the second place it appears; and

(3) strike “, or to any meeting that relates solely to internal budget or personnel matters”.

(b) In clause 2(g)(2) of rule XI—

(1) insert “, including to radio, television, and still photography coverage,” after “public” the first place it appears; and

(2) insert “, would compromise sensitive law enforcement information,” after “would endanger national security” in both places it appears.

(c) In clause 3(d) of rule XI strike “is a privilege made available by the House and”.

(d) In clause 3 of rule XI, amend paragraph (e) to read as follows:

“(e) Whenever a hearing or meeting conducted by any committee or subcommittee of the House is open to the public, those proceedings shall be open to coverage by television, radio, and still photography, except as provided in paragraph (f)(2). A committee or subcommittee chairman may not limit the number of television or still cameras to fewer than two representatives from each medium (except for legitimate space or safety considerations, in which case pool coverage shall be authorized).”

SEC. 106. The Rules of the House of Representatives of the One Hundred Third Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Third Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Fourth Congress, with the following amendments:

#### Limitations on Tax Increases

(a) THREE-FIFTHS VOTE REQUIRED FOR TAX INCREASE MEASURES AND AMENDMENTS.—In clause 5 of rule XXI, add the following new paragraph at the end:

“(c) No bill or joint resolution, amendment, or conference report carrying a Federal income tax rate increase shall be considered as passed or agreed to unless so determined by a vote of not less than three-fifths of the Members voting.”

(b) PROHIBITION ON RETROACTIVE TAX INCREASES.—In clause 5 of rule XXI (as amend-

ed by (a) above), add the following new paragraph at the end:

"(d) It shall not be in order to consider any bill, joint resolution, amendment, or conference report carrying a retroactive Federal income tax rate increase. For purposes of this paragraph a Federal income tax rate increase is retroactive if it applies to a period beginning prior to the enactment of the provision."

SEC. 107. The Rules of the House of Representatives of the One Hundred Third Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Third Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Fourth Congress, with the following amendment:

#### **Comprehensive House Audit**

During the One Hundred Fourth Congress, the Inspector General, in consultation with the Speaker and the Committee on House Oversight, shall coordinate, and as needed contract with independent auditing firms to complete, a comprehensive audit of House financial records and administrative operations, and report the results in accordance with rule VI.

SEC. 108. The Rules of the House of Representatives of the One Hundred Third Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Third Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Fourth Congress, with the following amendment:

#### **Consideration of the "Congressional Accountability Act"**

It shall be in order at any time after the adoption of this resolution to consider in the House, any rule of the House to the contrary notwithstanding, the bill (H.R. 1) to make certain laws applicable to the legislative branch of the Federal Government, if offered by the majority leader or a designee. The bill shall be debatable for not to exceed one hour, to be equally divided and controlled by the majority leader and the minority leader or their designees. The previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit.

#### **TITLE II. GENERAL**

*Resolved*, That the Rules of the House of Representatives of the One Hundred Third Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Third Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Fourth Congress, with the following amendments:

#### **Administrative Reforms**

SEC. 201. (a) ABOLITION OF THE OFFICE OF DOORKEEPER; ELECTION OF CHIEF ADMINISTRATIVE OFFICER.—In rule II, strike "Doorkeeper" each place it appears and insert "Chief Administrative Officer".

(b) ADDITIONAL DUTIES OF CLERK.—In rule III ("Duties of Clerk"), add the following new clauses at the end:

"7. In addition to any other reports required by the Speaker or the Committee on House Oversight, the Clerk shall report to the Committee on House Oversight not later than forty-five days following the close of each semiannual period ending on June 30 or on December 31 on the financial and oper-

ational status of each function under the jurisdiction of the Clerk. Each report shall include financial statements, a description or explanation of current operations, the implementation of new policies and procedures, and future plans for each function.

"8. The Clerk shall fully cooperate with the appropriate offices and persons in the performance of reviews and audits of financial records and administrative operations."

(c) Amend rules IV, V, and VI to read as follows:

#### **"RULE IV.**

##### **"DUTIES OF THE SERGEANT-AT-ARMS.**

"1. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings, to maintain order under the direction of the Speaker or Chairman, and, pending the election of a Speaker or Speaker pro tempore, under the direction of the Clerk, execute the commands of the House, and all processes issued by authority thereof, directed to him by the Speaker.

"2. The symbol of his office shall be the mace, which shall be borne by him while enforcing order on the floor.

"3. He shall enforce strictly the rules relating to the privileges of the Hall and be responsible to the House for the official conduct of his employees.

"4. He shall allow no person to enter the room over the Hall of the House during its sittings; and fifteen minutes before the hour of the meeting of the House each day he shall see that the floor is cleared of all persons except those privileged to remain, and kept so until ten minutes after adjournment.

"5. In addition to any other reports required by the Speaker or the Committee on House Oversight, the Sergeant-at-Arms shall report to the Committee on House Oversight not later than forty-five days following the close of each semiannual period ending June 30 or on December 31 on the financial and operational status of each function under the jurisdiction of the Sergeant-at-Arms. Each report shall include financial statements, a description or explanation of current operations, the implementation of new policies and procedures, and future plans for each function.

"6. The Sergeant-at-Arms shall fully cooperate with the appropriate offices and persons in the performance of reviews and audits of financial records and administrative operations."

#### **"RULE V.**

##### **"CHIEF ADMINISTRATIVE OFFICER.**

"1. The Chief Administrative Officer of the House shall have operational and financial responsibility for functions as assigned by the Speaker and the Committee on House Oversight, and shall be subject to the policy direction and oversight of the Speaker and the Committee on House Oversight.

"2. In addition to any other reports required by the Speaker or the Committee on House Oversight, the Chief shall report to the Committee on House Oversight not later than forty-five days following the close of each semiannual period ending on June 30 or December 31 on the financial and operational status of each function under the jurisdiction of the Chief. Each report shall include financial statements, a description or explanation of current operations, the implementation of new policies and procedures, and future plans for each function.

"3. The Chief shall fully cooperate with the appropriate offices and persons in the performance of reviews and audits of financial records and administrative operations.

#### **"RULE VI.**

##### **"OFFICE OF INSPECTOR GENERAL.**

"1. There is established an Office of Inspector General.

"2. The Inspector General shall be appointed for a Congress by the Speaker, the majority leader, and the minority leader, acting jointly.

"3. Subject to the policy direction and oversight of the Committee on House Oversight, the Inspector General shall be responsible only for—

"(a) conducting periodic audits of the financial and administrative functions of the House and joint entities;

"(b) informing the Officers or other officials who are the subject of an audit of the results of that audit and suggesting appropriate curative actions;

"(c) simultaneously notifying the Speaker, the majority leader, the minority leader, and the chairman and ranking minority party member of the Committee on House Oversight in the case of any financial irregularity discovered in the course of carrying out responsibilities under this rule;

"(d) simultaneously submitting to the Speaker, the majority leader, and the chairman and ranking minority party member of the Committee on House Oversight a report of each audit conducted under this rule; and

"(e) reporting to the Committee on Standards of Official Conduct information involving possible violations by any Member, officer, or employee of the House of any rule of the House or of any law applicable to the performance of official duties or the discharge of official responsibilities which may require referral to the appropriate Federal or State authorities pursuant to clause 4(e)(1)(C) of rule X."

(d) In clause 3 of rule X, strike paragraph (j).

(e) In clause 4(d) of rule X—

(1) strike "Committee on House Administration" and insert "Committee on House Oversight";

(2) strike subparagraphs (2) and (3), insert "and" after "House;" in subparagraph (1), redesignate paragraph (4) as paragraph (2), and amend paragraph (2), as so redesignated, to read as follows:

"(2) providing policy direction for, and oversight of, the Clerk, Sergeant-at-Arms, Chief Administrative Officer, and Inspector General."

(f) In clause 7 of rule XIV, strike "Sergeant-at-Arms and Doorkeeper are" and insert "Sergeant-at-Arms is".

#### **Changes in Committee System**

SEC. 202. (a) THE COMMITTEES AND THEIR JURISDICTION.—Clause 1 of rule X of the Rules of the House of Representatives is amended to read as follows:

"1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned to it by this clause and clauses 2, 3, and 4; and all bills, resolutions, and other matters relating to subjects within the jurisdiction of any standing committee as listed in this clause shall (in accordance with and subject to clause 5) be referred to such committees, as follows:

"(a) **Committee on Agriculture.**

"(1) Adulteration of seeds, insect pests, and protection of birds and animals in forest reserves.

"(2) Agriculture generally.

"(3) Agricultural and industrial chemistry.

"(4) Agricultural colleges and experiment stations.

"(5) Agricultural economics and research.

"(6) Agricultural education extension services.

"(7) Agricultural production and marketing and stabilization of prices of agricultural products, and commodities (not including distribution outside of the United States).

"(8) Animal industry and diseases of animals.

“(9) Commodities exchanges.  
 “(10) Crop insurance and soil conservation.  
 “(11) Dairy industry.  
 “(12) Entomology and plant quarantine.  
 “(13) Extension of farm credit and farm security.  
 “(14) Inspection of livestock, and poultry, and meat products, and seafood and seafood products.  
 “(15) Forestry in general, and forest reserves other than those created from the public domain.  
 “(16) Human nutrition and home economics.  
 “(17) Plant industry, soils, and agricultural engineering.  
 “(18) Rural electrification.  
 “(19) Rural development.  
 “(20) Water conservation related to activities of the Department of Agriculture.  
 “(b) **Committee on Appropriations.**  
 “(1) Appropriation of the revenue for the support of the Government.  
 “(2) Rescissions of appropriations contained in appropriation Acts.  
 “(3) Transfers of unexpended balances.  
 “(4) The amount of new spending authority (as described in the Congressional Budget Act of 1974) which is to be effective for a fiscal year, including bills and resolutions (reported by other committees) which provide new spending authority and are referred to the committee under clause 4(a).  
 The committee shall include separate headings for ‘Rescissions’ and ‘Transfers of Unexpended Balances’ in any bill or resolution as reported from the committee under its jurisdiction specified in subparagraph (2) or (3), with all proposed rescissions and proposed transfers listed therein; and shall include a separate section with respect to such rescissions or transfers in the accompanying committee report. In addition to its jurisdiction under the preceding provisions of this paragraph, the committee shall have the fiscal oversight function provided for in clause 2(b)(3) and the budget hearing function provided for in clause 4(a).  
 “(c) **Committee on Banking and Financial Services.**  
 “(1) Banks and banking, including deposit insurance and Federal monetary policy.  
 “(2) Bank capital markets activities generally.  
 “(3) Depository institution securities activities generally, including the activities of any affiliates, except for functional regulation under applicable securities laws, not involving safety and soundness.  
 “(4) Economic stabilization, defense production, renegotiation, and control of the price of commodities, rents, and services.  
 “(5) Financial aid to commerce and industry (other than transportation).  
 “(6) International finance.  
 “(7) International financial and monetary organizations.  
 “(8) Money and credit, including currency and the issuance of notes and redemption thereof; gold and silver, including the coinage thereof; valuation and revaluation of the dollar.  
 “(9) Public and private housing.  
 “(10) Urban development.  
 “(d) (1) **Committee on the Budget**, consisting of the following Members:  
 “(A) Members who are members of other standing committees, including five Members who are members of the Committee on Appropriations, and five Members who are members of the Committee on Ways and Means;  
 “(B) one Member from the leadership of the majority party; and  
 “(C) one Member from the leadership of the minority party.  
 No Member other than a representative from the leadership of a party may serve as a

member of the Committee on the Budget during more than four Congresses in any period of six successive Congresses (disregarding for this purpose any service performed as a member of such committee for less than a full session in any Congress), except that an incumbent chairman or ranking minority member having served on the committee for four Congresses and having served as chairman or ranking minority member of the committee for not more than one Congress shall be eligible for reelection to the committee as chairman or ranking minority member for one additional Congress.  
 “(2) All concurrent resolutions on the budget (as defined in section 3 of the Congressional Budget Act of 1974), other matters required to be referred to the committee under titles III and IV of that Act, and other measures setting forth appropriate levels of budget totals for the United States Government.  
 “(3) Measures relating to the congressional budget process, generally.  
 “(4) Measures relating to the establishment, extension, and enforcement of special controls over the Federal budget, including the budgetary treatment of off-budget Federal agencies and measures providing exemption from reduction under any order issued under part C of the Balanced Budget and Emergency Deficit Control Act of 1985.  
 “(5) The committee shall have the duty—  
 “(A) to report the matters required to be reported by it under titles III and IV of the Congressional Budget Act of 1974;  
 “(B) to make continuing studies of the effect on budget outlays of relevant existing and proposed legislation and to report the results of such studies to the House on a recurring basis;  
 “(C) to request and evaluate continuing studies of tax expenditures; to devise methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and to report the results of such studies to the House on a recurring basis; and  
 “(D) to review, on a continuing basis, the conduct by the Congressional Budget Office of its functions and duties.  
 “(e) **Committee on Commerce.**  
 “(1) Biomedical research and development.  
 “(2) Consumer affairs and consumer protection.  
 “(3) Health and health facilities, except health care supported by payroll deductions.  
 “(4) Interstate energy compacts.  
 “(5) Interstate and foreign commerce generally.  
 “(6) Measures relating to the exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including all fossil fuels, solar energy, and other unconventional or renewable energy resources.  
 “(7) Measures relating to the conservation of energy resources.  
 “(8) Measures relating to energy information generally.  
 “(9) Measures relating to (A) the generation and marketing of power (except by federally chartered or Federal regional power marketing authorities), (B) the reliability and interstate transmission of, and rate-making for, all power, and (C) the siting of generation facilities; except the installation of interconnections between Government waterpower projects.  
 “(10) Measures relating to general management of the Department of Energy, and the management and all functions of the Federal Energy Regulatory Commission.  
 “(11) National energy policy generally.  
 “(12) Public health and quarantine.  
 “(13) Regulation of the domestic nuclear energy industry, including regulation of research and development reactors and nuclear regulatory research.

“(14) Regulation of interstate and foreign communications.  
 “(15) Securities and exchanges.  
 “(16) Travel and tourism.  
 The committee shall have the same jurisdiction with respect to regulation of nuclear facilities and of use of nuclear energy as it has with respect to regulation of nonnuclear facilities and of use of nonnuclear energy. In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight functions under clause 2(b)(1)), such committee shall have the special oversight functions provided for in clause (3)(h) with respect to all laws, programs, and Government activities affecting nuclear and other energy, and nonmilitary nuclear energy and research and development including the disposal of nuclear waste.  
 “(f) **Committee on Economic and Educational Opportunities.**  
 “(1) Child labor.  
 “(2) Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen’s Hospital.  
 “(3) Convict labor and the entry of goods made by convicts into interstate commerce.  
 “(4) Food programs for children in schools.  
 “(5) Labor standards and statistics.  
 “(6) Measures relating to education or labor generally.  
 “(7) Mediation and arbitration of labor disputes.  
 “(8) Regulation or prevention of importation of foreign laborers under contract.  
 “(9) United States Employees’ Compensation Commission.  
 “(10) Vocational rehabilitation.  
 “(11) Wages and hours of labor.  
 “(12) Welfare of miners.  
 “(13) Work incentive programs.  
 In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight function provided for in clause 3(c) with respect to domestic educational programs and institutions, and programs of student assistance, which are within the jurisdiction of other committees.  
 “(g) **Committee on Government Reform and Oversight.**  
 “(1) The Federal Civil Service, including intergovernmental personnel; the status of officers and employees of the United States, including their compensation, classification, and retirement.  
 “(2) Measures relating to the municipal affairs of the District of Columbia in general, other than appropriations.  
 “(3) Federal paperwork reduction.  
 “(4) Budget and accounting measures, generally.  
 “(5) Holidays and celebrations.  
 “(6) The overall economy, efficiency and management of government operations and activities, including Federal procurement.  
 “(7) National archives.  
 “(8) Population and demography generally, including the Census.  
 “(9) Postal service generally, including the transportation of the mails.  
 “(10) Public information and records.  
 “(11) Relationship of the Federal Government to the States and municipalities generally.  
 “(12) Reorganizations in the executive branch of the Government.  
 In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its oversight functions under clause 2(b) (1) and (2)), the committee shall have the function of performing the duties and conducting the studies which are provided for in clause 4(c).  
 “(h) **Committee on House Oversight.**  
 “(1) Appropriations from accounts for committee salaries and expenses (except for the

Committee on Appropriations), House Information Systems, and allowances and expenses of Members, House officers and administrative offices of the House.

"(2) Auditing and settling of all accounts described in subparagraph (1).

"(3) Employment of persons by the House, including clerks for Members and committees, and reporters of debates.

"(4) Except as provided in clause 1(q)(11), matters relating to the Library of Congress and the House Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts.

"(5) Except as provided in clause 1(q)(11), matters relating to the Smithsonian Institution and the incorporation of similar institutions.

"(6) Expenditure of accounts described in subparagraph (1).

"(7) Franking Commission.

"(8) Matters relating to printing and correction of the Congressional Record.

"(9) Measures relating to accounts of the House generally.

"(10) Measures relating to assignment of office space for Members and committees.

"(11) Measures relating to the disposition of useless executive papers.

"(12) Measures relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally.

"(13) Measures relating to services to the House, including the House Restaurant, parking facilities and administration of the House office buildings and of the House wing of the Capitol.

"(14) Measures relating to the travel of Members of the House.

"(15) Measures relating to the raising, reporting and use of campaign contributions for candidates for office of Representative in the House of Representatives, of Delegate, and of Resident Commissioner to the United States from Puerto Rico.

"(16) Measures relating to the compensation, retirement and other benefits of the Members, officers, and employees of the Congress.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the function of performing the duties which are provided for in clause 4(d).

"(i) **Committee on International Relations.**

"(1) Relations of the United States with foreign nations generally.

"(2) Acquisition of land and buildings for embassies and legations in foreign countries.

"(3) Establishment of boundary lines between the United States and foreign nations.

"(4) Export controls, including non-proliferation of nuclear technology and nuclear hardware.

"(5) Foreign loans.

"(6) International commodity agreements (other than those involving sugar), including all agreements for cooperation in the export of nuclear technology and nuclear hardware.

"(7) International conferences and congresses.

"(8) International education.

"(9) Intervention abroad and declarations of war.

"(10) Measures relating to the diplomatic service.

"(11) Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.

"(12) Measures relating to international economic policy.

"(13) Neutrality.

"(14) Protection of American citizens abroad and expatriation.

"(15) The American National Red Cross.

"(16) Trading with the enemy.

"(17) United Nations organizations.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight functions provided for in clause 3(d) with respect to customs administration, intelligence activities relating to foreign policy, international financial and monetary organizations, and international fishing agreements.

"(j) **Committee on the Judiciary.**

"(1) The judiciary and judicial proceedings, civil and criminal.

"(2) Administrative practice and procedure.

"(3) Apportionment of Representatives.

"(4) Bankruptcy, mutiny, espionage, and counterfeiting.

"(5) Civil liberties.

"(6) Constitutional amendments.

"(7) Federal courts and judges, and local courts in the Territories and possessions.

"(8) Immigration and naturalization.

"(9) Interstate compacts, generally.

"(10) Measures relating to claims against the United States.

"(11) Meetings of Congress, attendance of Members and their acceptance of incompatible offices.

"(12) National penitentiaries.

"(13) Patents, the Patent Office, copyrights, and trademarks.

"(14) Presidential succession.

"(15) Protection of trade and commerce against unlawful restraints and monopolies.

"(16) Revision and codification of the Statutes of the United States.

"(17) State and territorial boundaries.

"(18) Subversive activities affecting the internal security of the United States.

"(k) **Committee on National Security.**

"(1) Ammunition depots; forts; arsenals; Army, Navy, and Air Force reservations and establishments.

"(2) Common defense generally.

"(3) Conservation, development, and use of naval petroleum and oil shale reserves.

"(4) The Department of Defense generally, including the Departments of the Army, Navy, and Air Force generally.

"(5) Interoceanic canals generally, including measures relating to the maintenance, operation, and administration of interoceanic canals.

"(6) Merchant Marine Academy, and State Maritime Academies.

"(7) Military applications of nuclear energy.

"(8) Tactical intelligence and intelligence related activities of the Department of the Defense.

"(9) National security aspects of merchant marine, including financial assistance for the construction and operation of vessels, the maintenance of the U.S. shipbuilding and ship repair industrial base, cabotage, cargo preference and merchant marine officers and seamen as these matters relate to the national security.

"(10) Pay, promotion, retirement, and other benefits and privileges of members of the armed forces.

"(11) Scientific research and development in support of the armed services.

"(12) Selective service.

"(13) Size and composition of the Army, Navy, Marine Corps, and Air Force.

"(14) Soldiers' and sailors' homes.

"(15) Strategic and critical materials necessary for the common defense.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight function provided

for in clause 3(a) with respect to international arms control and disarmament, and military dependents education.

"(l) **Committee on Resources.**

"(1) Fisheries and wildlife, including research, restoration, refuges, and conservation.

"(2) Forest reserves and national parks created from the public domain.

"(3) Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.

"(4) Geological Survey.

"(5) International fishing agreements.

"(6) Interstate compacts relating to apportionment of waters for irrigation purposes.

"(7) Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects, and acquisition of private lands when necessary to complete irrigation projects.

"(8) Measures relating to the care and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds.

"(9) Measures relating generally to the insular possessions of the United States, except those affecting the revenue and appropriations.

"(10) Military parks and battlefields, national cemeteries administered by the Secretary of the Interior, parks within the District of Columbia, and the erection of monuments to the memory of individuals.

"(11) Mineral land laws and claims and entries thereunder.

"(12) Mineral resources of the public lands.

"(13) Mining interests generally.

"(14) Mining schools and experimental stations.

"(15) Marine affairs (including coastal zone management), except for measures relating to oil and other pollution of navigable waters.

"(16) Oceanography.

"(17) Petroleum conservation on the public lands and conservation of the radium supply in the United States.

"(18) Preservation of prehistoric ruins and objects of interest on the public domain.

"(19) Public lands generally, including entry, easements, and grazing thereon.

"(20) Relations of the United States with the Indians and the Indian tribes.

"(21) Trans-Alaska Oil Pipeline.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight functions provided for in clause 3(e) with respect to all programs affecting Indians.

"(m) **Committee on Rules.**

"(1) The rules and joint rules (other than rules or joint rules relating to the Code of Official Conduct), and order of business of the House.

"(2) Recesses and final adjournments of Congress.

The Committee on Rules is authorized to sit and act whether or not the House is in session.

"(n) **Committee on Science.**

"(1) All energy research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.

"(2) Astronautical research and development, including resources, personnel, equipment, and facilities.

"(3) Civil aviation research and development.

"(4) Environmental research and development.

"(5) Marine research.

"(6) Measures relating to the commercial application of energy technology.

"(7) National Institute of Standards and Technology, standardization of weights and measures and the metric system.

"(8) National Aeronautics and Space Administration.

"(9) National Space Council.

"(10) National Science Foundation.

"(11) National Weather Service.

"(12) Outer space, including exploration and control thereof.

"(13) Science Scholarships.

"(14) Scientific research, development, and demonstration, and projects therefor.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight function provided for in clause 3(f) with respect to all non-military research and development.

"(o) **Committee on Small Business.**

"(1) Assistance to and protection of small business, including financial aid, regulatory flexibility and paperwork reduction.

"(2) Participation of small-business enterprises in Federal procurement and Government contracts.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph and (its general oversight function under clause 2(b)(1)), the committee shall have the special oversight function provided for in clause 3(g) with respect to the problems of small business.

"(p) **Committee on Standards of Official Conduct.**

"(1) Measures relating to the Code of Official Conduct.

In addition to its legislative jurisdiction under the preceding provision of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the functions with respect to recommendations, studies, investigations, and reports which are provided for in clause 4(e), and the functions designated in titles I and V of the Ethics in Government Act of 1978 and sections 7342, 7351, and 7353 of title 5, United States Code.

"(q) **Committee on Transportation and Infrastructure.**

"(1) Coast Guard, including lifesaving service, lighthouses, lightships, ocean derelicts, and the Coast Guard Academy.

"(2) Federal management of emergencies and natural disasters.

"(3) Flood control and improvement of rivers and harbors.

"(4) Inland waterways.

"(5) Inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.

"(6) Navigation and the laws relating thereto, including pilotage.

"(7) Registering and licensing of vessels and small boats.

"(8) Rules and international arrangements to prevent collisions at sea.

"(9) Measures relating to the Capitol Building and the Senate and House office buildings.

"(10) Measures relating to the construction or maintenance of roads and post roads, other than appropriations therefor; but it shall not be in order for any bill providing general legislation in relation to roads to contain any provision for any specific road, nor for any bill in relation to a specific road to embrace a provision in relation to any other specific road.

"(11) Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution.

"(12) Measures relating to merchant marine, except for national security aspects of merchant marine.

"(13) Measures relating to the purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.

"(14) Oil and other pollution of navigable waters, including inland, coastal, and ocean waters.

"(15) Marine affairs (including coastal zone management) as they relate to oil and other pollution of navigable waters.

"(16) Public buildings and occupied or improved grounds of the United States generally.

"(17) Public works for the benefit of navigation, including bridges and dams (other than international bridges and dams).

"(18) Related transportation regulatory agencies.

"(19) Roads and the safety thereof.

"(20) Transportation, including civil aviation, railroads, water transportation, transportation safety (except automobile safety), transportation infrastructure, transportation labor, and railroad retirement and unemployment (except revenue measures related thereto).

"(21) Water power.

"(r) **Committee on Veterans' Affairs.**

"(1) Veterans' measures generally.

"(2) Cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior.

"(3) Compensation, vocational rehabilitation, and education of veterans.

"(4) Life insurance issued by the Government on account of service in the Armed Forces.

"(5) Pensions of all the wars of the United States, general and special.

"(6) Readjustment of servicemen to civil life.

"(7) Soldiers' and sailors' civil relief.

"(8) Veterans' hospitals, medical care, and treatment of veterans.

"(s) **Committee on Ways and Means.**

"(1) Customs, collection districts, and ports of entry and delivery.

"(2) Reciprocal trade agreements.

"(3) Revenue measures generally.

"(4) Revenue measures relating to the insular possessions.

"(5) The bonded debt of the United States (subject to the last sentence of clause 4(g) of this rule).

"(6) The deposit of public moneys.

"(7) Transportation of dutiable goods.

"(8) Tax exempt foundations and charitable trusts.

"(9) National social security, except (A) health care and facilities programs that are supported from general revenues as opposed to payroll deductions and (B) work incentive programs."

(b) Any reference in the rules of the House at the end of the One Hundred Third Congress to the following standing committees of the House: the Committee on Armed Services; the Committee on the District of Columbia; the Committee on Education and Labor; the Committee on Energy and Commerce; the Committee on Foreign Affairs; the Committee on Government Operations; the Committee on House Administration; the Committee on Natural Resources; and the Committee on Science, Space and Technology; shall be amended to be a reference to the following standing committees of the House, respectively: the Committee on National Security; the Committee on Government Reform and Oversight; the Committee on Economic and Educational Opportunities; the Committee on Commerce; the Commit-

tee on International Relations; the Committee on Government Reform and Oversight; the Committee on House Oversight; the Committee on Resources; and the Committee on Science.

(c) The chairman of the Committee on the Budget, when elected, may revise (within the appropriate levels established in House Concurrent Resolution 218 of the One Hundred Third Congress) allocations of budget outlays, new budget authority, and entitlement authority among committees of the House in the One Hundred Fourth Congress to reflect changes in jurisdiction under clause 1 of rule X. He shall publish the revised allocations in the Congressional Record. Once published, the revised allocations shall be effective in the House as though made pursuant to sections 302(a) and 602(a) of the Congressional Budget Act of 1974.

(d) In clause 8 of rule XXIV, strike "the Committee on the District of Columbia" through the end of the sentence and insert: "the Committee on Government Reform and Oversight, be set apart for the consideration of such business relating to the District of Columbia as may be presented by said committee."

#### Oversight Reform

SEC. 203. (a) In clause 2 of rule X, add the following new paragraphs at the end:

"(d)(1) Not later than February 15 of the first session of a Congress, each standing committee of the House shall, in a meeting that is open to the public and with a quorum present, adopt its oversight plans for that Congress. Such plans shall be submitted simultaneously to the Committee on Government Reform and Oversight and to the Committee on House Oversight. In developing such plans each committee shall, to the maximum extent feasible—

"(A) consult with other committees of the House that have jurisdiction over the same or related laws, programs, or agencies within its jurisdiction, with the objective of ensuring that such laws, programs, or agencies are reviewed in the same Congress and that there is a maximum of coordination between such committees in the conduct of such reviews; and such plans shall include an explanation of what steps have been and will be taken to ensure such coordination and cooperation;

"(B) give priority consideration to including in its plans the review of those laws, programs, or agencies operating under permanent budget authority or permanent statutory authority; and

"(C) have a view toward ensuring that all significant laws, programs, or agencies within its jurisdictions are subject to review at least once every ten years.

"(2) It shall not be in order to consider any committee expense resolution (within the meaning of clause 5 of rule XI), or any amendment thereto, for any committee that has not submitted its oversight plans as required by this paragraph.

"(3) Not later than March 31 in the first session of a Congress, after consultation with the Speaker, the majority leader, and the minority leader, the Committee on Government Reform and Oversight shall report to the House the oversight plans submitted by each committee together with any recommendations that it, or the House leadership group referred to above, may make to ensure the most effective coordination of such plans and otherwise achieve the objectives of this clause.

"(e) The Speaker, with the approval of the House, may appoint special ad hoc oversight committees for the purpose of reviewing specific matters within the jurisdiction of two or more standing committees."

(b) In clause 1 of rule XI, amend paragraph (d) to read as follows:

“(d)(1) Each committee shall submit to the House not later than January 2 of each odd-numbered year, a report on the activities of that committee under this rule and rule X during the Congress ending on January 3 of such year.

“(2) Such report shall include separate sections summarizing the legislative and oversight activities of that committee during that Congress.

“(3) The oversight section of such report shall include a summary of the oversight plans submitted by the committee pursuant to clause 2(d) of rule X, a summary of the actions taken and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by that committee, and any recommendations made or actions taken thereon.”.

#### Member Assignment Limits

SEC. 204. In clause 6(b) of rule X, insert “(1)” after “(b)” and add the following new subparagraph at the end:

“(2)(A) No Member, Delegate, or Resident Commissioner may serve simultaneously as a member of more than two standing committees or four subcommittees of the standing committees of the House, except that ex officio service by a chairman and ranking minority member of a committee on each of its subcommittees by committee rule shall not be counted against the limitation on subcommittee service. Any other exception to these limitations must be approved by the House upon the recommendation of the respective party caucus or conference.

“(B) For the purposes of this subparagraph, the term ‘subcommittee’ includes any panel (other than a special oversight panel of the Committee on National Security), task force, special subcommittee, or any subunit of a standing committee that is established for a cumulative period longer than six months in any Congress.”.

#### Multiple Referral Reform

SEC. 205. In clause 5 of rule X, amend paragraph (c) to read as follows:

“(c) In carrying out paragraphs (a) and (b) with respect to any matter, the Speaker shall designate a committee of primary jurisdiction; but also may refer the matter to one or more additional committees, for consideration in sequence (subject to appropriate time limitations), either on its initial referral or after the matter has been reported by the committee of primary jurisdiction; or may refer portions of the matter to one or more additional committees (reflecting different subjects and jurisdictions) for the consideration only of designated portions; or may refer the matter to a special ad hoc committee appointed by the Speaker with the approval of the House (with members from the committees having jurisdiction) for the specific purpose of considering that matter and reporting to the House thereon; or may make such other provisions as may be considered appropriate.”.

#### Accuracy of Committee Transcripts

SEC. 206. In clause 2(e)(1) of rule XI, amend the first sentence to read as follows: “Each committee shall keep a complete record of all committee action which shall include—

“(A) in the case of any meeting or hearing transcript, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved; and

“(B) a record of the votes on any question on which a rollcall vote is demanded.”.

#### Elimination of “Rolling Quorums”

SEC. 207. In clause 2(1)(2)(A) of rule XI, strike “was actually present” and all that follows through the end of the subdivision and insert “was actually present.”.

#### Limitation on Committees' Sitings

SEC. 208. In clause 2 of rule XI, amend paragraph (i) to read as follows:

##### “Limitation on committees' sitings

“(i)(1) No committee of the House (except the Committee on Appropriations, the Committee on the Budget, the Committee on Rules, the Committee on Standards of Official Conduct, and the Committee on Ways and Means) may sit, without special leave, while the House is reading a measure for amendment under the five-minute rule. For purposes of this paragraph, special leave will be granted unless ten or more Members object; and shall be granted upon the adoption of a motion, which shall be highly privileged if offered by the majority leader, granting such leave to one or more committees.

“(2) No committee of the House may sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.”.

#### Accountability for Committee Votes

SEC. 209. In clause 2(1)(2) of rule XI amend subdivision (B) to read as follows:

“(B) With respect to each rollcall vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the committee report on the measure or matter.”.

#### Affirming Minority's Right on Motions to Recommit

SEC. 210. In clause 4(b) of rule XI, insert before the period at the end the following: “, including a motion to recommit with instructions to report back an amendment otherwise in order (if offered by the minority leader or a designee), except with respect to a Senate bill or resolution for which the text of a House-passed measure has been substituted”.

#### Waiver Policy for Special Rules

SEC. 211. In clause 4 of rule XI, add the following new paragraph at the end:

“(e) Whenever the Committee on Rules reports a resolution providing for the consideration of any measure, it shall, to the maximum extent possible, specify in the resolution the object of any waiver of a point of order against the measure or against its consideration.”.

#### Prohibition on Delegate Voting in Committee of the Whole

SEC. 212. (a) In rule XII, strike clause 2 and the designation of the remaining clause.

(b) In clause 1 of rule XXIII, strike “, Resident Commissioner, or Delegate”.

(c) In clause 2 of rule XXIII, strike paragraph (d).

#### Accuracy of the Congressional Record

SEC. 213. In rule XIV, add the following new clause at the end:

“9. (a) The Congressional Record shall be a substantially verbatim account of remarks made during the proceedings of the House, subject only to technical, grammatical, and typographical corrections authorized by the Member making the remarks involved.

“(b) Unparliamentary remarks may be deleted only by permission or order of the House.

“(c) This clause establishes a standard of conduct within the meaning of clause 4(e)(1)(B) of rule X.”.

#### Automatic Rollcall Votes

SEC. 214. In rule XV, add the following new clause at the end:

“7. The yeas and nays shall be considered as ordered when the Speaker puts the question on final passage or adoption of any bill, joint resolution, or conference report making general appropriations or increasing Federal income tax rates, or on final adoption of any concurrent resolution on the budget or conference report thereon.”.

#### Appropriations Reforms

SEC. 215. (a) CONSIDERATION OF LIMITATION AMENDMENTS.—In clause 2(d) of rule XXI, strike “shall have precedence” and insert “shall, if offered by the majority leader or a designee, have precedence”.

(b) PROHIBITION AGAINST NON-EMERGENCY ITEMS IN EMERGENCY SPENDING BILLS.—In clause 2 of rule XXI, add the following new paragraph at the end:

“(e) No provision shall be reported in any appropriation bill or joint resolution containing an emergency designation for purposes of section 251(b)(2)(D) or section 252(e) of the Balanced Budget and Emergency Deficit Control Act, or shall be in order as an amendment thereto, if the provision or amendment is not designated as an emergency, unless the provision or amendment rescinds budget authority or reduces direct spending, or reduces an amount for a designated emergency.”.

(c) PERMITTING OFFSETTING AMENDMENTS.—In clause 2 of rule XXI (as amended by (b) above), add the following new paragraph at the end:

“(f) During the reading of any appropriation bill for amendment in the Committee of the Whole, it shall be in order to consider en bloc amendments proposing only to transfer appropriations among objects in the bill without increasing the levels of budget authority or outlays in the bill. When considered en bloc pursuant to this paragraph, such amendments may amend portions of the bill not yet read for amendment (following the disposition of any points of order against such portions) and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.”.

(d) LISTING OF UNAUTHORIZED APPROPRIATIONS IN REPORTS.—In clause 3 of rule XXI, insert before the period the following: “, and shall contain a list of all appropriations contained in the bill for any expenditure not previously authorized by law (except for classified intelligence or national security programs, projects, or activities)”.

(e) AUTOMATIC RESERVATION OF POINTS OF ORDER.—In rule XXI, add the following new clause at the end:

“8. At the time any appropriation bill is reported, all points of order shall be considered as reserved.”.

#### Ban on Commemoratives

SEC. 216. (a) In rule XXII—

(1) amend clause 2 by inserting “(a)” after “2.” and by adding the following new paragraph at the end:

“(b)(1) No bill or resolution, and no amendment to any bill or resolution, establishing or expressing any commemoration may be introduced or considered in the House.

“(2) For purposes of this paragraph, the term ‘commemoration’ means any remembrance, celebration, or recognition for any purpose through the designation of a specified period of time.”.

(2) amend clause 3 by striking “or private bill” and inserting “or bill or resolution”.

(b) The Committee on Government Reform and Oversight shall consider alternative means for establishing commemorations, including the creation of an independent or Executive branch commission for such purpose,

and to report to the House any recommendations thereon.

#### Numerical Designation of Amendments

SEC. 217. In clause 6 of rule XXIII, add the following new sentence at the end: "All amendments to a specified measure submitted for printing in that portion of the Record shall be given numerical designations in the order printed."

#### Pledge of Allegiance

SEC. 218. In clause 1 of rule XXIV—  
 (a) insert after the second order of business the following new order of business: "Third. The Pledge of Allegiance to the Flag."; and  
 (b) redesignate succeeding orders accordingly.

#### Discharge Petitions

SEC. 219. In clause 3 of rule XXVII, insert the following three new sentences after the fifth sentence: "The Clerk shall cause the names of the Members who have signed a discharge motion during any week to be published in a portion of the Congressional Record designated for that purpose on the last legislative day of that week. The Clerk shall make available each day for public inspection in an appropriate office of the House cumulative lists of such names. The Clerk shall devise a means by which to make such lists available to offices of the House and to the public in electronic form."

#### Protection of Classified Materials

SEC. 220. In rule XLIII ("Code of Official Conduct") insert the following new clause before the two undesignated paragraphs at the end:

"13. Before any Member, officer, or employee of the House of Representatives may have access to classified information, the following oath (or affirmation) shall be executed:

'I do solemnly swear (or affirm) that I will not disclose any classified information received in the course of my service with the House of Representatives, except as authorized by House of Representatives or in accordance with its Rules.'

Copies of the executed oath shall be retained by the Clerk of the House as part of the records of the House."

#### Select Committee on Intelligence

SEC. 221. (a) In clause 1(a) of rule XLVIII (relating to the Permanent Select Committee on Intelligence) strike "nineteen Members with representation to" and insert "sixteen Members, of whom not more than nine may be from the same party. The select committee shall".

(b)(1) In clause 1(b) of rule XLVIII, insert "(1)" after "(b)", strike "majority leader", and insert "Speaker".

(2) In clause 1(b) of rule XLVIII, add the following new subparagraph at the end:

"(2) The Speaker and minority leader each may designate a member of their leadership staff to assist them in their capacity as ex officio members, with the same access to committee meetings, hearings, briefings, and materials as if employees of the select committee, and subject to the same security clearance and confidentiality requirements as employees of the select committee under this rule."

(3) In clause 7(c) of rule XLVIII, strike subparagraph (3).

(c) In clause 1 of rule XLVIII, amend paragraph (c) to read as follows:

"(c) No Member of the House other than the Speaker and the minority leader may serve on the select committee during more than four Congresses in any period of six successive Congresses (disregarding for this purpose any service for less than a full session in any Congress), except that the incumbent chairman or ranking minority member hav-

ing served on the select committee for four Congresses and having served as chairman or ranking minority member for not more than one Congress shall be eligible for reappointment to the select committee as chairman or ranking minority member for one additional Congress."

(d) In clause 2(a) of rule XLVIII—

(1) insert the following before the period in subparagraph (1): ", and the National Foreign Intelligence Program as defined in section 3(6) of the National Security Act of 1947";

(2) strike all after "but not limited to," in subparagraph (2) and insert the following: "the tactical intelligence and intelligence-related activities of the Department of Defense."

(3) amend subparagraph (4) to read as follows:

"(4) Authorizations for appropriations, both direct and indirect, for the following:

"(A) The Central Intelligence Agency, Director of Central Intelligence, and the National Foreign Intelligence Program as defined in section 3(6) of the National Security Act of 1947.

"(B) Intelligence and intelligence-related activities of all other departments and agencies of the Government, including, but not limited to, the tactical intelligence and intelligence-related activities of the Department of Defense.

"(C) Any department, agency, or subdivision, or program that is a successor to any agency or program named or referred to in subdivision (A) or (B)."

#### Abolition of Legislative Service Organizations

SEC. 222. The establishment or continuation of any legislative service organization (as defined and authorized in the One Hundred Third Congress) shall be prohibited in the One Hundred Fourth Congress. The Committee on House Oversight shall take such steps as are necessary to ensure an orderly termination and accounting for funds of any legislative service organization in existence on January 3, 1995.

#### Miscellaneous Provisions and Clerical Corrections

SEC. 223. (a) SPEAKER'S AUTHORITY TO POSTPONE VOTES.—In clause 5(b)(1) of rule I, amend the matter after "questions listed herein:" to read as follows:

"(A) the question of adopting a resolution;

"(B) the question of passing a bill;

"(C) the question of agreeing to a motion to instruct conferees as provided in clause 1(c) of rule XXVIII: *Provided, however*, That proceedings shall not resume on said question if the conferees have filed a report in the House;

"(D) the question of agreeing to a conference report;

"(E) the question of ordering the previous question on a question described in subdivision (A), (B), (C), or (D); and

"(F) the question of agreeing to a motion to suspend the rules."

(b) OFFICE OF FLOOR ASSISTANTS.—There is established in the House of Representatives an office to be known as the Speaker's Office for Legislative Floor Activities. The Speaker shall appoint and set the annual rate of pay for employees of the Office. The Office shall have the responsibility of assisting the Speaker in the management of legislative floor activity.

(c) VICE CHAIRMAN OF COMMITTEE.—In clause 2(d) of rule XI—

(1) strike "The member" and insert "A member"; and

(2) strike "ranking immediately after the chairman" and insert "designated by the chairman of the full committee".

(d) PROHIBITION AGAINST MEMBERS' USE OF PERSONAL, ELECTRONIC OFFICE EQUIPMENT ON HOUSE FLOOR.—In clause 7 of rule XIV, insert "or to use any personal, electronic office equipment (including cellular phones and computers)" after "to smoke".

(e) SPEAKER'S AUTHORITY TO REDUCE TO FIVE-MINUTES A VOTE FOLLOWING A PREVIOUS QUESTION VOTE.—In clause 5(b) of rule XV, amend subparagraph (1) to read as follows:

"(1) after a rollcall vote has been ordered on a motion for the previous question, on any underlying question that follows without intervening business;"

(f) CLERICAL CORRECTIONS.—

(1) In clause 3 of rule III, insert "; and" before "certify".

(2) In clause 2(1)(B) of rule XI, strike "does not apply to the reporting" and all that follows through "subdivision (C) and".

(g) SPECIAL RULE FOR BILL SPONSORSHIP ON OPENING DAY.—In the One Hundred Fourth Congress, each of the first 20 bills introduced in the House (H.R. 1 through H.R. 20), and each of the first two joint resolutions introduced in the House (H.J. Res. 1 and H.J. Res. 2), may have more than one Member reflected as a first sponsor.

The SPEAKER pro tempore (Mr. WALKER). Pursuant to House Resolution 5, the resolution is initially debatable for 30 minutes.

The gentleman from Texas [Mr. ARMEY] will be recognized for 15 minutes, and the gentleman from Michigan [Mr. BONIOR] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Mr. Speaker, I yield myself 4 minutes.

(Mr. ARMEY asked and was given permission to revise and extend his remarks.)

Mr. ARMEY. Mr. Speaker, this is a gratifying day for America, a day of hope and promise for our country. And so it is with a profound sense of honor that I offer, on behalf of the Republican Members of the House, this proposed set of rules for the 104th Congress.

I am very proud of this rules package. I believe it will dramatically alter—and I predict improve—the way in which the House conducts the American people's business.

The distinguished chairman of the Rules Committee, Mr. SOLOMON, and others will offer more detailed explanations of the provisions. Allow me at this point simply to sketch for you our three principal goals—responsibility, reform, and renewal.

Our first goal is greater responsibility with the people's money. We will reduce the size and cost of a Congress that has grown unchecked for too many years. We will slash the number of committees and subcommittees, and reduce committee staff by a third, saving taxpayers about \$40 million a year.

□ 1650

We will stop the funding of 28 special-interest caucuses that cost \$5 million a year. And we have even managed to save \$300,000 a year by ending so-called commemorative legislation like National Pizza and Pasta Day.

It's time for truth in budgeting. From now on, in the budget process, when we speak of a spending cut, we will mean an actual cut in spending, not just a smaller increase.

Over on the other side of the Capitol, our Senate colleagues actually have a rule requiring a super-majority to cut taxes. Well, is it not about time we put our thumb on the spending-cut side of the scale? House rules will now require a three-fifths majority to raise taxes.

Our second goal is reform. We want to make the House more accountable to the American people. We are throwing open the shutters and letting the sun shine in on committee meetings. We are banning proxy voting and so-called rolling quorums.

This way, Members of Congress will devote more energy to their all-important committee work, knowing that, from now on, they will have to be physically present to cast votes on behalf of their constituents, rather than delegating that high privilege.

And we are making the CONGRESSIONAL RECORD a true verbatim transcript of debate, instead of "revisionist history" Members can totally rewrite after the fact.

Our third goal, Mr. Speaker, is renewal. We hope to promote a renewal of respect for this historic institution. And that begins with a renewal of respect for the people who sent us here. It begins with a Congress that obeys the same laws it imposes on private citizens.

Renewal means more accountability on the part of those entrusted with power. And that's why we impose a healthy, 6-year term limit on committee chairmen.

We also feel—and I know you enthusiastically concur, Mr. Speaker—that there should be an 8-year term limit on the Speaker, the same number of years allowed the President.

Allow me to end on a personal note. I would love to see bipartisan support for these rules, because this is not a Republican House. This was not previously a Democratic House. This is the American people's House, and we must restore their faith in this historic and honorable institution.

The SPEAKER pro tempore (Mr. WALKER). The Chair would remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is a violation of the rules of the House.

The gentleman from Texas may proceed.

Mr. ARMEY. I repeat, we must restore their faith in this historic and honorable institution.

I hope today will set a standard for a more cooperative, more idea-driven process in which our first and highest consideration is always the people's business.

I urge all of my colleagues to vote "yes" on these historic rules on this historic day.

Mr. Speaker, I reserve the balance of my time.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from South Carolina [Mr. SPRATT], a member of the leadership.

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Speaker, I thank the gentleman for yielding.

The previous Member just described this as a day of promise, a day for raising standards of this institution, and this is a historic occasion. We will miss a historic, major opportunity to change the way this institution of the Congress is perceived if we do not add to this rules package before us the ban on gifts from lobbyists which this House passed just months ago by an overwhelming vote of 315 to 111.

There are many things in this package, this rules proposal, that I can and will gladly support. Let us be frank about it: Committee proxy voting, super majorities, baseline budgeting, this is Capitol Hill jargon. Some people out in the country get it; most do not, and most could care less. But everybody understands what gifts from lobbyists is all about. That is why we got 315 votes for it the last time it was before the House.

If we want to open up this institution, if we want to freshen its image, redeem its reputation among the American people, then we need to sever the ties, real and perceived, between those who work inside this institution and represent the people as a whole, and those who work Congress from the outside, the lobbyists, Gucci Gulf, the lobbyists who represent special interests and limited numbers of people.

Just a few months ago this ban on gifts from lobbyists was good enough for 315 Members. The provisions that some found problematic then that dealt with grassroots lobbying were purged from the Democratic proposal today. We did add one provision that is contentious. It would limit, not ban, limit the amount of royalties that a Member could earn while sitting as a Member of this House on publications written while he is sitting. But the limit is a third of your salary while serving here, which is a generous dispensation for full-time Members who are paid full-time salaries. With such enormous support, 315 yeas, why not vote on this package today and make it the rule of the House from day one?

Mr. ARMEY. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from New York [Mr. SOLOMON], chairman of the Committee on Rules.

(Mr. SOLOMON asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, a new day is here.

Today we begin the first stage of a commitment that was made to the

American people last November—indeed, a Contract With America that was signed by the new majority—to restore, renew, and reform the people's House.

The resolution before us today, adopting the Rules of the House for the 104th Congress, is the initial fulfillment of that Contract With America. It makes the most sweeping and comprehensive reform of this House in the last half century.

It brings back to the people's House the intangible words, "openness, fairness, and accountability."

But, even more importantly, by setting the example of substantially reducing the committees and staff of the Congress, we begin the process of shrinking the size and power of the Federal Government.

What we are proposing today in this resolution is unprecedented, both in form and in substance. Instead of the usual 1 hour of debate on this resolution, we have committed to 3½ hours of debate. Instead of the usual single vote on this resolution, we have committed to nine separate votes.

After this initial general debate period of 30 minutes, we will proceed to debate for 20 minutes each on the eight opening day reforms contained in our Contract With America, followed by a separate vote on each.

Those reforms include—

First, a comprehensive reform of our committee system, including a one-third cut in committee staff, a reduction of over 20 subcommittees, and a consolidation of committee staff funding into a publicly disclosed, 2-year funding resolution;

Second, a truth-in-budgeting baseline reform provision that measures next year's budget against this year's spending levels instead of inflated baseline spending levels;

Third, a four-term limit on the Speaker of the House, and three-term limit on committee and subcommittee chairmen;

Fourth, a ban on proxy or ghost voting in committees;

Fifth, a committee sunshine rule to ensure that all committee meetings and hearings are open to the public and the media;

Sixth, a required three-fifths vote on any bill increasing income tax rates, and a prohibition against retroactive tax increases;

Seventh, a comprehensive audit of all House books to ferret out past waste, fraud, and abuse in this House so that we can operate this House in the future in an open and fiscally sound manner; and

Eighth, the consideration of a bill that will make the Congress subject to the same laws that now apply to the private sector.

Mr. Speaker, following the debate and votes on those opening day contract items, we will proceed for an additional 20 minutes to debate and then vote on title II of this resolution which contains 23 additional reforms of this

House which have been long overdue, including—comprehensive reform of the administrative structure of the House; a reduction in the number of committees and an overhaul of their jurisdictions; a requirement for more comprehensive oversight of the executive branch by our committees; a publication of all committee rollcall votes; a reform of our appropriations process; a requirement that our CONGRESSIONAL RECORD and committee transcripts be an accurate account of words actually spoken; a ban on so-called commemorative bills; and a ban on taxpayer-funded special interest caucuses.

Mr. Speaker, I could go on and discuss the many other reform items in this rules resolution, but, in the interest of allowing other Members to participate in this debate, I reserve the balance of my time.

#### A CONTRACT FOR A NEW HOUSE

(A section-by-section summary of H. Res. —, adopting the Rules of the House for the 104th Congress, to be offered by the Majority Leader, or a designee.)

The Rules of the House of the 103rd Congress would be adopted as the rules for the 104th Congress together with the following amendments:

#### TITLE I. CONTRACT WITH AMERICA: A BILL OF ACCOUNTABILITY

[Note: Each section below in Title I would be under a separate introductory paragraph adopting House Rules from the 103rd Congress as the Rules of the 104th Congress with the additional amendment(s) in the section, thereby permitting a division of the question and separate debate and vote on each of the 8 Contract items. The 23 items in Title II, on the other hand, would be subject to a single vote.]

Sec. 101. Committee, Subcommittee and Staff Reforms: Committee staff in the 104th Congress is reduced by at least one-third from comparable levels in the 103rd Congress. No committee could have more than 5 subcommittees (except Appropriations which could have no more than 13; Government Reform and Oversight, no more than 7; and Transportation and Infrastructure, no more than 6). Statutory and investigative staff salary authorization levels would be consolidated in a single, 2-year committee expense resolution (except for the Committee on Appropriations). The distinction between professional and clerical staff would be eliminated while retaining the overall core staff of 30 for each committee (20-majority, 10-minority, or a one-third guarantee to the minority if less than 30). Committee chairmen would be required to ensure that sufficient staff is made available to each subcommittee to exercise its responsibilities under committee rules, including fair treatment to the minority in subcommittee staffing. Interim funding authority for House committees, consistent with planned staff reductions, would be provided pending the adoption of the primary expense resolution for 1995-96.

Sec. 102. Truth-in-Budgeting Baseline Reform: Cost estimates in committee reports would include a comparison of total estimated funding for the program(s) to the appropriate levels under current law.

Sec. 103. Term Limits for Speaker, Committee and Subcommittee Chairmen: Beginning with the 104th Congress: (a) No person could serve as Speaker for more than four consecutive Congresses (disregarding any service for less than a session). (b) No Member could be the chairman of any committee, or of the same subcommittee of a commit-

tee, for more than three consecutive Congresses (excluding any service for less than a session in a Congress).

Sec. 104. Proxy Voting Ban: No vote could be cast by proxy on any committee or subcommittee thereof.

Sec. 105. Committee Sunshine Rules: Committee meetings, which can now be closed for any reason, could only be closed by majority rollcall vote if disclosure would endanger national security, compromise sensitive law enforcement information, or tend to defame, degrade or incriminate any person. Broadcast coverage of any committee or subcommittee meeting or hearing open to the public would be a right (not requiring a vote of approval as at present).

Sec. 106. Limitations on Tax Increases: (a) No bill, joint resolution, amendment or conference report carrying an income tax rate increase, could be considered as passed or agreed to unless so determined by a vote of at least three-fifths of the House. (b) No measure of amendment could be considered that contains a retroactive income tax rate increase.

Sec. 107. Comprehensive House Audit: The Inspector General would be authorized to contract with one or more independent auditing firms to conduct a comprehensive audit of House financial records, physical assets, and operational facilities.

Sec. 108. Consideration of "Congressional Accountability Act": The majority leader, or a designee, would be authorized to call up for consideration on Jan. 4, 1995, a bill (H.R. 1), the "Congressional Accountability Act of 1995," subject to one-hour of debate in the House, divided equally between the majority leader and minority leader, or their designees, and to one motion to recommit.

#### TITLE II. GENERAL

Sec. 201. House Administrative Reforms: The Office of Doorkeeper would be abolished and its functions transferred to the Sergeant-at-Arms. A Chief Administrative Officer, elected by the House, would replace the Director of Financial and Non-Legislative Services. The authority of the Inspector General would be broadened to audit all House functions and to refer possible violations of rules or law to the ethics committee for action or possible referral to the appropriate Federal or State authorities.

Sec. 202. Changes in Committee System: The Committees on Post Office and Civil Service, and the District of Columbia would be abolished and their jurisdiction transferred to the Committee on Government Reform and Oversight; the Committee on Merchant Marine and Fisheries would be abolished and its jurisdiction transferred to the committees on National Security, Resources, and Transportation and Infrastructure. The Committee on Budget would be given shared legislative jurisdiction over certain budgetary legislation. Term limits for members of the Budget Committee would be changed from three-terms in any five Congresses to four-terms in any six Congresses. Other committees would be renamed and jurisdictions transferred.

Sec. 203. Oversight Reform: Committees would be required to adopt oversight plans for the Congress and submit them to the Committee on House Oversight and Government Reform and Oversight by Feb. 15th of the first session. The Committee on House Oversight and Government Reform and Oversight would report the plans to the House by March 31st together with any recommendations of the committee or joint leadership to ensure maximum coordination. Committees would be required to include an oversight section in their final activity reports reporting on the implementation of their plans. The Speaker would be authorized to appoint

ad hoc oversight committees, subject to House approval, for specific oversight projects from committees sharing jurisdiction.

Sec. 204. Member Assignment Limits: No Member could have more than two standing committee and four subcommittee assignments (except committee chairman and ranking minority members could serve as ex officio members of all subcommittees of their committees). Any exception to the assignment limits must be approved by the House upon the recommendation of the respective party caucus or conference.

Sec. 205. Multiple Bill Referral Reform: The joint referral of bills to two or more committees would be prohibited. The speaker would designate a committee of primary jurisdiction when a bill is introduced, may refer parts of bills to appropriate committees, and may sequentially refer bills, either upon introduction or after the primary committee has reported, subject to time limits for reporting.

Sec. 206. Accuracy of Committee Transcripts: Committee hearing and meeting transcripts shall be a substantially verbatim account of remarks made during proceedings, subject only to technical grammatical, and typographical corrections authorized by the person making the remarks involved.

Sec. 207. Elimination of "Rolling Quorums": The existing "rolling quorum" rule which allows drop-by voting to report measures and permits less than a quorum to report if no point of order is raised, would be repealed.

Sec. 208. Prohibition on Committee Meetings During House Consideration of Amendments: No Committee (except the Committees on Appropriations, Rules, Standards and Ways and Means) could sit while the House is reading a measure for amendment under the five-minute rule without special leave (which shall be granted unless 10 members object), or unless upon the adoption of a motion offered by the majority leader which shall be privileged. No committee could sit while the House and Senate are meeting in joint session or when a joint meeting of the House and Senate is in progress.

Sec. 209. Accountability for Committee Votes: Committee reports on any bill or other matter would include the names of those voting for and against on rollcall votes on any amendments or on the motion to report a measure.

Sec. 210. Affirming Minority's Rights on Motions to Recommit: The Rules Committee could not report a special rule denying the minority the right to offer amendatory instructions in a motion to recommit if offered by the minority leader or a designee.

Sec. 211. Waiver Policy for Special Rules: The Committee on Rules would be required, to the maximum extent possible, to specify in any special rule providing for the consideration of a measure any provisions of House rules being waived.

Sec. 212. Prohibition on Delegate Voting in Committee of Whole: The Resident Commissioner of Puerto Rico and the Delegates from Guam, Virgin Islands, American Samoa and the District of Columbia could not vote in or preside over the Committee of the Whole.

Sec. 213. Accuracy of Congressional Record: The Congressional Record would be a verbatim account of proceedings, subject only to technical, grammatical and typographical corrections by the Member speaking. Unparliamentary remarks may be deleted only by unanimous consent or order of the House.

Sec. 214. Automatic Roll Call Votes: Automatic roll call votes would be required on final passage of bills making appropriations, raising taxes, and conference reports there-

on; and on final adoption of budget resolutions and their conference reports.

Sec. 215. Appropriations Reforms: Limitation amendments could be offered to appropriations bills at the end of the regular amendment process without having to first defeat the motion to rise and report. A motion to rise could only be offered by the majority leader (or a designee) if limitation amendments are still pending. Non-emergency items could not be reported or offered as amendments to emergency spending bills (except to rescind budget authority or reduce direct spending to pay for the emergency benefits). Off-setting, deficit neutral amendments could be offered en bloc to any appropriations measure. Reports on all appropriations bills would be required to include not only a listing of legislative provisions contained in the measures (as presently required), but of all unauthorized activities being funded by the measure (except for classified intelligence or national security programs). Points of order would automatically be reserved against an appropriations bill when filed.

Sec. 216. Ban on Commemoratives: No bill, resolution or amendment could be introduced or considered in the House that establishes or expresses any commemoration (defined as any remembrance, celebration or recognition for any purpose) for a specified time period (e.g., day, week, month). The Committee on Government Reform and Oversight would be directed to consider alternative means of establishing commemorations, such as an independent or Executive Branch Commission, and to report to the House any recommendations.

Sec. 217. Numerical Designation of Amendments Submitted for Record: Amendments submitted for the amendments section of the Congressional Record for any bill would be given numerical designations in the order printed for that bill to facilitate easy reference by Members and committees.

Sec. 218. Pledge of Allegiance: The Pledge of Allegiance would be required in the House as the third order of business each day.

Sec. 219. Discharge Petitions: The Clerk would be required to publish the names of new signers of discharge petitions in the last Congressional Record of each week and make available to the public through an appropriate office the current names of signers on a daily basis. The Clerk shall also devise a system for making the names of signers available to House offices and the public through electronic form.

Sec. 220. Protection of Classified Materials: The Code of Official Conduct would be amended to require that, prior to having access to any classified materials, Members, officers and employees take an oath not to disclose such materials except as authorized by the House or its Rules.

Sec. 221. Permanent Select Committee on Intelligence: The House Permanent Select Committee on Intelligence would be reduced in size from 19 to 16 members, with a 9-7 majority to minority ratio. Member terms would be increased from three to four and the chairman and ranking minority member could serve a fifth term if they held the those positions for only one Congress. The Speaker (currently the majority leader) and minority leader would serve as ex officio, non-voting members, and may designate a member of their leadership staff to assist them and have access to committee proceedings and materials, as if committee staff, subject to the same security clearance and confidentiality requirements as committee staff. Current jurisdictional arrangements would be clarified.

Sec. 222. Abolition of Legislative Service Organizations: The establishment or continuation of any Legislative Service Organi-

zation (as defined and authorized by regulation in the 103rd Congress) would be prohibited in the 104th Congress. The Committee on House Oversight would be directed to take necessary steps to ensure the orderly termination and accounting for funds of LSOs in existence on Jan. 4, 1995.

Sec. 223. Miscellaneous Provisions and Clerical Corrections: The Speaker's authority to postpone votes on certain matters would include postponing the previous question vote on those matters. The Speaker's authority to reduce time for voting to 5-minutes after a 15-minute vote on the previous question would extend to any previous question vote (currently applies only to previous question vote on special rules from the Rules Committee). There would be established a Speaker's Office for Legislative Floor Activities, with employees to be appointed by the Speaker to assist in the management of legislative floor activity. The Chairman of a committee could designate any member of the committee or a subcommittee as the vice chairman of the committee or subcommittee. Members would be prohibited from using any personal, electronic office equipment (including cellular phones, and laptop computers) on the House floor. Certain specified, priority measures introduced on Jan. 4, 1995, could have more than one prime sponsor.

#### SECTION-BY-SECTION ANALYSIS OF HOUSE RULES RESOLUTION

(H. Res. —, Adopting House Rules, 104th Congress, January 5, 1995)

#### TITLE I. CONTRACT WITH AMERICA: A BILL OF ACCOUNTABILITY

Title I of the resolution contains eight sections relating to the "Opening Day Checklist" of House reforms contained in the "Contract with America." Each section is preceded by an identical introductory paragraph adopting the rules of the previous Congress together with the amendment(s) in that section in order to permit a division of the question vote on each section.

Sec. 101. Committee, Subcommittee and Staff Reforms: (a) Committee staff reductions.—Subsection (a) requires that the number of House committee staff in the 104th Congress be at least one-third less than the corresponding total in the 103rd Congress. It is the intent of the resolution that this reduction be achieved at the outset of the new Congress. The Committee on House Oversight will be responsible for overseeing the reductions and enforcing them through the committee funding process.

(b) Subcommittee reductions.—Subsection (b) replaces clause 6(d) of House rule X which currently requires all committee having more than 20 members to establish at least four subcommittees. In its place, the new paragraph requires that committees establish no more than six subcommittees. The only exceptions are the committees on Appropriations (13), Government Reform and Oversight (7), and Transportation and Infrastructure (6).

This paragraph should be read in the context of sec. 204 of the resolution which limits Members to no more than four subcommittee assignments. In that section, subcommittee is defined as "any panel (other than a special oversight panel of the Committee on National Security), task force, special subcommittee, or any subunit of a standing committee that is established for a cumulative period longer than six months in any Congress." The intent of these two limitations is to make both Member and committee work more deliberative, participatory, and manageable by reducing scheduling conflicts and jurisdictional overlap. This is especially important given the ban on proxy voting in committees.

(c) Consolidated committee staff and biennial funding.—Subsection (c) amends clause

5 of rule XI ("Committee Expenses") in two important respects. First, it requires that all committee staff salaries and expenses be authorized in an expense resolution reported by the Committee on House Oversight. At present, only investigative staff salaries and expenses are funded through expense resolutions while so-called statutory staff (see amendments to rule XI clause 6 below), are paid for directly from appropriations.

Second, the subsection provides for one primary expense resolution per Congress instead of one each session. This is the system currently in effect in the Senate. The purpose for the biennial resolution is to permit committee to plan for a full Congress and to free-up the time otherwise consumed by the House and its committees on processing two budgets per Congress.

The ability of committees to request additional or supplemental expense resolutions in a Congress is preserved. The only committee exempted from this consolidated funding process will be Appropriations which has been traditionally exempt to avoid undue pressures on its funding decisions. The Budget Committee, which has been exempt from the funding process since its formation in 1975, would be brought under the funding process by this rule change.

The resolution contains a free-standing, interim funding rule for committees until their expense resolutions are adopted. This permits committees to incur expenses consistent with their planned staff reductions.

Clause 5(d) of rule XI is amended to require that committee chairmen make available to each subcommittee sufficient staff to carry out its responsibilities under committee rules, and that the minority is treated fairly in the appointment of subcommittee staff. This replaces an existing provision which entitles each subcommittee chairman and ranking minority member to appoint one staff person at a rate of pay up to 75% of the maximum allowable for committee staff.

It is the intent of this provision to reestablish the primacy of committees over subcommittees while maintaining the ability of subcommittees to carry out their functions as arms of the parent committee. Nothing in this rule would prevent a committee chairman from allowing a subcommittee chairman to nominate a staff member for approval, either as a matter of policy or committee rule. But, it places ultimate authority over all committee staff in the full committee chairman and restores the line of responsibility of all such staff to the full committee.

Subsection (d) amends clause 6 of rule XI ("Committee Staffs") in several respects. First, it eliminates the distinction between professional and clerical staff so that all 30 of the core committee staff are termed "professional." Under existing rules, each committee may appoint 18 professional and 12 clerical staff, with the minority entitled to one-third of each category. The one-third guarantee to the minority is retained, but with the difference that it would apply even if the committee appoints fewer than 30 staff.

The existing conditions that committee staff engage only in committee business during congressional working hours and not be assigned duties other than committee business are retained. However, the rule is amended to recognize the existence of shared or associate staff who may be paid from both Member clerk hire as well as committee funds. In such cases, the chairman must certify that their committee work is commensurate with their pay. It is the intent of this rule to permit a chairman to require by committee rule or policy that a supervising

Member first certify the same to the chairman if a staff member is not working directly under the chairman.

The new rule also makes clear that the employment of such shared or committee staff is subject to such terms, conditions, or limitations as may be established by the Committee on House Oversight.

Sec. 102. Truth-in-Budgeting Baseline Reform: Subsection (a) amends House rule XI, clause 2(l)(3), relating to the contents of committee reports, to require that cost estimates submitted for reports on measures providing new budget authority shall include, when practicable, a comparison of the total estimated funding for the program (or programs), to the appropriate levels under current law.

Subsection (b) inserts similar language in clause 7(a) of rule XIII, relating to cost estimates in committee reports (other than those of the Committees on Appropriations, Rules, House Oversight, and Standards of Official Conduct).

These provisions apply to individual pieces of legislation and not to the budget in its entirety. The changes as they relate to discretionary spending authorizations will require that the cost estimates show the entire amount being authorized by current law. In virtually all instances this will be the entire amount of the program because the authorization will be either extending an expired authorization (in which case the current law is zero) or expanding an existing authorization (in which case the current law for expansion will be zero). Therefore, the rule will require that cost estimates for all legislation providing discretionary spending authorization show the entire amount being authorized. Cost estimates for discretionary appropriations will likewise show the entire amount being appropriated.

The rule as applied to entitlement legislation will require that the cost estimate show the entire amount of spending estimated to occur due to the proposed legislation as well as the amount estimated under current law. This is a change from the previous method of scoring entitlement legislation which only showed the change from current law. Thus, if proposed entitlement legislation provides a lower rate of increase in spending than current law, the cost estimate will show that spending is increasing under the proposed legislation whereas previously the cost estimate would have shown only a reduction from current law.

Sec. 103. Term Limits for Speaker, Committee and Subcommittee Chairmen: Subsection (a) amends rule I ("Duties of the Speaker") by adding a new clause 8 at the end which prohibits any person from serving as House Speaker for more than four consecutive terms (excluding any service for less than a session of Congress), beginning with the 104th Congress. The eight year limit is consistent with the spirit of the current two-term limit on Presidents, with the exception of the term "consecutive."

While the rule cannot be made binding on future Congresses, since each has the constitutional authority to make its own rules, it does set a standard to go by which has been encouraged and agreed to by the new Speaker in the 104th Congress.

Subsection (b) amends clause 6(e) of rule X which currently provides that all vacancies on House standing committees shall be filled by election by the House from nominations submitted by the respective party caucus or conference. The new sentence provides that no Member may serve as the chairman of the same standing committee or subcommittee for more than three consecutive Congresses, beginning with the 104th Congress. The purpose of this new limitation is not merely to allow other Members to assume leadership

responsibilities sooner, but more importantly to prevent stagnation or too close a relationship to develop between committee leaders and the interests they oversee at the expense of balanced oversight and legislation.

Sec. 104. Proxy Voting Ban: Subsection (a) amends House rule XI, clause 2, which currently permits proxy voting in committees, by prohibiting the use of proxies by any Member on any measure or matter before a committee. Subsection (b) simply makes a conforming change in clause 2(e)(l) of rule XI by striking a reference to proxy voting.

The main purpose for this change is to ensure greater participation in committee deliberations and decisions so that the legislative product will be more representative and developed than if produced by a few members present. The overall aim of many of the committee reforms is to restore committees as the legislative workshops of the House.

This rule does not apply to House-Senate conference committees which operate under joint rules agreed to by a particular conference. Conference committees, for instance, do not require an actual meeting to sign the report (though they must hold at least one meeting at some point)—only a majority of conferees from each House to sign the report.

Sec. 105. Committee Sunshine Rules: Subsection (a) amends clause 2(g)(l) of rule XI, relating to open meetings to require that meetings which are open to the public shall also be open to the broadcast and photographic media. It also requires that meetings may only be closed by majority vote, with a majority present, if it is determined that matters to be disclosed would endanger national security, compromise sensitive law enforcement information, tend to defame, degrade or incriminate any person, or otherwise would violate any law or rule of the House. The subsection also strikes a provision allowing for a meeting to be closed to discuss internal budget or personnel matters.

Under present House rules, a committee must vote to approve coverage of a meeting by radio, television and still photography. And, a meeting may be closed for any purpose by majority vote.

Subsection (b) amends clause 2(g)(2) of rule XI, relating to open committee hearings, to require that any hearing open to the public is also open to the broadcast and photographic media and may only be closed by majority vote, a majority being present, for the same reasons stated in the open meeting rule above.

The present House rule requires a majority vote to open a hearing to the broadcast and photographic media. It also prohibits closing a meeting except for all of the specified reasons above except one: the new rule adds the condition relating to the disclosure of "sensitive law enforcement information."

Unchanged is the present rule provision permitting a majority of a committee hearing quorum (which could be as few as two members if a committee has adopted such a quorum requirement as permitted by House rules) to vote to close a hearing either to discuss whether testimony or evidence to be received would endanger national security or, in the case of an investigatory hearing, would tend to defame, degrade or incriminate any person (see clause 2(k)(5) of rule XI); or if a majority of the same hearing quorum makes a determination at an investigatory hearing that testimony or evidence to be disclosed would tend to defame, degrade or incriminate any person.

Subsection (c) amends clause 3(d) of rule XI, relating to the broadcasting of committee meetings or hearings, by striking the clause that makes coverage by the audio and visual media "a privilege made available by

the House." This reflects the new requirement that public meetings and hearings are automatically open to these media and does not require an affirmative vote of the committee.

Subsection (d) amends paragraph (e) of clause 3, rule XI, by eliminating the requirement that a committee must vote to permit audio and visual media coverage except as provided in paragraph (f)(2). Paragraph (f)(2), which permits a subpoenaed witness to demand that audio and visual coverage of that witness' testimony be prohibited, remains unchanged under the new rule. The subsection also provides that a committee or subcommittee may not limit television or photographic coverage to less than two representatives of each medium except for legitimate space or safety considerations, in which case pool coverage shall be authorized.

Sec. 106. Limitations on Tax Increases: Subsection (a) amends clause 5 of rule XXI by adding a new paragraph (c) at the end requiring a three-fifths vote of the House to pass or agree to any bill, joint resolution, amendment or conference report carrying a Federal income tax rate increase. The three-fifths vote would be of those present and voting. This should be read in the context of section 214 of the resolution which requires an automatic rollcall vote in the House on the final passage of any bill, joint resolution or conference report carrying a Federal income tax rate increase.

Subsection (b) adds a new paragraph (d) to clause 5 of rule XXI prohibiting the consideration of any bill, joint resolution, amendment or conference report carrying a retroactive Federal income tax rate increase. For purposes of these rules the term "Federal income tax rate increase" is, for example, an increase in the individual income tax rates established in section 1, and the corporate income tax rates established in section 11, respectively, of the Internal Revenue Code of 1986.

Sec. 107. Comprehensive House Audit: This section is a free-standing requirement that the Inspector General of the House, during the 104th Congress, in consultation with the Speaker and the Committee on House Oversight, conduct a comprehensive audit of House financial records and administrative operations, be authorized to contract with independent auditing firms for such purposes, and report the results of the audit as provided in House rule VI ("Office of Inspector General"), which requires the submission of any audit reports simultaneously to the Speaker, majority leader, and the chairman and ranking minority members of the Committee on House Oversight.

Sec. 108. Consideration of the "Congressional Accountability Act": Sec. 108 is a free-standing, special rule, permitting the consideration in the House, at any time after the adoption of the House rules' resolution, of H.R. 1 (104th Congress), a bill to make certain laws applicable to the legislative branch of the Federal Government, if offered by the majority leader or a designee. The special rule provides for one-hour of debate controlled equally by the majority and minority leaders, or their designees, and orders the previous question to final passage without intervening motion except one motion to recommit. The bill would not be subject to amendment unless offered as part of amendatory instructions in the motion to recommit.

#### TITLE II. GENERAL

Title II consists of 23 additional sections under a single introductory paragraph adopting the rules of the 103rd Congress together with the further amendments contained in those sections. As such, the 23 sections would not be subject to a division of the question

and separate votes. These would be a single vote on Title II following debate on it (and on any vote on a motion to commit).

Sec. 201. Administrative Reforms: Subsection (a) strikes from rule II references to the Doorkeeper as an elected House Officer (the office is abolished) and add the office of Chief Administrative Officer as a newly elected Officer of the House.

Subsection (b) amends rule III ("Duties of the Clerk") by adding two new clauses, 7 and 8, requiring the Clerk to make semi-annual reports on finances and operations of the Office, to the Committee on House Oversight, and to cooperate with the appropriate offices and persons conducting performance reviews and audits of the Office's finances and operations.

Subsection (c) amends House rules IV, V, and VI as follows:

Rule IV ("Duties of the Sergeant-at-Arms"), is amended to reflect the assumption by the Sergeant-at-Arms of certain duties and responsibilities previously under the Doorkeeper; to require semi-annual reports be made to the Committee on House Oversight regarding the finances and operations of the Office; and to require cooperation with appropriate persons in the performance of reviews and audits.

Rule V, previously relating to the "Duties of the Doorkeeper," is replaced by a new rule relating to the "Chief Administrative Officer" who shall assume many of the duties and functions previously vested in the Director of Non-Legislative and Financial Services (rule VI, clause 1, 103rd Congress). Specifically, the Chief shall have operational and financial responsibility for functions assigned by the Speaker and Committee on House Oversight, subject to their policy direction and oversight. In addition, the Chief shall make semi-annual reports to the Committee on House Oversight on the finances and operations of the Office, and cooperate fully with appropriate offices and persons conducting performance reviews and audits.

Rule VI, previously relating to the Director of Non-Legislative and Financial Services and the Office of Inspector General, is replaced by a new rule establishing the Office of Inspector General. The Office of Director of Non-legislative and Financial Services would be abolished by the adoption of this new rule.

As with the previous rule VI, clause 2, the Inspector General is to be appointed by the Speaker, majority leader, and minority leader, acting jointly. The Inspector General would be subject to the policy direction and oversight of the Committee on House Oversight, and would be responsible for conducting periodic audits of the financial and administrative functions of the House and joint entities. The audit responsibilities of the previous Inspector General were confined to the financial functions under the Director of Non-legislative and Financial Services, the Clerk, the Sergeant-at-Arms and the Doorkeeper.

The new responsibilities are therefore broadened to include all financial and administrative functions of the House and joint entities. The existing reporting and consultation requirements regarding any audits would be retained. Specifically, the Inspector General would be required to report simultaneously to the Speaker, majority leader, and the chairman and ranking minority member of the Committee on House Oversight any financial irregularities discovered, as well as on the final results of any audit.

Moreover, the Inspector General is required to report to the Committee on Standards of Official Conduct any potential violations of House rules or laws applicable to the performance of official duties or the discharge of official responsibilities of any

Member, officer or employee of the House. The Committee on Standards of Official Conduct would retain existing authority to refer any possible law violations to the appropriate Federal or State authorities, subject to House approval, under clause 4(e)(1)(C) of rule X.

Subsection (d) eliminates clause 3(j) of rule X which established a bipartisan Subcommittee on House Oversight of the former Committee on House Administration for the purpose of receiving audit reports and exercising oversight of the Clerk, Sergeant-at-Arms, Doorkeeper, Director of Non-legislative and Financial Services, and the Inspector General. These responsibilities will be assumed by the full Committee on House Oversight.

Subsection (e) amends clause 4(d) of rule X, regarding the additional functions of the Committee on House Oversight, by making conforming changes reflecting the committee's new name and changes made in the other Offices of the House.

Sec. 202. Changes in the Committee System: This section rewrites clause 1 of rule X ("The Committees and Their Jurisdiction"), to reflect the abolition of three committees—District of Columbia, Merchant Marine and Fisheries, and Post Office and Civil Service—the transfer of their jurisdictions, and the renaming and jurisdictional changes in other standing committees of the House.

Specifically, from the Committee on Merchant Marine and Fisheries, the national security aspects of merchant marine jurisdiction is transferred to the Committee on National Security (formerly Armed Services); the Coast Guard jurisdiction is transferred to the Committee on Transportation and Infrastructure (formerly Public Works and Transportation); and the fisheries, marine, non-national security aspects of the merchant marine, oceanographic affairs, and endangered species jurisdictions are transferred to the Committee on Resources (formerly Natural Resources).

The Committee on Government Reform and Oversight (formerly Government Operations), would assume the jurisdictions of the committees on District of Columbia and Post Office and Civil Service, except for the Franking Commission which goes to House Oversight (formerly House Administration).

Approximately 20 percent of the jurisdiction of the former Committee on Energy and Commerce (renamed the Committee on Commerce by this resolution) would go to the following committees: primary jurisdiction over Glass-Steagall reform legislation to the Committee on Banking and Financial Services (formerly Banking, Finance and Urban Affairs); consolidation of food inspection jurisdiction to the Committee on Agriculture; railroad jurisdiction to the Committee on Transportation and Infrastructure; Trans-Alaska Pipeline to the Committee on Resources; inland waterways jurisdiction to Transportation and Infrastructure; and consolidation of energy research and development jurisdiction under the Committee on Science.

The Committee on the Budget would gain certain jurisdiction over budgetary legislation from the Committee on Government Reform and Oversight.

Other committee names changes include: Economic and Educational Opportunities (formerly Education and Labor); and International Relations (formerly Foreign Affairs).

Sec. 203. Oversight Reform: Subsection (a) adds two new subparagraphs (d) and (e) at the end of clause 2 of rule X ("General Oversight Responsibilities"). Paragraph (a) requires each standing committee of the House, no later than February 15 of the first session of a Congress, to adopt in open ses-

sion, with a quorum present, its oversight plans for that Congress, and to submit them to the committees on House Oversight and Government Reform and Oversight.

Committees shall, to the maximum extent feasible, consult with other committees having related jurisdictions to ensure coordination and cooperation in formulating and implementing oversight plans; give priority consideration to including in its plans the review of those laws, programs or agencies operating under permanent authority; and ensure that all laws within their jurisdictions are subject to oversight review at least once every ten years.

No expense resolution could be considered for any committee which has not submitted its oversight plans to the Committee on House Oversight and the Committee on Government Reform and Oversight. Not later than March 31 of the first session of a Congress, after consulting with the Speaker and majority and minority leaders, the Committee on Government Reform and Oversight shall publish the oversight plans of the various committees, together with any recommendations made by the joint leadership group to ensure the most effective coordination of the plans.

Paragraph (e) of rule X, clause 2, authorizes the Speaker, with the approval of the House, to appoint special, ad hoc oversight committees for the purpose of reviewing specific matters within the jurisdiction of two or more committees.

Subsection (b) of the resolution amends clause 1(d) of rule XI, which now requires committee to submit an activity report at the end of each Congress, to include in such reports separate sections on the committees' legislative and oversight activities, including a summary of the oversight plans submitted and actions taken and recommendations made with respect to each such plans, as well as any additional oversight activities undertaken by the committees.

It is the intent of this section to ensure that committees make a more concerted, coordinated and conscientious effort to develop meaningful oversight plans at the beginning of each Congress and to follow-through on their implementation, with a view to examining the full range of the laws under their jurisdiction over a period of five Congresses.

Sec. 204. Member Assignment Limits: Clause 6(b) of rule X, relating to committee memberships, would be amended by adding a new subparagraph (b) that would limit Members to no more than two standing committee assignments and four subcommittee assignments. The limitation would not apply to committee chairman and ranking minority members who serve as ex officio members of all subcommittees of their committees. Any exceptions to these limits must be approved by the House upon the recommendation of the respective party caucus or conference.

The term subcommittee is defined for purposes of this subparagraph as any panel (other than a special oversight panel of the Committee on National Security), task force, special subcommittee, or any subunit of a committee that is established for a cumulative period of longer than six months in a Congress.

It is the intent of this rule that any waivers by a party caucus or conference be specifically approved before it is presented to the House for consideration. If such party caucus or conference recommendations are specifically approved at the beginning of a Congress, the election of committees by the House will be considered as the requisite approval by the House of any exceptions to the committee limitation. However, any exceptions to the subcommittee limitation would

have to be reported to the House from the respective party caucus or conference.

Sec. 205. Multiple Referral Reform: Clause 5(c) of rule X ("Referral of Bills, Resolutions, and Other Matters to Committees") is amended to require the Speaker to designate a committee of primary jurisdiction upon the initial referral of a measure to a committee. The Speaker would have the discretion to also refer the same measure to other committees in sequence (sequential referral), either upon its initial introduction or after the primary committee has reported, subject to time limits for reporting by the secondary committees; or to refer designated portions of the same measure to other committees (split referral); or to refer a measure to a special ad hoc committee consisting of committees with shared jurisdictions over the measure.

This rule change differs from the present referral rule in four significant respects. First, the designation of a committee of primary jurisdiction is designed to ensure greater accountability for legislation. Second, the rule eliminates so-called joint referrals which technically gave committees authority to consider the same portions of legislation as other committees (though referrals are always for consideration only of such provisions as fall within a committee's jurisdiction). Third, giving the Speaker discretion to make sequential or split referrals allows more flexibility than the current requirement that every committee having any jurisdiction over a measure, no matter how minor, must receive a referral. And fourth, the ability of the Speaker to designate a secondary committee for sequential referral purposes upon the initial introduction of a measure will allow that committee to proceed with its work on the measure immediately, if it wishes.

Nothing in this rule should be construed to prevent a secondary committee from reporting prior to the primary committee. However, it is the intent of the rule to the extent possible, to allow the primary committee to report before a measure is scheduled for floor consideration, unless it waives its right to report or the Speaker exercises discretion to impose a time limit on the primary committee for reporting and it fails to meet the deadline, in which case it will be considered to have been discharged of the measure.

Sec. 206. Accuracy of Committee Transcripts: Clause 2(e)(1) of rule XI ("Committee Records"), is amended to require that committee transcripts shall be a substantially verbatim account of remarks actually made during proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved.

The current rule requires committees to keep a complete record of all committee action, including a record of the votes on any question on which a rollcall vote is demanded. It is the intent of the new rule to require that where stenographic transcripts are kept of committee meetings or hearings, they not be subject to substantive changes by either the persons making the remarks or by staff.

It is not the intent of this rule that all meeting and hearing transcripts be published. However, in those instances in which persons involved in a meeting or hearing are allowed to review and correct their remarks before publication of the transcripts, any corrections must be specifically authorized by that person and cannot alter the substantive content of the remarks. To the extent a person making remarks wishes to elaborate on any point, such substantive modifications should be treated the same as extensions of remarks on House floor speeches, i.e., they should be clearly delineated

from remarks actually made by being printed in a typeface that is clearly distinguishable from verbatim remarks.

Sec. 207. Elimination of "Rolling Quorums": Clause 2(l)(2)(A) of rule XI is amended by striking the existing provision which establishes a presumption that a committee majority was actually present at the time a measure is reported if the records of the committee show that a majority of the committee responded on a rollcall vote on the question, and prohibits a point of order to lie in the House that a majority was not present unless the point of order was timely made in the House.

In so doing, the rule change restores the previous requirement that a "majority of the committee was actually present" at the time a measure was ordered reported. The fact that a committee orders a measure reported by voice vote without a quorum present, and no point of order is made at the time, does not prevent the point of order from being made in the House when the measure is called-up for consideration.

It should also be emphasized that the requirement that a majority be actually present at the time the measure is reported from a committee means that a majority must be contemporaneously assembled at the time the vote is taken. Unlike a House floor vote during which Members may come and go during the course of a vote, the committee quorum rule, absent the old "rolling quorum" latitude, means a committee can no longer simply leave a vote open until a sufficient number of Members have responded to their names. Prior to the "rolling quorum" rule, the Committee on Rules has decided against granting a rule when presented with evidence that a majority was not actually present when the measure was reported.

Sec. 208. Limitation on Committees' Sittings: Clause 2(i) of rule XI, which currently prohibits committees from sitting during a joint, House-Senate session or meeting, would be amended to prohibit any committees except the committees on Appropriations, Budget, Rules, Standards of Official Conduct, and Ways and Means, from sitting while the House is reading a measure for amendment under the five-minute rule. Special leave to sit could be granted unless ten or more members object to a unanimous consent request, or upon the adoption by the House of a motion offered by the majority leader. This restores the rule in existence prior to the 103d Congress, with the only exception being the addition of a privileged motion by the majority leader. It is anticipated that the Speaker will again promulgate guidelines as to when and under what circumstances special leave may be requested.

Sec. 209. Accountability for Committee Votes: Clause 2(l)(2)(B) of rule XI, which now requires that the results of any rollcall vote to report a measure be included in a committee report, would be amended to require that the names of those members voting for and against any amendment or motion to report a measure by rollcall vote be included in the committee report.

It is the intent of this rule to provide for greater accountability for record votes in committees and to make such votes easily available to the public in committee reports. At present, under clause 2(e)(1) of rule XI, the public can only inspect rollcall votes on matters in the offices of committees. It is anticipated that with the availability of committee reports to the public through electronic form the listing of votes in reports will be more bill-specific than earlier proposals to publish all votes in the Congressional Record twice a year.

Sec. 210. Affirming the Minority's Right on Motions to Recommit: Clause 4(b) of rule XI,

which, among other things, prohibits the Committee on Rules from denying a motion to recommit as provided in clause 4 of rule XVI, would be amended to clarify and ensure that such right includes the right to offer amendatory instructions, otherwise in order under the rules, in a motion to recommit, if offered by the minority leader or a designee.

Exempted from this guarantee would be the motion to recommit a Senate bill or resolution for which the text of a House-passed measure has been substituted. This exemption recognizes that the minority would already have had the opportunity to offer a motion to recommit with instructions on the original House-passed measure being substituted for the Senate measure.

It is the intent of this rule to restore the original purpose of clause 4(b) when it was adopted in 1909 to give the minority a final opportunity to offer an amendment of its choosing in a motion to recommit prior to the final passage of a bill.

Sec. 211. Waiver Policy for Special Rules: Clause 4 of rule XI, relating to the Rules Committee, is amended by adding a new paragraph (e) at the end to require that whenever the Rules Committee reports a resolution providing for the consideration of a measure, it shall, to the maximum extent possible, specify in the resolution any House rules being waived against the measure or against its consideration.

It is the intent of this rule that Members be fully informed as to what potential violations of House Rules are involved in considering a bill. This in turn will require committee chairmen to determine in advance of their Rules Committee appearance what waivers they will seek, and to be prepared to explain and defend those waivers before the Rules Committee. It is the ultimate intent of the rule change that Committee will be more careful prior to reporting a measure to ensure against any rules violations in the bill or report.

While the failure of the Rules Committee to specify waivers in a rule would not give rise to a point of order against a special rule that waives all points of order, it is expected that the Rules Committee will, in all but the most time-sensitive situations, endeavor to determine what specific waivers are required and to detail them in the rule.

Sec. 212. Prohibition on Delegate Voting in Committee of the Whole: Subsection (a) amends rule XII ("Resident Commissioner and Delegates") by striking clause 2 which now entitles the Resident Commissioner from Puerto Rico and each Delegate to the House to the same powers and privileges in the Committee of the Whole on the state of the Union as other House Members.

Subsection (b) amends clause 1 of rule XXIII ("Of Committees of the Whole House") by striking "Resident Commissioner, or Delegate" as being eligible for appointment by the Speaker to chair the Committee of the Whole.

Subsection (c) amends clause 2 of rule XXIII by striking paragraph (d) which provided for an immediate re-vote in the House whenever the votes of the Resident Commissioner and Delegates were decisive to the outcome of a vote in the Committee of the Whole.

Sec. 213. Accuracy of the Congressional Record: Rule XIV ("Of Decorum and Debate") is amended by adding a new clause 9 requiring that the Congressional Record be a substantially verbatim account of remarks made during debate. Members could only authorize technical, grammatical and typographical corrections. Unparliamentary remarks could only be deleted by permission or order of the House. However, Members may

still insert undelivered remarks so long as they are delineated by a different typeface. Breaches of the rule could be subject to investigation by the Committee on Standards of Official Conduct.

Sec. 214. Automatic Rollcall Votes: Rule XV ("On Calls of the Roll and House") is amended by adding a new clause 7 to require an automatic rollcall vote on the final passage or adoption of any bill, joint resolution, or conference report, making general appropriations, increasing Federal income tax rates, or on final adoption of a budget resolution or a conference report thereon.

Sec. 215. Appropriations Reforms: Subsection (a) amends clause 2(d) of rule XXI ("On Bills") by providing that motions to rise and report an appropriations bill after the bill has been read for amendment shall only have precedence if offered by the majority leader or a designee. Under current rules, so-called limitation amendments not specifically contained or authorized in existing law, may only be offered if the motion to rise is not offered or is rejected after other amendments to the bill have been disposed of. The intent of the new rule is to permit the offering of limitation amendments at the end of the reading, subject only to a motion to rise offered by the majority leader or a designee.

Subsection (b) adds a new paragraph (e) to clause 2 of rule XXI to prohibit reporting any non-emergency matter in an appropriations bill containing an emergency designation under the Budget Act. The only exceptions are for provisions which rescind budget authority, reduce direct spending authority, or reduce the amount for a designated emergency. While the Committee on Appropriations could evade this prohibition by giving an entire bill an emergency designation, it is the clear intent of this rule that no non-emergency items should be given such blanket coverage. Let exposed, as they should be, such non-emergency items would be subject to deletion if a point of order is made and sustained.

It is not the intent of this rule to make in order any amendments not otherwise in order under the rules. Thus, any amendments to rescind or reduce direct spending must be germane to the bill as reported or be given special protection by way of a special rule reported by the Rules Committee and adopted by the House.

Subsection (c) amends clause 2 of rule XXI by adding a new paragraph (f) to permit the offering of so-called offsetting amendments in appropriations bill. At present, appropriations measures are read for amendment by paragraph, meaning it is not possible to offer an amendment that is deficit neutral if it goes to paragraphs not yet pending. The new rule would allow the offering of such offsetting amendments en bloc and not subject to a division of the question in the House or the Committee of the Whole.

When such an en bloc amendment is offered, and prior to the debate on it, the chair will ask whether there are any points of order against any portion of the bill covered by the amendment. If such a point of order is sustained, and the provision in the bill stricken, the amendment would no longer be in order as a proper offset.

To qualify as an offsetting amendment for purposes of this paragraph, the proponent must be able to demonstrate that the net effect of the amendment would not increase overall budget authority or outlays in the bill. Since appropriations bills only contain the amount of budget authority being appropriated, it should be kept in mind that the off-setting numbers may not be the same since the ultimate test is whether the amendment does not increase the deficit—and deficits are determined by outlays in a

fiscal year, not by the amount of budget authority appropriated for a particular matter. It will therefore be necessary for the author of an offsetting amendment to work closely with the Congressional Budget Office to ensure that the bottom line amendment makes equivalent increases and decreases in outlays resulting from the changes in budget authority.

Subsection (d) amends clause 3 of rule XXI to require that the Committee on Appropriations include in its report a list of all appropriations contained in a bill for any expenditure not previously authorized by law (except for classified intelligence or national security programs, projects or activities). Clause 3 already requires that committee reports include a listing of legislative provisions contained in the bill. Since the point of order under clause 2 of rule XXI lies against both unauthorized and legislative provisions, it is only reasonable that the report should contain information on both. It is the intent of this rule that the test of compliance will be whether the committee has made a good faith effort to include all unauthorized matters in its report that it is aware of. The inadvertent omission of an unauthorized matter in a committee report will not give rise to a point of order against the consideration of the bill, though a point of order would still lie against the provision in the bill.

Subsection (e) adds a new clause 8 to rule XXI to provide for the automatic reservation of points of order against provisions in an appropriations bill at the time the report on it is filed. Under current rules, the points of order under clause 2 of rule XXI are against the reporting of any unauthorized or legislative provision in an appropriations bill. This means that, for a point of order to be valid, it must be raised or reserved at the time the measure is actually reported, that is, at the time the report is filed in the House. This has required that a minority representative of the committee accompany the majority member filing the report in order to reserve points of order at the time the report is filed. Under the new rule, it will no longer be necessary to reserve points of order at the time an appropriations bill is filed. Members' rights to later raise such points of order will automatically be protected.

Sec. 216. Ban on Commemoratives: Subsection (a) amends clause 2 of rule XXII ("Of Memorial, Bills and Resolutions") by prohibiting the introduction or consideration of any bill, resolution, or amendment which establishes or expresses any commemoration. For purposes of the new rule, a commemoration is defined as "any remembrance, celebration, or recognition for any purpose through the designation of a specified period of time."

The existing clause 2, which would be retained as paragraph (a), includes a similar prohibition against the receipt or consideration by the House of private bills, resolutions or amendments authorizing or directing the payment of money for certain property damages or for personal injury or death for which suit may be instituted under the Tort Claims procedure; for the construction of a bridge across a navigable stream; or for the correction of a military or naval record.

The new ban on date-specific commemorative measures or amendments applies to both the introduction and consideration of any measure containing such a commemorative. This is intended to include measures in which such a commemorative may only be incidental to the overall purpose of the measure. Such measures will be returned to the sponsor if they are dropped in the legislative hopper. The prohibition against consideration also extends to any measures received from the Senate which contain date-specific commemorative. While it does not

block their receipt from the other body, it is intended that such measures would not be referred to the appropriate committee of the House or be considered by the House. Instead, they would simply be held at the desk without further action. Should such a commemorative be included in a conference report or Senate amendment to a House bill, the entire conference report or Senate amendment would be subject to a point of order.

While the ban does not apply to commemorative which do not set aside a specified period of time, and instead simply call for some form of national recognition, it is not the intent of the rule that such alternative forms should become a new outlet for the consideration of such measures. Thus, while they could be referred to an appropriate committee, it is not expected that such committees should feel obligated or pressured to establish special rules for their release to the House floor. Nor should it be expected that the Rule Committee should become the new avenue for regular waivers of the rule against date specific commemorative. Such exceptions should be limited to those rare situations warranting special national recognition as determined by the Leadership.

Subsection (b) is a free-standing directive to the Committee on Government Reform and Oversight to consider alternative means for establishing commemorations, including the creation of an independent or Executive branch commission for such purpose, and to report to the House its recommendations thereon.

Sec. 217. Numerical Designation of Amendments: Clause 6 of rule XXIII ("Of Committees of the Whole") is amended to add a new sentence requiring that amendments submitted for printing in the amendments portion of the Congressional Record be given a numerical designation in the sequence submitted for a particular bill.

The clause already requires that amendments printed in the Record be allowed five minutes of debate for and against, even if the Committee of the Whole has voted to close debate on a particular section or paragraph, and that time has expired. It is the purpose of this further amendment to the rule to facilitate reference to such amendments for the convenience of Members and committee managers alike, and to encourage Members to utilize the pre-printing option for their amendments.

The new rule may also make it possible for the Committee on Rules to reference numerically designated amendments in special rules that structure the amendment process since the Congressional Record is often more readily available to Members and their staff than are Rules Committee reports.

Sec. 218. Pledge of Allegiance: Clause 1 of rule XXIV ("Order of Business") is amended to insert the Pledge of Allegiance as the third order of business each day in the House, following the approval of the Journal and preceding the correction of reference of public bills. This change codifies a practice in effect in the House since 1988.

Sec. 219. Discharge Petitions: Clause 3 of rule XXVII ("Change or Suspension of the Rules") is amended to require that the Clerk publish in the Congressional Record on the last day of House session each week the names of those Members who have signed a discharge motion during that week, and to make available on a daily basis, in an appropriate office, the cumulative lists of names of those Members who have signed pending discharge motions. Finally, the new rule directs the Clerk to devise a means for making such names on discharge petitions available to House offices and the public by electronic form.

In the 103d Congress, the House adopted a new rule making the names of Members signing discharge petitions immediately available for public inspection. However, the rule change did not specify how such publication was to be accomplished. This rule change codifies the current practice of daily availability of all motions and signatures in a House office, and the weekly publication of new signatures in the Congressional Record. The directive regarding making such lists available by computer is in line with other ongoing initiatives to make House documents generally available to the public through computer networks.

Sec. 220. Protection of Classified Materials: Rule XLIII ("Code of Official Conduct") would be amended by adding a new clause 13 requiring that any Member, officer or employee of the House take an oath or affirmation on non-disclosure of classified information prior to being given access to such materials. Copies of the executed oath would be retained by the Clerk of the House as part of the records of the House.

Sec. 221. Select Committee on Intelligence: Subsection (a) amends clause 1(a) of rule XLVIII ("Permanent Select Committee on Intelligence") to change the composition of the committee from 19 to 16 members, of whom not more than nine may be of the same political party.

Subsection (b) amends clause 1(b) of rule XLVIII, to substitute the Speaker for the majority leader as a non-voting ex officio member of the committee, along with the minority leader. The subsection also allows both the Speaker and minority leader to designate one of their leadership staff to assist them in their roles as ex officio members of the committee, with all the same rights, privileges, and requirements as if members of the select committee staff. The purpose of this clause is to allow designated leadership staff the same access to committee documents and materials, briefings, hearings, and meetings, without having to become committee staff members for such access. A conforming change is made by striking subparagraph (c)(3) of clause 7 which permits the Speaker to attend any select committee

meeting and have access to any committee information.

Subsection (c) amends clause 1 of rule XLVIII to extend from three (in any five consecutive Congresses) to four (in any six consecutive Congresses) the number of consecutive Congresses any Member (other than the Speaker and minority leader) may serve on the select committee, and to permit a chairman or ranking minority member who attain those positions in their fourth terms on the committee to serve in those positions for an additional term.

Subsection (d) amends clause 2(a) of rule XLVIII to clarify the committee's jurisdiction to reflect current referral practices.

Sec. 222. Abolition of Legislative Service Organizations: This is a free-standing provision that prohibits in the 104th Congress the establishment or continuation of any legislative service organization (as the term is defined and authorized in the 103rd Congress). The Committee on House Oversight is authorized to take necessary steps to ensure the orderly termination and accounting for funds of any such LSO in existence on January 3, 1995. So-called LSO's are those organizations recognized through the House Administration Committee in the 103rd Congress which are allowed to utilize Member Clerk hire funds for the staffing of such special purpose organizations. It is the intent of this rule that the Committee on House Oversight will oversee the shut-down of such organizations in a manner to ensure the maximum accountability possible for any funds allocated for their operation. This is especially important in view of the comprehensive audit required by section 107 of the resolution.

Sec. 223. Miscellaneous Provisions and Clerical Corrections: Subsection (a) amends clause 5(b)(1) of rule I ("Duties of the Speaker") to expand the Speaker's current authority to postpone votes on certain matters for up to two legislative days to include the previous question votes on adopting a resolution, passing a bill, instructing conferees, or agreeing to a conference report. At present, the only previous question vote the Speaker

may postpone is on a privileged resolution from the Rules Committee.

Subsection (b) establishes an Office for Legislative Floor Activities in the Office of the Speaker, and authorizes the Speaker to appoint and set the pay for floor assistants to assist him in managing legislative floor activity.

Subsection (c) amends clause 2(d) of rule XI by allowing the chairman of a committee to designate any member of the committee, or of any subcommittee thereof, as vice chairman, to preside in the chairman's absence. The present rule specifies that the ranking majority member shall serve as vice chairman.

Subsection (d) amends clause 7 of rule XIV ("Of Decorum and Debate") to include in those provisions of prohibited activities on the House floor the use of personal, electronic office equipment, including cellular phones and computers. It is the purpose of this new rule to avoid the disruptions and distractions that can be caused by the sounds emitted from such equipment. As with any disruption to the decorum of House floor debate, it is anticipated that the Speaker could instruct the Sergeant-at-Arms to take necessary steps to restore order.

Subsection (e) amends clause 5(b) of rule XV ("On Calls of the Roll and House") to permit the Speaker to reduce to five-minutes the vote that occurs following the vote on the previous question on any matter. The present rule confines this authority to the vote following the previous question vote only on a special rule from the Rules Committee.

Subsection (f) makes clerical corrections in clause 3 of rule III, "Duties of the Clerk" by inserting "and" prior to the last in a series of clauses; and in clause 2(l)(1)(B) of rule XI by striking a reference to subdivision (C) that had been previously repealed.

Subsection (g) is a free-standing provision that permits more than one prime sponsor on the first 20 bills and the first three joint resolutions introduced in the House in the 104th Congress. This is done to permit the Leadership to designate multiple-authors of certain priority legislation.

## **NOTICE**

***Incomplete record of House proceedings.***

***Today's House proceedings will be continued in the next issue of the Record.***