

raise the ambient lighting level to the lowest level necessary to provide adequate television coverage of the hearing at the then current state of the art of television coverage.

(e) The additional lighting authorized by subsection (d) of this rule shall not be directed into the eyes of any members of the committee or of any witness, and at the request of any such member or witness, offending lighting shall be extinguished.

(f) No witness shall be required to be photographed at any hearing or to give testimony while the broadcasting (or coverage) of that hearing is being conducted. At the request of any such witness who does not wish to be subjected to radio or television coverage, all equipment used for coverage shall be turned off.

Rule 17. *Subcommittees*.—(a) The chairman, subject to the approval of the committee, shall appoint legislative subcommittees. All legislation shall be kept on the full committee calendar unless a majority of the members present and voting agree to refer specific legislation to an appropriate subcommittee.

(b) The chairman may limit the period during which House-passed legislation referred to a subcommittee under paragraph (a) will remain in that subcommittee. At the end of that period, the legislation will be restored to the full committee calendar. The period referred to in the preceding sentences should be 6 weeks, but may be extended in the event that adjournment or a long recess is imminent.

(c) All decisions of the chairman are subject to approval or modification by a majority vote of the committee.

(d) The full committee may at any time by majority vote of those members present discharge a subcommittee from further consideration of a specific piece of legislation.

(e) Because the Senate is constitutionally prohibited from passing revenue legislation originating in the Senate, subcommittees may mark up legislation originating in the Senate and referred to them under Rule 16(a) to develop specific proposals for full committee consideration but may not report such legislation to the full committee. The preceding sentence does not apply to nonrevenue legislation originating in the Senate.

(f) The chairman and ranking minority members shall serve as nonvoting *ex officio* members of the subcommittees on which they do not serve as voting members.

(g) Any member of the committee may attend hearings held by any subcommittee and question witnesses testifying before that subcommittee.

(h) Subcommittee meeting times shall be coordinated by the staff director to insure that—

(1) no subcommittee meeting will be held when the committee is in executive session, except by unanimous consent;

(2) no more than one subcommittee will meet when the full committee is holding hearings; and

(3) not more than two subcommittees will meet at the same time.

Notwithstanding paragraphs (2) and (3), a subcommittee may meet when the full committee is holding hearings and two subcommittees may meet at the same time only upon the approval of the chairman and the ranking minority member of the committee and subcommittees involved.

(i) All nominations shall be considered by the full committee.

(j) The chairman will attempt to schedule reasonably frequent meetings of the full committee to permit consideration of legislation reported favorably to the committee by the subcommittees.

Rule 18. *Transcripts of Committee Meetings*.—An accurate record shall be kept of all mark-

ups of the committee, whether they be open or closed to the public. This record, marked as "uncorrected," shall be available for inspection by Members of the Senate, or members of the committee together with their staffs, at any time. This record shall not be published or made public in any way except:

(a) By majority vote of the committee after all members of the committee have had a reasonable opportunity to correct their remarks for grammatical errors or to accurately reflect statements made.

(b) Any member may release his own remarks made in any markup of the committee provided that every member or witness whose remarks are contained in the released portion is given a reasonable opportunity before release to correct their remarks.

Notwithstanding the above, in the case of the record of an executive session of the committee that is closed to the public pursuant to Rule XXVI of the Standing Rules of the Senate, the record shall not be published or made public in any way except by majority vote of the committee after all members of the committee have had a reasonable opportunity to correct their remarks for grammatical errors or to accurately reflect statements made.

Rule 19. *Amendment of Rules*.—The foregoing rules may be added to, modified, amended or suspended at any time.●

## RULES OF PROCEDURE—U.S. SENATE COMMITTEE ON THE JUDICIARY

Mr. HATCH. Mr. President, today I report to the Senate the rules adopted by the Committee on the Judiciary as provided for in rule 26.2 of the Standing Rules of the Senate. These rules were unanimously adopted by the committee in open session on January 23, 1997, and I ask that they be printed in the RECORD.

The rules follow:

### COMMITTEE ON THE JUDICIARY JURISDICTION

Rule XXV, Standing Rules of the Senate

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

\* \* \* \* \*

(1) Committee on the Judiciary, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Apportionment of Representatives.
2. Bankruptcy, mutiny, espionage, and counterfeiting.
3. Civil liberties.
4. Constitutional amendments.
5. Federal courts and judges.
6. Government information.
7. Holidays and celebrations.
8. Immigration and naturalization.
9. Interstate compacts generally.
10. Judicial proceedings, civil and criminal, generally.
11. Local courts in the territories and possessions.
12. Measures relating to claims against the United States.
13. National penitentiaries.
14. Patent Office.
15. Patents, copyrights, and trademarks.
16. Protection of trade and commerce against unlawful restraints and monopolies.

17. Revision and codification of the statutes of the United States.

18. States and territorial boundary lines.

### RULES OF PROCEDURE

139 Cong. Rec. S1645 (daily ed. Feb. 16, 1993)

#### I. Meetings of the Committee

1. Meetings may be called by the Chairman as he may deem necessary on three days notice or in the alternative with the consent of the Ranking Minority Member or pursuant to the provision of the Standing Rules of the Senate, as amended.

2. Each witness who is to appear before the Committee or any Subcommittee shall file with the Committee, at least 48 hours in advance of the hearing, a written statement of his testimony in as many copies as the Chairman of the Committee or Subcommittee prescribes.

3. On the request of any Member, a nomination or bill on the agenda of the Committee will be held over until the next meeting of the Committee or for one week, whichever occurs later.

#### II. Quorums

1. Ten Members shall constitute a quorum of the Committee when reporting a bill or nomination; provided that proxies shall not be counted in making a quorum.

2. For the purpose of taking sworn testimony, a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

#### III. Proxies

When a record vote is taken in the Committee on any bill, resolution, amendment, or any other question, a quorum being present, a Member who is unable to attend the meeting may submit his vote by proxy, in writing or by telephone, or through personal instructions. A proxy must be specific with respect to the matters it addresses.

#### IV. Bringing a Matter to a Vote

The Chairman shall entertain a non-debatable motion to bring a matter before the Committee to a vote. If there is objection to bring the matter to a vote without further debate, a rollcall vote of the Committee shall be taken, and debate shall be terminated if the motion to bring the matter to a vote without further debate passes with ten votes in the affirmative, one of which must be cast by the minority.

#### V. Subcommittees

1. Any Member of the Committee may sit with any Subcommittee during its hearings or any other meeting, but shall not have the authority to vote on any matter before the Subcommittee unless he is a Member of such Subcommittee.

2. Subcommittees shall be considered *de novo* whenever there is a change in the Subcommittee chairmanship and seniority on the particular Subcommittee shall not necessarily apply.

3. Except for matters retained at the full Committee, matters shall be referred to the appropriate Subcommittee or Subcommittees by the chairman, except as agreed by a majority vote of the Committee or by the agreement of the Chairman and the Ranking Minority Member.

#### VI. Attendance Rules

1. Official attendance at all Committee markups and executive sessions of the Committee shall be kept by the Committee Clerk. Official attendance at all Subcommittee markups and executive sessions shall be kept by the Subcommittee Clerk.

2. Official attendance at all hearings shall be kept, provided that Senators are notified by the Committee Chairman and ranking

Member, in the case of Committee hearings, and by the Subcommittee Chairman and ranking Member, in the case of Subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken; otherwise, no attendance will be taken. Attendance at all hearings is encouraged.●

#### PROVIDING FOR ADJOURNMENT OF BOTH HOUSES

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Concurrent Resolution 21, the adjournment resolution.

I further ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 21) providing for an adjournment of both Houses.

Mr. WELLSTONE. Mr. President, reserving the right to object, I shall not object, I just wanted to bring up two quick questions with the majority leader.

Last time after the swearing-in ceremony, the majority leader will remember that I said I might object and I asked the majority leader whether I could get some kind of a commitment for a clear timeframe for taking up comprehensive campaign finance reform. I do not know whether the majority leader is prepared to make that commitment tonight, but I do want to be clear that if by March when we come back there has been no commitment made as to when we will have a bill on the floor and how we will move forward on it—because otherwise I fear delay and delay and delay, much like we did with gift ban—I will start to take amendments, campaign finance reform amendments, and attach those amendments to other bills because I believe we have to move this discussion forward. I think people want action.

I am interested in the response of the majority leader. I want to make clear to colleagues, because I think you need to give people a warning, that when we come to our next recess it may be the case that I will not agree to a unanimous consent. So I am using the model the majority leader and I worked out together at the end on gift ban and we came up with reform. I am using that model, and I think it is important for Senators to be out here on the floor really pushing very hard for this. I wonder whether the majority leader could tell me whether he has any plan now, whether we could get a specific time when we could have a bill—again, I am not trying to predetermine what the piece of legislation would be—on this floor.

Mr. LOTT. Mr. President, if I could respond to the Senator's question. First of all, it is very hard to pick a date, to say by a date certain we will get something done. For instance, on

the matter that has been pending before the Senate, Senate Joint Resolution 1, the constitutional amendment requiring a balanced budget, we had hoped we could have a reasonable and fair debate and amendments being offered—I believe the Senator from Minnesota has had three or so and maybe he had some more—and that by the end of the month we would have a vote on that after having had a good, fair debate and amendments being offered.

But now we are having trouble getting amendments up and getting a time agreed to. Now I understand we may have, I do not know, 20 or 25 amendments lurking around out there. So now I have to begin to consider filing cloture on something that—we do not want to start the cloture wars this year. So I try to take into consideration everybody's needs, and we have problems we have to take into consideration, like funerals of relatives or the Ambassador today. So it is very hard to say a time certain.

Another example is, before we have reform, I think we ought to find out, first of all, what laws have been violated already on the books. Today we have in the paper that China is working, perhaps, on trying to get some foreign contributions, illegal contributions in the Presidential campaign. There seems to be an article every day—every day.

Before we start trying to reform a law, I think we ought to see a law that is already on the books that I voted for back in 1973 or 1974 that is being used or abused. Yet we are seeing an all-out fight to stop the funding for the Governmental Affairs Committee to begin its work to find out what happened so we will know what laws have been violated, so we will know what kind of reform we may or may not need. Unfortunately, as it is being delayed and the appearance of obstruction in getting that hearing started, that has an impact on when we might get to a vote on legislation here in the Senate.

The next thing is we would like to have hearings on this issue in the Rules Committee. In fact, we will have. And yet the Rules Committee has been tied up for almost 2 weeks on trying to get the committee funding resolution and the resolution of the question with regard to the alleged illegal contributions in the Presidential campaign in 1996.

Then, also, I have to say to the Senator, are we ready now to begin to work on a bill that maybe both sides can agree to, or will it be one where you want to stick it to our side? Are you ready now to begin to get some language in there that would say that we must have paycheck equity? In other words, when I talk to my friends in my hometown, union members, some of which I used to represent when I practiced law, and my father was one, they get irate that their dues are being used for campaign purposes across this country without their approval or designation.

So, there is not going to be a campaign finance bill that does not address a question like that. So, is the Senator ready to include something like that in the legislation?

Mr. WELLSTONE. I am pleased to respond to the majority leader. I did not know we would have quite this debate but I understand—

Mr. LOTT. Do I have the floor?

The PRESIDING OFFICER. The majority leader has the floor.

Mr. LOTT. I try to be calm and respond gently, but when the Senator pricks me a little bit, I have to try to respond in a way that explains why I can't just say, "April 15 on tax day we are going to take this bill up." I need help. I need cooperation on your side. We have done that.

The Senator from Minnesota knows that last year I worked with him, I kept my word to him even one time when there was a little misunderstanding, but we worked through it and got it done. I am willing to do that, but you have to keep in mind what we are trying to accomplish here on a number of issues that do interrelate.

I am happy to yield for a response to that.

Mr. WELLSTONE. I shall be brief, Mr. President. The majority leader, I appreciate his graciousness. I actually like his passion. It does not trouble me at all.

Mr. President, I actually made it very clear that I am not trying to—he has his own ideas about what should be in a bill. I did not insist on a particular piece of legislation. We have the McCain-Feingold bill that has been much talked about and could be a vehicle that people could work with.

My point is I learned through the gift ban we only finally took action when we just started putting that piece of legislation on other bills. The majority leader is, after all, the majority leader, and, yes, we are now on the constitutional amendment to balance the budget, but the majority leader, I think, can be a real leader on this if we can get a commitment that says, look, we will not have delay and delay and delay. We will have a bill on the floor and resolve this by July 4 or whatever date the majority leader picks out, and that makes it clear to people in the country that we are not going to just stall and stall.

The majority leader is talking about today's piece in the Washington Post, but the point is we do not really need to find out that there are problems in the way campaigns are financed. This has been going on for a long time. There is plenty to be fixed. People in the country are experts at what they do not like. There is no reason whatever that we cannot move forward with a bill. I just would like to get a commitment. I take it from what the majority leader has said today and the way he said it that he is not ready to make such a commitment. That is fine, but I want to be clear that if that is the case come March, I think the majority leader can expect to see at least