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[COMMITTEE PRINT]

THE RECODIFICATION OF THE RULES OF THE HOUSE OF REPRESENTATIVES

HOUSE COMMITTEE ON RULES

106TH CONGRESS

MAY 12, 1999

Printed for the use of the Committee on Rules

U.S. GOVERNMENT PRINTING OFFICE

56–552 WASHINGTON : 1999

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-058556-2

RECODIFICATION TASK FORCE STAFF

David Dreier	Vince Randazzo, Counsel Subcommittee on Rules and Organization of the House
Gerald B.H. Solomon	Eric Pelletier, Parliamentary Counsel Committee on Rules

---

Martin Frost	Kristi Walseth, Minority Staff Director Subcommittee on Legislative and Budget Process
Louise Slaughter	Tom Bantle, Associate Staff Committee on Rules
John Joseph Moakley	David Pomerantz, Minority Deputy Staff Director Committee on Rules Leanita Shelby, Professional Staff Committee on Rules

OFFICE OF THE PARLIAMENTARIAN

Charles W. Johnson	Parliamentarian
John V. Sullivan	Deputy Parliamentarian
Thomas Duncan	Deputy Parliamentarian
Muftiah M. McCartin	Assistant Parliamentarian
Thomas J. Wickham	Assistant Parliamentarian
Brian Cooper	Assistant Clerk to the Parliamentarian

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INTRODUCTION AND BACKGROUND

On January 8, 1997, the Rules Committee approved a motion to establish a bipartisan, ad hoc task force on the recodification of the rules of the House by voice vote. The purpose of the task force was to recommend, at the earliest practicable date, a more logical, orderly and comprehensive set of House rules without substantive policy changes.

The House of Representatives had not undertaken a comprehensive restructuring of its rules since the 1880's. There had been sporadic bipartisan efforts, however, to recodify House rules to make them more rational, comprehensible and usable by Members and committees.

In 1984, House Speaker Tip O'Neill wrote to Minority Leader Bob Michel endorsing a proposal to recodify House rules made by the House Wednesday Group. The Speaker subsequently established a bipartisan group of four Members, including Representatives Tom Foley, Joe Moakley, Trent Lott, and Lynn Martin, to review a draft recodification proposal presented by the House Parliamentarian. The bipartisan group worked on further revisions in the Parliamentarian's draft during the remainder of the 98th Congress and endorsed a final draft at the beginning of the 99th Congress. The group's effort failed, however, to produce a final package for presentation to the Rules Committee and the full House.

The recodification project was brought up again in succeeding Congresses. Most notably the issue was discussed during the 103rd Congress by a Joint Committee on the Organization of Congress under the direction of Chairman Lee Hamilton and Vice Chairman David Dreier.

House Parliamentarian William Brown offered two suggestions for improving the operation of the House at the Joint Committee hearings. First, he contended that the House would work better if more Members understood the rules of the House. He offered the services of the House Parliamentarians to assist with orientation and education for Members and staff.

Second, he recommended a recodification of House rules, as first suggested in the 98th Congress, to help make the rules more understandable. He explained that "There are anachronisms and conflicting definitions in these rules. They could be codified. We think it is a good idea and we would be willing to go forward with that." He emphasized that there would be no substantive change in the recodified rules since the Parliamentarians "are not advocates in our office . . . we don't view ourselves as proponents of this rules change or that revision." (Final report of the Joint Committee, December 1993).

This testimony was followed by a recommendation in the Joint Committee's final report that "the Parliamentarian of the House should prepare a recodification of the Rules of the House...with the goal of completing the project by the beginning of the 105th Congress." (House Report 103-413, Vol. I, p. 18.)

In 1996, the recodification project also received the following endorsement of a GOP Task Force on Committee Review:

> "The Task Force urges the Committee on Rules to undertake a thorough recodification of House Rules building on the past efforts of a bipartisan working group to update and rationalize existing rules without making any substantive changes."

At the beginning of the 105th Congress, Speaker Gingrich agreed that the Rules Committee should proceed with the recodification effort on a bipartisan basis. Consequently, the Rules Committee approved the establishment of the bipartisan, ad hoc task force consisting of Representatives David Dreier, Deborah Pryce, Martin Frost and Louise Slaughter. Representative Dreier was designated chairman of the task force.

For the organizational meeting of the task force on February 27, 1997, the Parliamentarian's Office was asked to prepare a recodification draft based on the work of the bipartisan task force appointed by Speaker O'Neill in 1984 and incorporating subsequent changes in House rules. The Parliamentarian's draft pared the number of rules combining several existing rules and by creating several new rules from parts of existing rules. This served as the new starting point for the deliberations of the task force.

From February of 1997 until October of 1998, the bipartisan task force worked together with the Office of the Parliamentarian to propose a comprehensive, yet acceptable recodified set of rules. After extensive consultations with both the majority and minority of the committees of the House, Representatives Dreier and Moakley forwarded a final copy of the proposed recodification of the rules to the joint leadership of the House. This package reorganized and pared the number of rules down from 51 to 28, consolidating related rules and excising obsolete and archaic provisions.

On January 6, 1999, the House adopted its rules for the 106th Congress in a recodified format. The recodified portion of this package represented the culmination of the bipartisan efforts of the Rules Committee Task Force.

This recodification of the rules was based on two fundamental principles. First, no substantive changes could be made to the rules of the House by this package. Whenever an update or a consolidation posed the possibility of a conflict with precedent or the Parliamentarian's interpretation, the task force erred on the side of consistency with both the existing rule and established practice. Consequently, no substantive changes are intended by this entire package. Secondly, changes to certain major rule citations were kept to a minimum in order to retain consistency with precedent and practice volumes already published. For example, clause 7 of rule XVI (relating to germaneness) and clause 2 of rule XXI (prohibiting unauthorized or legislative matters in a general appropriations bill) remain the same. Also, rule IX (relating to questions of privilege) and rule X (relating to the establishment and jurisdiction of committees) retain the same citation.

As stated in the commentary of the side-by-side comparison, clerical and stylistic changes reflected in the recodification sought to achieve clarity, readability, and uniformity of word usage with the goals of removing possible ambiguities and promoting predictability of interpretation. The conventions used in the recodification resolve most of the lapses in stylistic uniformity in the text of the rules. However, certain well-known, time-honored rules (or phrases), although stilted in style, are retained for their historic value. For example, even though one convention used in recodification achieves a mandatory negative with "may not," the time-honored phrasing of the germaneness rule in clause 7 of rule XVI is nevertheless retained: "No motion or proposition on a subject different from that under consideration shall be admitted under the color of amendment."

The clerical and stylistic changes in recodification included the following:

- sentences were shortened - or tabulated - to promote readability;
- stylistic changes were made to promote consistency (for example, language creating a privileged motion was standardized), and preference was given to active voice and present tense;
- archaic terms were updated whenever possible and terms improperly used were corrected;
- punctuation, capitalization, and definition of terms were standardized;
- indentations were standardized;
- internal cross references were standardized;
- terms conferring discretionary authority or creating a mandatory duty or mandatory negative were standardized (except for certain cases);
- redundancies were deleted, (for example – "unless and until," "including, but not limited to," and "may, in his discretion");
- provisos were deleted; and
- parenthetical references were deleted, except where necessary.

The following provides some further examples of the type of stylistic changes utilized in the recodification.

Examples of Stylistic Changes in the Recodified Rules of the House

Old Rule	Recodified Rule
Clause 1 of Rule II: "There shall be elected by a viva voice vote, at the commencement of each Congress, to continue in office until their successors are chosen and qualified, a Clerk, Sergeant-at-Arms, Chief Administrative Officer, and Chaplain, each of whom....."	**Clause 1 of Rule II:** "There shall be elected at the commencement of each Congress, to continue in office until their successors are chosen and qualified, a Clerk, a Sergeant-at-Arms, a Chief Administrative Officer, and a Chaplain."
Clause 1 of Rule XXXII: "The persons hereinafter named, and none other, shall be admitted to the Hall of the House or rooms leading thereto, viz: the President and Vice President of the United States...."	**Clause 2(a) of Rule IV:** "Only the following persons shall be admitted to the Hall of the House or rooms leading thereto: (1) Members of Congress....."
Clause 2 of Rule XXVII: "When a motion to suspend the rules has been submitted to the House, it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for forty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition;...."	**Clause 1(c) of Rule XV:** "A motion that the House suspend the rules is debatable for 40 minutes, one-half in favor of the motion and one-half in opposition thereto."
Title of Rule XVI: "On motions, their precedence, etc."	**New Title of Rule XVI:** "Motions and Amendments"

Title of Rule XXXVI:	**New Title of Rule VIII:**
"Preservation and availability of noncurrent records of the House"	"Records of the House"

The package also establishes a more methodical approach to House procedures by reordering the existing rules. The rules now deal first with institutional matters such as the Officers and administration of the House. Secondly, the rules proceed step by step through the legislative process from the activities of committees through the legislative interaction with the Senate. Finally, the rules conclude with the rules governing the Member's, Officer's and employee's conduct and various miscellaneous provisions. Specifically, the recodified structure of these twenty-eight rules are as follows:

Rules I-III:	Duties of Officers and Members of the House
Rules IV-VI:	Administration of the House
Rules VII-IX:	Institutional Prerogatives
Rules X-XI:	Committees
Rules XII-XXIII:	Consideration of Legislation
Rules XXIV-XXVII:	Conduct of Members, Officers, and Employees
Rule XXVIII:	Miscellaneous Provisions.

Many rules have been combined to place related provisions together and eliminate duplications. Special care was taken to preserve key precedents of the House even in these simple consolidations. For example, the duties of the Clerk, the Sergeant-at-Arms, the Chief Accounting Officer, the Inspector General, and the Chaplain have been consolidated from five separate rules into one rule. The separate rule for Members, Delegates and the Resident Commissioner have been consolidated into one while keeping the precedents of distinction between them. The special oversight requirements of certain committees are stated only once instead of twice. The committee reporting requirements included previously in rules XI, XIII, and XXI have been consolidated into a restructured rule XIII. The motions relating to the previous question, reconsideration, and recommittal have been consolidated into one rule (relating to motions in order after the amendment process). While these examples are not exhaustive, they demonstrate the range of implications associated with the consolidation of various provisions in the rules of the House.

This significant and bipartisan institutional reform will make the rules of the House more user friendly for Members of Congress, staff and the general public. This Committee Print is intended to provide a comprehensive collection of the explanatory, descriptive and background material associated with this significant institutional reform. The Rules Committee is indebted to the assistance of the Office of the Parliamentarian in developing this print.

II. BIPARTISAN LETTER SUBMITTING RECOMMENDATIONS OF TASK FORCE

GERALD B.H. SOLOMON, NEW YORK
CHAIRMAN

DAVID DREIER, CALIFORNIA
PORTER GOSS, FLORIDA
JOHN LINDER, GEORGIA
DEBORAH PRYCE OHIO
LINCOLN DIAZ-BALART, FLORIDA
SCOTT McINNIS, COLORADO
DOC HASTINGS, WASHINGTON
SUE MYRICK, NORTH CAROLINA

WILLIAM D. CROSBY, JR., CHIEF COUNSEL
DANIEL J. KENIRY, STAFF DIRECTOR
(202) 225-9191

Committee on Rules

U.S. House of Representatives
H-312 The Capitol
Washington, DC 20515-6269

ONE HUNDRED FIFTH CONGRESS

JOHN JOSEPH MOAKLEY, MASSACHUSETTS
RANKING MINORITY MEMBER

MARTIN FROST, TEXAS
TONY P. HALL, OHIO
LOUISE M. SLAUGHTER, NEW YORK

GEORGE C. CRAWFORD, MINORITY STAFF DIRECTOR

MINORITY OFFICE
234 CANNON HOUSE OFFICE BUILDING
(202) 225-9486

January 5, 1999

The Honorable Dennis Hastert
Speaker-nominee
H-107, the Capitol
Washington, D.C. 20515

The Honorable Richard Gephardt
Minority Leader
H-204, the Capitol
Washington, D.C. 20515

Dear Mr. Speaker-nominee and Mr. Leader:

At the beginning of the 105th Congress, the Committee on Rules established a bipartisan, ad hoc task force to develop a more rational and orderly set of House rules without making substantive changes in the rules, procedures or precedents of the House as they stand today. The Task Force consisted of representatives Dreier, Frost, Pryce and Slaughter.

In this letter, we formally present to you the recommendations of the Task Force.

We have worked closely with the Office of the Parliamentarian to develop this proposal. It is our hope that the recommendations will be incorporated as a part of the opening day rules package. Our proposal reorganizes the rules to provide a more logical, user-friendly structure and, in the process, it pares down the number of rules from 51 to 28. Obsolete and archaic provisions have been excised. The proposal, however, retains the location of certain major rules to retain consistency with precedent and practice volumes already published (e.g., germaneness remains as clause 7 of rule XVI and legislation in an appropriation bill remains clause 2 or rule XXI).

A large part of the effort consisted of maintaining uniformity of word usage and style. The same ideas have been expressed over the years in many very different ways. For example, a privileged question is sometimes called "privileged" or "highly privileged" or "of highest privilege" or "is in order at any time" or "shall always be in order." But by consistent and long-standing precedents, these different expressions have been treated as strictly identical. The requirement for collegial action by a committee has been written in a variety of ways, for example "not without the consent of the committee" or "only when authorized by the committee, a majority being present." This has led to confusion. In these and similar circumstances, the

Task Force sought, whenever possible, a single convention to be used consistently. For example, the convention used to express a mandatory negative is "may not." Gender references, where avoidable, have been deleted; otherwise, they are treated as in the U.S. Code, so that the terms "he" or "his" are defined in proposed rule XXVIII, to be a reference to "she" or "her" as applicable.

While we continue to have substantive disagreements about the existing rules and appropriate changes to them, the Task Force fully agrees that the proposal presents the rules in a more coherent format and makes their meaning more transparent but is in no way intended to alter the interpretation or content of any rule.

Sincerely,

DAVID DREIER

JOHN JOSEPH MOAKLEY

enclosure

III. TESTIMONY BEFORE THE BIPARTISAN AD HOC TASK FORCE ON RECODIFICATION

ORGANIZATIONAL MEETING OF THE BIPARTISAN AD HOC TASK FORCE ON RECODIFICATION OF HOUSE RULES

COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, WASHINGTON, D.C.

Thursday, February 27, 1997

The task force met, pursuant to call, at 1:00 p.m. in Room H-313, The Capitol, Hon. David Dreier [chairman of the task force] presiding.

Present: Representatives Dreier and Frost.
Also Present: Representative Solomon.

Mr. Dreier. The task force will come to order.

This is the first meeting of our bipartisan Rules Committee panel, and I think that this is the first gathering of the sort that has been put together in many, many years.

As you all know, at the Rules Committee's organizational meeting on January 8th, the committee established this bipartisan ad hoc task force for the purpose of recommending at the earliest practicable date a more logical, orderly, and comprehensive set of House rules without substantive policy change.

The task force consists of two Republican Members, Deborah Pryce and I, and two Democratic Members, Martin Frost and Louise Slaughter. While not officially members of the task force, I have also asked Chairman Solomon and Ranking Minority Member Moakley to participate in our proceedings.

The Parliamentarian's Office was asked to prepare for us a proposed recodification that we could use as a starting point for our deliberations. It is based primarily on the work of a similar bipartisan task force appointed by Speaker O'Neill in 1984. It also includes subsequent changes that have been made in the House rules since 1985. A summary of the Parliamentarian's draft, along with a 200 page draft resolution, has been given to each member of the task force. You will note that it pares the number of House rules from 51 to 50 by combining several existing rules and by creating several new rules from parts of existing rules.

The purpose of this meeting today is to establish some general goals and timetables for the task force, and to allow Charlie Johnson to brief us on the history, politics, and logistics of recodification.

Let me emphasize that no decisions regarding a draft recodification will be made at this meeting because we have not had ample opportunity to review the proposals that have come forward. This is meant to serve more as an
organizational meeting, an informational meeting, because other than Mr. Moakley, none of us have participated – he participated back in 1985 in the effort that went on then, but no one else has been involved since that time.

I would like to, with that, recognize Mr. Frost, if you have any comments.

Mr. Frost. No particular comment. Just anxious to hear from the Parliamentarian.

Mr. Dreier. Mr. Solomon.

Mr. Solomon. We want to expedite this today. I have to catch a plane at 2 o'clock, but in the meantime we

appreciate the diligence that you all have done, and we look forward to your presentation, gentlemen.

Mr. Dreier. Let me just say that there was a sense early on that we would complete our work by late February or early March. I am here to report that that ain't going to happen. One of the things that I think we are sort of looking for a June date, and I had heard, Charlie, that you will not be printing up the House Manual around June; is that correct?

STATEMENT OF CHARLES W. JOHNSON, III, PARLIAMENTARIAN, ACCOMPANIED BY THOMAS G. DUNCAN, DEPUTY PARLIAMENTARIAN AND JOHN V. SULLIVAN, DEPUTY PARLIAMENTARIAN, OFFICE OF THE PARLIAMENTARIAN

Mr. Johnson. The Manual, Mr. Chairman, would normally go to the printer on or before June, but we don't feel any compelling need to have a codification be part of the Manual. It would certainly be nice and preferable, but we could, if there were a codification finally adopted by the House later in the year or even next year, we could reprint the Manual. So that -- it would be a luxury, perhaps, to be able to print a codification if accepted by the House as part of the Manual, but I don't see it as absolutely necessary. The important thing is to get it right and not to delay what would otherwise be an important research tool for the Members.

Mr. Dreier. Sure. Well, my sense is that since we had initially thought that we would complete this by next month, if we do go on a few months, I would like to have a goal of having our work completed by midyear or about the time that you have done the Manual.

My sense, also, is that as we look at our proposals that it is important that we begin by being bold with some of the changes that we have looked at, and Jerry and I have gone through this before, as I testified earlier today to the Ethics Task Force, when we discussed the proposals of the Joint Committee on the Organization of Congress. I think we should start out by being bold and then, if needed, we can pare that back.

I also should say that we have a lot of staff people who have been very involved and helpful. One of the most important is Walter Oleszek from the CRS, and our staff here has been very helpful, and I know they worked closely with you.

Mr. Solomon. Mr. Chairman, I would like to see this expedited as soon as possible. There will be no substantive policy changes in what we are doing. One thing that has made Members nervous with what we are doing is that they are worried that there may be some changes of jurisdiction, and of course this will contain none of that. But I would just hope that Members

understand these are technical changes. Depending on the schedule of the Parliamentarians, if their work is in place, I would love to see this accomplished and in the original print of the Manual that is going to come out.

Mr. Dreier. That is kind of a goal that I would like to think that we could achieve, because I have another meeting I have to attend too that is between now and June. But you are right, Charlie, we obviously do want to get it right. You are correct in that. We have a lot of confidence in you and the others who are involved. So why don't you begin.

Mr. Johnson. Thank you very much.

We have prepared for your information several preliminary documents. We thought it might be helpful to furnish the 1984-85 materials which you have, the preface that explains briefly what happened, why the original effort was made, who was behind it, the letter from Speaker O'Neill dated June 12th to Minority Leader Michel, which showed true bipartisan dedication to the project and which we think again is the reality, that there is a bipartisan commitment to getting this project done correctly.

So I would assume you would enter for whatever it is worth those preliminary materials without my having to go into in any detail. If you have any questions now about that particular arrangement, how it got off the ground, I would be glad to answer them first before we get into the current proposal.

Mr. Dreier. Well, do you want to just give a little bit of the background?

Mr. Johnson. Lynn Martin was, I think, the catalyst, although there was definite Majority support, behind the creation of the task force which constituted -- it was constituted by Lynn Martin, Trent Lott, Tom Foley, and Joe Moakley, those four Representatives and their respective staffs, and they convinced Speaker O'Neill, as the letter suggests, to proceed informally -- not to go through a resolution creating a task force.

Lynn Martin had first in mind a resolution passed through the Rules Committee and by the House which would formally create a task force. A decision was made, I think properly so, as you have done, to do it in this form, although you have further structured it by committee action as a task force of the Rules Committee.

This was a bipartisan leadership task force on that occasion, and with the help of CRS, and it was very excellent help, we worked for 4 or 5 months during late 1984, early 1985, on a draft which was presented to the members of the task force as a side-by-side comparison with the proposed new rules changes, all without substantive revision, contrasted side-by-side with the existing rules, and then a right-hand column with our commentaries.

We had hoped by today to have a similar document for your inspection. The electronics of it, Tom Duncan, and John Sullivan, our two Deputy Parliamentarians worked to try to put our initial presentation in a side-by-side form. That proved impractical electronically at this stage. We are going to immediately continue to try to present to you, incorporating whatever ideas we develop at this meeting, a document which will be side-by-side with commentary.

Mr. Dreier. Since Jerry raised, and I did, the issue of time frame, do you have any idea as to when you might be at that point?

Mr. Johnson. Well, we have the luxury right now of available time because of the schedule of the House, and as you all know, because our priorities are to be available day-to-day for all Members, it is hard for me right now to sit and say that we can dedicate X number of hours a week. I would certainly hope to be able to prioritize this to the absolute maximum extent possible, and considering what you have just said, but hopefully with the caveat is that the most important thing is to get it right.

Now, there are obviously going to be several perspectives of what ends up being right. I think we should perhaps limit the scope of the reorganization. We feel it is very important, as the summary I presented suggests, to maintain wherever possible existing citations to major rules.

So in the outline of the new rules that you have seen, as the Chairman mentioned, we have only basically dropped one rule numerically, as we feel that there is a logic right now to the structure of the rules of the House. We are not departing, because we don't think that there is a need to depart, from the existing basic structure of the rules.

In addition, we urge minimal restructuring because so many precedents, in all of the volumes, the House Rules and Manual, the Hinds, Cannon, Deschler-Brown precedent volumes, and the new House Practice volume by William Holmes Brown, all make countless references to the major existing rules: germaneness, appropriations, the previous question, and debate.

We feel it is important for scholars, for Members, for staff, to be able to use those research tools in a way that will minimize new citations. Therefore, we have tried to restructure, and again, our focus hopefully today will be to encourage an understanding by the Members and staff as to why we think this structure that is in our proposal makes some sense.

We are not wedded to it, we are open to any suggestions that you would make, we basically see this not totally mirroring existing rules, but we see the structure as starting from rule I -- Duties of the Speaker -- and I am paraphrasing the summary which you all have, the organization of the House, the election of the officers.

We have done some minor restructuring in that area of House Officers, and have made some grammatical changes in some of the rules that have consistent references to, for example, the Speaker, rather than "he." There are some minor grammatical, last-minute attempts to at least clean up some of the more obvious inconsistencies in existing rules on references. But within rules 1 through 7, we feel we have a logical structure, beginning with the Speaker and then going through the election of the four, currently elected officers, and then getting into the other offices of the House.

Now, that raises an interesting question. We do have three un-elected offices addressed in the rules of the House. The Office of Inspector General, the Office of the Historian, and the Office of General Counsel. Those separate offices have become injected into the rules of the House at different times, as have many of the rules, as you all know. Part of the problem here is that so many of the clauses throughout the rules have evolved at different times without a real overview toward consistency. There has been some partial overview. I would say in recent years the Rules Committee has reported a couple of clarification-type resolutions, and opening day resolutions have sought in minor ways to codify or clarify.

But within the first several rules, we feel the duties of the various officers should be laid out in what is basically the current form of the rule.

When we get down to rule VIII, we have moved provisions with respect to the delegates and resident commissioner in with the duties of Members. It enlarges rule VIII, but it gives us room for a new rule XII.

So there are trade-offs here, and we think the trade-offs are logical. Because what we try to do throughout is maintain structure, with some variation, and these variations are certainly debatable.

The first several rules going to the establishment and duties of offices and Members; the second series, say, from rule IX through rule XIX, for example, addressing procedures within the House, beginning with committees, committee organization, committee rules, committee reports. Then chronologically, if you will, going forward gain, pretty much as they now exist, with respect to Floor procedures in the House.

With respect to relations between the House and the Senate, that is addressed basically now in two rules, in rule XX and in rule XXVIII. We have maintained those rules, even though it might not be a pure chronological progression within the House and then House and Senate and then conference.

There is a certain logic to that progression, but we have deviated from it to the extent that we feel it is important to maintain rule XXI, the appropriation rules, the appropriation citations, and also the tax and tariff measures and appropriations on legislative bills. There are so many cites and rulings to those provisions in rule XXI that we have maintained that as a separate composite rule, as probably one of the most important rules, but we have moved unrelated provisions out of rule XXI, and I will explain that.

Again, the several rules we have most sought to maintain citation-wise were germaneness, the previous question, debate, references to committee procedures, appropriation procedures, conference procedures, and suspension of the rules. Those rules I think are the most often cited and deserve, if at all possible, to retain current citations.

Within that, I will back up now and go to certain specific changes that we have made within some of the rules, beginning with rule IX.

Rule IX is currently questions of privilege. As you know, we experienced more rule IX procedures last Congress than virtually all other procedures put together, combining privileges of the House and personal privilege. We have moved that to rule XXII, not because XXII makes any particular sense for questions of privilege, but to make room chronologically for the introduction or the beginning of the legislative process.

So rule IX really addresses the introduction and referral of bills and resolutions, and it includes, all without substantive change, the ban on the introduction of certain bills, such as most recent ban on commemoratives. It addresses the Speaker's authority to refer, which is currently in rule X, including the Speaker's multiple referral authorities. We combine executive communications, petitions, memorial provisions that are now in rule XXII into what we perceive as the proper place -- addressing the start of the legislative process.

When we get to rule X, we again, as you said, Mr. Chairman, haven't yet addressed committee jurisdictions. There are some obsolete provisions under certain committee jurisdictions that perhaps anyone could agree should be eliminated. We haven't addressed those. We do combine in rule X, as you can see, not only the establishment of committees, the statement of their jurisdictions, but also the current provisions in rule X on expenses and staff. So we are looking in rule X at the structure of committees. Then we think that there is a logical

progression, as there is in current rules, to go from there to rule XI on procedure within committees.

Within that, we have made some internal changes. The resolution which you have in front of you will show some subheadings. The index that we first furnished has headings for each numbered rule, but as we point out at the top, many rules will have separate, more specific subheadings for clauses within some rules. We feel that once you see those, as you will when you look at the resolution, and when we can further outline it in the side-by-side, there will be perhaps a better comfort level that the reader's attention will be called clearly and logically to clauses within certain rules, subheadings which you might not first see when you look at the outline of the heading of the general rule itself.

So we feel that our reorganization of rule XI is consistent, and has some logic to it. It is explained in some detail, as you can see in our summary.

The summary is a chronological approach to each of these rules. Paragraph 6 explains our restructuring of rule X and there really isn't much in there, except we move the Ethics Committee procedures into a new rule as we did in 1984.

We think there is a logic to combining all ethics provisions, both procedural and various codes of conduct or

statements of conduct later on in the rules, which you will see beginning with rule XXXIX through rule XLVI or XLVII. But in rule X we have moved out all of the various provisions respecting the ethics process and into rule XXXIX. Otherwise, what we have done is fairly technical within rule X.

We have narrowed rule XI, as explained in paragraph 7, to just go to the point of full committee reporting. We want to distinguish between committee proceedings within the committees and then committee reports and the content thereof, which we have moved to rule XIII. In-between rules XI and XIII we have interjected any and all permanent select committees. At one point there was a Permanent Select Committee on Aging, which was in rule X. That is no longer. So the only select committee now is the Permanent Select Committee on Intelligence currently rule XLVIII.

This committee has recommended creation of several select committees over the years which have not amended the standing rules, and that may be a preferable approach. You all have written guidelines on the creation and establishment of select committees, and they are helpful. They were written some years ago and they remain relevant, I believe.

Mr. Solomon. At some point we ought to discuss the pros and cons of that.

Mr. Johnson. But this only assumes possibly at some point in time a reemergence of a select committee into the standing rules and for the present does acknowledge that the only permanent select committee is the Permanent Select Committee on Intelligence.

Then, as I say, rule XI carries us up to the point of full committee ordering reported, and it includes the time for additional views, and all committee procedures that transpire up to that point, up to the point of filing in the House.

We think it is very helpful to have a combined rule XIII, which is a consolidation of reports, calendars and availability of reports and contents of reports. The reader can look in one place, rather than currently two or more, for all provisions with respect to all committee reports, including the Appropriations Committee. The only difference, the only exception, and you would

appreciate it, is that the Rules Committee reporting is specially treated together with privileged reports generally in new rule XIX.

Now, to be sure, there have been many references to the Rules Committee's reporting as privileged under clause 4 of rule XI. We wanted to separate out very clearly Rules Committee procedures because we think they deserve separate treatment as privileged reports, and so we have put them in as clause 2 of rule XIX, together with privileged reports generally, which is now also in clause 4(a) of rule XI, and recites the various privileges that the committees have, Appropriations, House Oversight, Standards, Rules, and Budget. Those are the five committees that now have privileged reporting status. We put that in clause 1 of rule XIX to separate out privilege, immediately followed by Rules Committee reports as clause 2 of rule XIX. Clause 3 treats resolutions of inquiry. They are the only other type of privileged report contemplated now in the standing rules, and we moved that provision from rule XXII where it really doesn't make too much sense. So all privileged reports are in rule XIX.

Back to rule XIII, by putting all of the requirements for inclusion of various provisions in reports, Ramseyer, cost estimates, committee roll call totals, oversight and CBO estimates, and the new constitutional authority statement are all wrapped up in rule XIII. The reason for that is we think the reader should be able to look at one place for all reporting requirements.

Also, we do eliminate one ambiguity. If you look at the cost estimate rule, which I think is clause 7 of rule XIII right now, you will see a statement: if a committee fails to comply, a point of order shall lie against the consideration of the bill, whereas the other reporting requirements in rule XI and in rule XIII don't contain that same language, a point of order shall lie against consideration.

Well, under the precedencts, everyone clearly understands that a point of order lies against consideration of any bill for failure to comply with any reporting requirement. So we think the rules should consistently state that such points of order lie and not have some rules say that they lie and others be silent on it.

So our effort in rule XIII has been to be consistent on the assumption that points of order against consideration do lie and if sustained would result in a recommittal of the measure to committee.

Now, recommittal resulting from a point of order does not mean necessarily that the committee is going to have to meet again and go through the whole process again. Recommittal of a bill with a technical error in the report means that the committee has to file a new report and starts the 3-day period over again from the availability of that report. I think that is made clear in this draft with respect to rule XIII.

The Rules Committee does have a Ramseyer requirement, as you know. When the Rules Committee recommends a change in the rules, a permanent change in the standing rules, it has to be Ramseyered. That is put in Rule XIII with the Ramseyer of existing law required by other committees.

The current corrections calendar is in rule XIII. We have moved, as you will see at the end of paragraph 9 in our summary, we have moved the Corrections Calendar, beyond a cross reference in Rule XIII, into rule XXV to show business in order on certain days, chronologically, throughout the week. So we would have suspension of the rules, the Private Calendar, Calendar Wednesday, and the Corrections Calendar, and motions to discharge, which we would treat as a separate rule XXVI. So it makes sense to have the reader be able to look in one place, which would be rule XXV or ruile XXVI, to see all references to business in order on special days.

I am digressing a little bit, but I am trying to follow this chronological sequence as we outline it in the summary.

We moved rule XXX on use of exhibits, which is corruptly rule XXX. It is a problematic rule and has caused some concern about the use of the exhibits rule as a potential filibuster, generally. We don't address anything substantive about how you trigger rule XXX on the use of exhibits; rather, we merely suggest that it more properly belongs in rule XIV as a debate rule, because it really is a question of advisability of the use of exhibits in debate.

Rule XIV we think is important to maintain, because so much relating to debate has happened recently. There are so many citations to the rule against personalities in debate. Clause 1 of rule XIV, we thought needed to be preserved as such, and then the various mechanisms for taking down words, clauses 4 and 5 of rule XIV we maintain as such because they have had many citations. So we really are combining into rule XIV the various rules of debate.

Rule XV is a combination of all voting and quorum rules, many of which are now in rule I, under the Speaker's authority to postpone votes, for example, except in rules that apply in the Committee of the Whole. We have continued to maintain the distinction between voting procedures in Committee of the Whole and voting procedures in the House. Rule XXXIII covers Committee of the Whole procedures, it is often cited, so we leave it basically alone.

But in rule XV we are moving many provisions that are now in clause 5 of rule I into rule XV, so that there is a consolidation of procedures on quorum calls and voting.

That raises one example of certain ambiguities that exist. We haven't addressed it yet, but it is a subject that we will want to discuss. Clause 6 of rule XV currently has a laundry list of certain legislative situations at which time points of order of no quorum are not in order. Then you get to clause 6(e) of rule XV which basically says that notwithstanding everything you have just read, the only time you can have a point of no quorum is when the Chair is putting the question to a vote. So it really moots all of these provisions that are earlier carried in clause 6 of rule XV.

While we leave them in the codification, we think it is necessary to discuss sometime soon whether those provisions in clauses 6(a) through (d) make any sense in light of 6(e), which basically says, the only time you can have a point of order is when the Chair is putting the question to a vote.

All of the postponement authorities again are being moved in tothe rule XV and out of rule I. The ballot voting rule which perhaps is an anachronism is now rule XXXVIII, balloting in the House. I don't know exactly when the last ballot vote was taken in the House.

As you look through these, you will see in the Manual the dates in which various clauses were adopted and that gives you a pretty good image; in fact, maybe we can do that in the side-by-side to show when existing rules were put in place, to show the large spread in time. Different Congresses writing different rules for different reasons at different times, indicates, I think, after 100 years, a need to do a codification.

Let me back up into rule XI just for a minute, because what we do, as we did in 1984 and 1985, properly clarifies the applicability of committee procedure rules at the subcommittee level. Just a glance at the present rule indicates that many of those subparagraphs are only textually applicable to committees. Others are applicable to committees and subcommittees. We believe, as we have consistently advised, and as I think everyone has accepted, that most of those rules do apply at both the full and subcommittee levels and that the codification should show that. Some might argue that that is a substantive change. I think, based on years of interpretation, that we are

not suggesting anything new, but that your side-by-side when you get it, and this draft right now shows that we believe that virtually every paragraph within clause 2 of rule XI should be made textually applicable at the subcommittee level.

Mr. Frost. Could I ask a question?

Mr. Dreier. Sure.

Mr. Frost. Since the Rules Committee itself really doesn't function most of the time the way the other committees of the House do -- that is, we do all of our work in full committee rather than doing a substantial amount of our work in subcommittee -- those of us who are on the Rules Committee and who have spent little or no time on other committees may not have a full appreciation for the interplay between the subcommittee rules and the full committee rules and how that works on other committees, and we may want to have some questions at some point.

There are members of this committee who have spent a significant amount of time on other committees; I am not one. I have only -- in addition to being on the Rules Committee, I have only served on the Budget Committee and on House Administration, because I came on Rules Committee during my first term.

But I am aware, because of my responsibilities for a number of years of chairing the Democratic Caucus Rules Committee, that there are some very significant turf issues that develop on the subcommittee level, and so I would not want us to pass over this one lightly. I don't feel fully competent to comment on this one, but I think at some point there needs to be some discussion of that, Charlie.

Mr. Johnson. Just as one example, we think subcommittees -- if the chairman refuses to call a meeting, three members and then the majority of the members of the subcommittee can petition for the call of a subcommittee meeting. It takes three members initially to sign the petition, and then the majority have to sign to allow the subcommittee to convene a special meeting.

The way the rule is spelled out right now, it says "committees," it doesn't say "subcommittees," but I think there is a clear understanding that that rule applies at the subcommittee level. It is one of maybe seven examples.

Mr. Dreier. Is that something that should be clarified?

Mr. Johnson. Yes, sir. I think it should be made clear that all of the -- virtually every provision in rule XI applies at the subcommittee level, and we will outline in the side-by-side the justification for each and why we do not believe that is a substantive departure from current understanding and practice.

Rule XVI is one of the key rules, and it has become a little more top-heavy, perhaps, than the current rule XVI. We have combined it, as you can see in the summary, to include motions, consideration, amendments, germaneness, divisibility and readings.

Now, why all in one rule? To begin with, most of what you see is already in part of rule XVI. We are working around germaneness. We want to preserve the citation to clause 7 of rule XVI as the germaneness rule, but we also felt it important to combine as many other rules that

relate to the amendment process within the House, not House-Senate relations, but within the House, as possible.

Right now, rule XIX is the rule that describes the four stages of amendment that could be pending at one time. We think it is important to place that in the area together with germaneness, together with the priority of the motion to amend, compared with the other motions in the House, currently clause 4 of rule XVI, together with the divisibility of certain motions to strike and insert. All of that we put together as part of rule XVI, we think in a logical way.

We also moved clause 1 of rule XXI, which is now readings, which says: The bill shall be read by title the first time, the second time for amendment, and the third time by title, engrossment and third reading.

We have clarified the modern requirements for readings, and we have moved the readings portion of rule XXI, which is clause 1, into rule XVI, because there is a certain logic to having motions and readings and engrossment and third reading all being a part of the rule. It also freed us up to isolate rule XXI and not have it be such a disparate rule. It allowed us to use rule XXI then to focus on provisions in certain bills, primarily appropriation bills and tax bills, and points of order against those provisions. Rather than to have a separate readings provision in rule XXI, we think it makes more sense in rule XVI.

Mr. Frost. If I may, Mr. Chairman, just consulting with staff, and I just want to make sure, a number of years ago I was involved in this issue of redrafting a rule of the House dealing with the motion to rise on appropriation bills, and I believe that is currently in rule XXI. Does that stay in rule XXI? That doesn't get moved up here?

Mr. Johnson. Yes, yes, it stays, because it is unique to the appropriations process and entrenchment and limitations in amendments. It keeps the same citation in clause 2 of rule XXI. So we think we can justify the additions that are made and the slight restructuring in rule XVI.

We think the headings within -- again, I specifically point to the headings which you will see in the actual resolution. Each clause will have a heading that will further bring the reader's attention to the provision. Even though the heading of the general rule is rather disparate, you will see that the clauses have separate subheadings.

Recommittal and previous question: The only motion we have moved out of rule XVI is the motion to recommit, and, again, we know the sensitivity of the motion to recommit with instructions. We wanted all of those provisions on recommittals, be they recommittals of bills, joint resolutions, concurrent resolutions, or simple resolutions to be in rule XVII where currently the general motion for recommittal and its relationship to the previous question is treated.

As you also know, the guarantee that the Minority has to offer motions to recommit with instructions on bills and joint resolutions is contained in clause 4 of rule XVI under the general description of motions. We felt that it was helpful to have all treatment of recommittal in one rule but not to make substantive changes. We certainly wouldn't want to make any substantive change on the right to recommit.

Now, there is one ambiguity. I don't want to dwell on it. It is paragraph 14 on page 5 of your summary. There is a parenthetical there, and I don't want to dwell on this because it is very esoteric. It is under rule XVII. It says: The motion to recommit is now in order, either after the previous question is ordered, which 99.9 percent of the time is when the motion to recommit is made, or pending the motion for the previous question. That doesn't come up -- that situation

doesn't arise in 99 percent of the cases, because, one, either the previous question has been ordered by a rule, or, in the case of the Rules Committee, there are no dilatory motions such as recommital. However, for example, on a committee funding resolution -- and that is what I cite here as an example -- that is why we are treading very lightly in this area. We don't want to appear to be changing a substantive right that a Member technically has.

When the funding resolutions have come up in recent years, House Oversight has always tried to preempt the right of the Minority to come in with a motion to recommit with instructions to amend the numbers by having a committee amendment in the nature of a substitute which will be adopted first, thereby relegating the Minority motion to recommit either to a straight motion or with general instructions.

Well, several years ago, the Republican Minority discovered these words, "or pending," and asked, could we offer our motion to recommit before the previous question is ordered, thereby getting a leg up and getting our vote on recommittal with instructions even though there was pending a committee amendment reported from House Oversight offered by the Majority -- can we get the first vote on our amendment?

And our response was, not necessarily, because while you could offer it pending the motion for the previous question and pending the committee amendment, that motion to recommit can be tabled, since the previous question has not yet been ordered. It would be possible for the Majority to table the motion to recommit without debate and then foreclose any subsequent motion to recommit.

This rule gives the Minority one choice: either offer recommittal pending or after the previous question is ordered.

We were tempted to take out the word "pending," because it is not ever really utilized, but once this discussion came up in the context of committee funding resolutions, we decided that it would be a substantive change in some eyes if we were to take out the word "pending."

So we call it to your attention as an example of an ambiguity or a technical issue that needs to be addressed in subsequent meetings.

If I thoroughly confused you on that, I apologize.

I know your time constraints, but let me just mention some of the major additional rule summaries.

As I said, we have clause 1 of rule XIX separated out for privileged reports generally and then for treatment of the Rules Committee reports and how they are considered on the Floor as a clause 2 of rule XIX to immediately follow the treatment of privileged rules generally. Then, as I said, treatment of resolutions of inquiry, because they are privileged report, is also moved in as clause 3 of rule XIX.

Rule XX is basically not touched, although we try to distinguish, as we did in 1985, between the stage of disagreement having been reached and not having been reached. As most of you know, when Senate amendments come back from the Senate, they are not initially eligible for consideration on the House Floor by motion. Rule XX provides that the House must resolve into the Committee of the Whole to consider Senate amendments, which we never do; as a matter of fact, we go right to conference. The only exception to the restriction against motions at that stage is that committees can meet and authorize the motion to go to conference.

On the motion to go to conference, we have made one clarification that we think is consistent with our advice that committees of initial referral, if they report the bill, are the

committees that must authorize the motion to go to conference, but a sequential committee, a true sequential committee, which might have gotten a day or a week to look at a certain aspect is not necessarily the committee of jurisdiction required to move to go to conference. We believe that reflects our consistent advice, but it should be spelled out, because the rule currently says, "committee of jurisdiction."

Clearly, under the current referral practice, even though you have the primary committee, you may have other initial committees which, if they report, are entitled, we think, to be counted into the equation on moving to go to conference in the absence of unanimous consent or a rule from the Rules Committee.

Rule XXI is our other major concern. As I said earlier, we transferred clause 1, which is the readings portion, into rule XVI. So we tried to focus on rule XXI as addressing what can be in certain bills and what points of order lie against provisions in certain bills, and, clearly, the appropriations, general appropriations bill, is the clause most often impacted -- legislation on appropriation bills, unauthorized appropriations, and reappropriations of unexpended balances.

There is one very interesting dichotomy between current clauses 2 and 6 of rule XXI. Clause 2 addresses unauthorized appropriations and legislation and says that no such provision shall be reported in a general appropriation bill. Clause 6 says, with respect to unexpended balances, "No general bill shall be received or considered."

You would look at that and say, well, doesn't the point of order there lie under clause 6 against consideration rather than against the specific reappropriation provision of the bill itself? The constant interpretation of clause 6 has been that. Even though it says "receive or consider," the point of order comes against the provision when it is read for amendment.

So one of the things we tried to do has been to make consistent the clause 2 and clause 6 restrictions so that the point of order lies against the provision in the bill and not against the consideration of the entire bill. While that is a change in language, we believe it comes within an agreed-upon codification of current practice. So we moved unauthorized appropriation legislation, and reappropriation all into clause 2 as separate paragraphs.

Then, we wanted the keep the prohibitions against appropriations in legislative bills and tax and tariff provisions in bills not within that committee's jurisdiction. They are currently clauses 5(a) and (b) of rule XXI. Until 1974, clause 4 covered appropriations in legislative bills. We have moved back to that. We can debate that, whether that should retain 5(a) and tax and tariff 5(b), or whether we should have clause 4 and 5. To me, this will separate it enough to go back to clause 4 and 5.

But in between, we insert clause 3, which is an anomaly in some ways. It is currently in the jurisdictional statement in rule X for the Transportation Committee. It is noted down at the bottom of paragraph 17.

Right now, the Transportation Committee is not allowed to report specific road provisions in a bill which is a general road bill. ISTEA will be coming up, but ISTEA will probably have in it a demonstration project which will be a specific road somewhere.

Technically, the Rules Committee is asked every year there is a highway bill to waive that provision now in rule X because it is a specific road in a general bill. We are not removing it, we are putting it into rule XXI as an example of a provision against which a point of order would lie in a general road bill.

There is also the provision in the Transportation Committee's jurisdiction that if a bill is for a specific road, you can't have a provision in that bill for another specific road.

These rules were put together in the early part of the century in response to "logrolling" and a lot of deals being cut, and maybe they still are on highway bills. If you have a specific road bill, you can't have another specific road in the same bill. There aren't such bills any more, we don't believe, but we don't take it out of the codification, we just call it to you attention, and we move the provision, if it should remain, into rule XXI as a prohibition against certain provisions.

Then the new three-fifths vote requirement on tax rate increases, which is now 5(c) and (d) of rule XXI, we keep in rule XXI, because we weren't sure where else to put it. It is not as a point of order against the provision, it is a procedure on the requirement for final passage, or it is a prohibition against retroactive tax rate increases. But we keep it in rule XXI.

Rules XXII is confined to questions of privilege, which is now rule IX. It is really just a shift from rule IX to rule XXII, and it is just questions of privilege of the House and personal privilege.

Rule XXIII remains Committee of the Whole procedure, and we think we have changed some obsolete provisions with respect to revenue bills and rivers and harbors bills which are no longer privileged under rule XI.

Transportation and Infrastructure has no jurisdiction any longer to report rivers and harbors bills as privileged. Ways and Means can't report revenue bills any more as privileged, so we eliminated the reference in rule XXIII to their being privileged.

Rule XXIV, the general order of business rule, is a conglomeration of procedures, many of which are not observed. It is going to be an interesting aspect of our joint deliberation: Do we want to keep the clause 4 morning hour rule and a rule that says that, after the morning hour, the House can resolve into the Committee of the Whole under clause 5 to do whatever business the Committee of the Whole decides it wants to do?

Those procedures haven't been utilized, I don't believe, and certainly not since I have been here and maybe not in this century, because they are always superseded by leadership decisions, either by a rule from the Rules Committee or by a suspension or unanimous consent, but they are in that codification, because they reflect alternative procedures in the event that the Rules Committee or the leadership, through suspension, chooses not to make a bill in order. These are alternative procedures which, under unique circumstances, could be utilized.

The morning hour is seldom, if ever, available, because virtually no reported bill goes to the House calendar. Most bills require some expenditure of money or disposition of property, so they are on the Union Calendar. So they can't be considered under morning hour.

Calendar Wednesday certainly is a viable rule. It has been utilized infrequently, but it is there in the event that the Rules Committee will not report a rule, and a standing committee in alphabetical order on Wednesday can bring up a reported bill under standing House rules, which might involve extended consideration in Committee of the Whole under the general 5-minute rule.

So there may be some reluctance to utilize the Calendar Wednesday rule, but it is there as a safeguard presumably against Rules Committee inaction and can only be waived by a two-thirds vote.

So we are not recommending necessarily the removal of any of those provisions, but for Morning Hour and the general motion to go into Committee of the Whole for unspecified reasons, we think those may be obsolete at this point, and would be certainly willing to discuss that further.

I mentioned earlier the order of business on certain days. We think there is a logic to having the days outlined in various clauses from Monday through Wednesday, so that the reader can see what business might be in order on certain days, and that would be rule XXV.

Rule XXVI would be discharge. The discharge rule and the suspension rule are now combined in rule XXVII for no apparent reason. Rule XXVI could be a separate discharge rule, which, as you know, has been narrowed to a proper extent. A substantive change was made on Opening Day in the discharge rule to confine discharge petitions to a subject single matter and not allow the use of a shell bill to become a vehicle to make in order an unspecified nongermane amendment. That is no longer permitted under the discharge rule.

But all we are doing here is relocating the discharge rule as a separate rule XXVI following other business in order on certain days. The suspension rule would remain rule XXVII. There are some technical changes in each of those that we have suggested, but nothing of substance.

Rule XXVIII is currently a conglomeration of various rules addressing conference procedures, going to conference, scope issues, and nongermane Senate provisions. We have pretty much left it intact but have combined what are now three separate and very cumbersome provisions in clauses 4 and 5 of rule XXVIII with respect to dealing with nongermane Senate provisions that emerge either in conference or subsequently by motion after a conference.

We put them in one place but deal with nongermane Senate provisions with the same approach that you can make the point of order, have a separate 40 minutes of debate, and then have a separate vote on rejection of the nongermane portion. Be it in a conference report or a motion in disagreement, it is the same rule, but all in one clause rather than in three.

Beyond that, from rule XXX on, we have combined certain rules on housekeeping and prohibitions on access to the Floor and galleries, for example.

One question on broadcasting which we now have in rule XXXIII: There had been a suggestion that, with respect to committee broadcasting, it remain a committee procedure rather than a separate broadcast procedure. That is debatable. You could go either way on that, as we suggest in paragraph 24.

Papers and withdrawal of papers, a very thoughtful rule on preservation and withdrawal of papers that the Rules Committee put together some years ago, assisted by the late Jack Dooling, we combined with access to papers as a new rule, XXXVI.

Then, we get into the various issues of official conduct beginning, as we describe in paragraph 26, in rule XXXIX where we have moved the procedures of the Standards Committee --

Mr. Frost. If I could ask a question, you skipped over XXXVII. This was a rule that the Rules Committee itself, we drafted a number of years ago, the procedure for response to subpoenas. It was rule L, and now you have put it in rule XXXVII. Does that remain the same?

Mr. Johnson. No change. The same with rule XXXVIII on the pay of witnesses: No change, just in a slightly different place.

We thought in 1985 and still feel that to have a place or a series of rules in sequence to consult in the Rules of the House on ethical matters makes some sense.

As you can see, there are about seven rules. The rule on officers and employees and prosecution of claims against the Government, currently rule XLVII, it is a rule of conduct. The

use of funds by lame duck members part of which is in new rule I; part of it is in rule XI on the use of committee and Speaker funds for lame duck travel.

We thought it was a conduct rule, so we have combined the various rules on the use of funds by members not reelected into a new rule. But all of the other rules, including the new gift ban rule, are listed in that series.

The debt limit rule in the last paragraph remains in rule XLIX, and we thought it made sense to move the general provisions rule, which is what incorporates Jefferson's Manual and the statutory provisions, to put that in as the last rule.

So that is a long-winded summary, but we would hope that we could agree on the format and then proceed to look at ambiguities, potential obsolescence, and work together in whatever way you see fit.

Mr. Dreier. Let me just say that I think it is very helpful. We wanted to get your entire outline on the record, because I think that is an important thing for us to have.

Since we are in part speaking for the record, I should probably say that I feel very strongly about the last thing that you just said about bringing things up to date. I still think that rule X needs to be updated, without any substantive changes. I have long advocated that. It seems to me that it is an important item. I know it is sensitive for everyone, but I would just like to say that I think that is worth looking at.

One of the things that I think is also very important, if you look back at the experience that you had 12 years ago, is the challenge we face in trying to underscore the importance of this project to members.

What I would like to ask is first for recommendations, and you don't need to answer right now, but also to enlist your help in trying to figure out a way in which we can gain support among the membership for what it is that we are trying to do.

So it is just something that you can think about and we can discuss further.

Are there any other questions or comments?

Louise, do you have any questions?

Ms. Slaughter. No. Thank you, Mr. Chairman.

Mr. Dreier. Okay. Is there anything else that you think we need to discuss at this point?

Mr. Johnson. We will try to have the side-by-side as quickly as possible.

Mr. Dreier. We look forward to that. Again, we would like to stay on this time frame that we are talking about. Obviously, we want to do it right, as both you and Jerry said, but we want to get this done. You have the experience of going back to 1985. I think that we can come to some sort of resolution, I would hope, within the next couple or 3 months, even before you go to print with the Manual, if we can just shoot towards that as a goal.

Thank you all very much. The task force stands adjourned.

[Whereupon, at 2:10 p.m., the task force was adjourned.]

IV. STRUCTURAL COMPARISON OF RECODIFIED RULES TO OLD RULES

	Existing rule	Proposed new rule
I	Duties of the Speaker	The Speaker
II	Election of Officers	Other Officers and Officials
III	Duties of the Clerk	The Members, Delegates and Resident Commissioner of Puerto Rico
IV	Duties of the Sergeant-at-Arms	The Hall of the House
V	Chief Administrative Officer	Broadcasting the House
VI	Office of Inspector General	Official reporters and News Media galleries
VII	Duties of the Chaplain	Records of the House
VIII	Duties of the Members	Response to Subpoenas
IX	Questions of privilege	Questions of Privilege
X	Establishment and jurisdiction of standing committees	Organization of Committees
XI	Rules of procedures for committees	Procedures of committees and Unfinished Business
XII	Resident Commissioner and Delegates	Receipt and Referral of Measures and Matters
XIII	Calendars and reports of committees	Calendars and Committee Reports
XIV	Of decorum and debate	Order and Priority
XV	On calls of the roll and House	Business in Order on Special Days
XVI	On motions, their precedence, etc.	Motions and Amendments
XVII	Previous question	Decorum and Debate
XVIII	Reconsideration	The Committee of the Whole House on the State of the Union
XIX	Of amendments	Motions Following the Amendment Stage
XX	Of amendments of the Senate	Voting and Quorum Calls
XXI	On bills	Restrictions on Certain Bills
XXII	Of petitions, memorials, bills and resolutions	House and Senate Relations
XXIII	Of Committees of the Whole House	Statutory Limit on the Public Debt
XXIV	Order of business	Code of Official Conduct
XXV	Priority of business	Limitations on the Use of Official Funds
XXVI	Unfinished business of the session	Limitations on Outside Earned Income and Acceptance of Gifts
XXVII	Change or suspension of rules	Financial Disclosure
XXVIII	Conference Reports	General Provisions
XXIX	Secret session	

XXX	Use of exhibits
XXXI	Hall of the House
XXXII	Of admission to the floor
XXXIII	Of admission to the galleries
XXXIV	Official and other reporters
XXXV	Pay of witnesses
XXXVI	Preservation and availability of noncurrent records of the House
XXXVII	Withdrawal of papers
XXXVIII	Ballot
XXXIX	Messages
XL	Executive communications
XLI	Qualifications of officers and employees
XLII	General porvisions
XLIII	Code of Official Conduct
XLIV	Financial Disclosure
XLV	Prohibition of unofficial office accounts
XLVI	Limitations on use of the frank
XLVII	Limitations on outside employment and earned income
XLVIII	Permanent Select Committee on Intelligence
XLIX	Establishment of statutory limit on public debt
L	Procedure for response to subpoenas
LI	Gift Rule

V. Major Rule Citation Changes Under Recodification

This only reflects changes in rule citations.
Any citations that remained the same are not included in this list.
Updated pursuant to the adoption of H.Res. 5.

	OLD CITATION	NEW CITATION
Speaker's Discretion to Vote	Rule I, clause 5	Rule I, clause 7
Lame Duck Travel Authority	Rule I, clause 8	Rule XXV, clause 10
Broadcasting of House Proceedings	Rule I, clause 9	Rule V
Office of the Historian	Rule I, clause 10	Rule II, clause 7
Office of the General Counsel	Rule I, clause 11	Rule II, clause 8
Clerk	Rule III	Rule II, clause 2
Sergeant-at-Arms	Rule IV	Rule II, clause 3
Chief Administrative Officer	Rule V	Rule II, clause 4
Office of the Inspector General	Rule VI	Rule II, clause 6
Chaplain	Rule VII	Rule II, clause 5
Duties of Members	Rule VIII	Rule III, clause 1-2
Standards Committee	Rule X, clause 4(e)	Rule XI, clause 3
Referrals	Rule X, clause 5	Rule XII, clause 2
Committee Membership	Rule X, clause 6	Rule X, clause 5(a)(1)
Select and Joint Committees	Rule X, clause 6(g)	Rule X, clause 10
Conference Committees	Rule X, clause 6(f)	Rule I, clause 11
Committee Reporting Procedures	Rule XI, clause 2(l)	Rule XIII, clauses 2-4
Committee Broadcast Rule	Rule XI, clause 3	Rule XI, clause 4
Privileged Reports	Rule XI, clause 4	Rule XIII, clause 5

Rules Committee Reports	Rule XI, clause 4	Rule XIII, clause 6
Adverse Rules Committee Reports	Rule XI, clause 4(c)	Rule XV, clause 3
Expense Resolutions	Rule XI, clause 5	Rule X, clause 6
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VIII. THE RECODIFIED RULES WITH CHANGES AND ADDITIONS ADOPTED BY THE 106TH CONGRESS

PROPOSED NEW RULES

[RECODIFICATION COMMITTEE PRINT]

[JANUARY ____, 1999]

106TH CONGRESS
1ST SESSION

H. RES. ____

Recodifying the standing Rules of the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES

JANUARY __, 1999

Mr. ____ submitted the following resolution; which was referred to the Committee

on __

RESOLUTION

Resolved, That the standing Rules of the House of Representatives are recodified to read as follows:

NOTE: The "Proposed new rules" column shows the recodified rules agreed upon by the Task Force, and the Substantive changes to the recodified rules contained in H. Res. 5 and H. Res. 9, adopted on January 6, 1999.

EXISTING RULES

COMMENTARY

The Parliamentarians have met with bi-partisan staff from the Task Force on recodification of the rules and have agreed upon a revised structural format of the rules which reduces their number from 52 to 28 in a logical sequence. This format arranges the rules by addressing the organization and operation of the House as follows: duties of Officers and Members (rules I–III), administration of the House (rules IV–VI), institutional prerogatives (rules VII–IX), committees (rules X–XI), consideration of legislation (rules XII–XXIII), conduct of Members, Officers and Employees (rules XXIV–XXVII), and miscellaneous provisions (rule XXVIII). This draft was initially based on the 1985 draft of recodification and incorporates changes in the rules from that year through 1998. The current draft minimizes the change of some major rules citations in order to retain consistency with precedent and practice volumes already published (e.g., germaneness remains as clause 7 of rule XVI, and general appropriation bill matters remain clause 2 of rule XXI). It is acknowledged, however, that the overriding reorganization consensus will necessitate cross references to citations in subsequent precedent and practice volumes where rule numbers have been changed. The current draft also reflects a specific review of the language within each rule to incorporate accepted understandings without substantive change. For instance, this draft includes "Delegates" and "the Resident Commissioner" along with "Members" in those situations where the rules do not distinguish between an individual's status. Their omission in the rules (such as voting, Committee of the Whole, and selection of presiding officers) is indicative of authorities limited to Members. Gender references are treated as in the U.S. Code, whereby a reference to "he" or "his" is defined in rule XXVIII to constitute a reference to "she" or "her" where applicable. Provisos are replaced by sentence restructing to assure clarity of meaning. The concept of a "privileged question" or "privileged motion" is consistently utilized to replace current references to matters "of highest privilege" or "in order at any time" or "it shall always be in order." References to certain voting procedures are changed from "rollcall" to "record" votes and supermajority voting requirements are consistently referred to as "two-thirds" or "three-fifths" of the Members voting, a quorum being present.

The clerical and stylistic changes reflected in the proposed recodification seek to achieve clarity, readability, and uniformity of word usage and style with the goals of removing possible ambiguities and promoting predictability of interpretation. No substantive change to the rules is intended. The conventions used in the proposed recodification resolve most of the lapses in stylistic uniformity in the current text of the rules. However, certain well-known, time-honored rules (or phrases), although stilted in style, are retained for their historic value. For example, even though one convention used in recodification achieves a mandatory negative within "may not," the time-honored phraseology of the germaneness rule in clause 7 of rule XVI is nevertheless retained.

RULES OF THE HOUSE OF REPRESENTATIVES

RULE I.

THE SPEAKER

Approval of the Journal

1. The Speaker shall take the Chair on every legislative day precisely at the hour to which the House last adjourned and immediately call the House to order. Having examined and approved the Journal of the last day's proceedings, the Speaker shall announce to the House his approval thereof. The Speaker's approval of the Journal shall be deemed agreed to unless a Member, Delegate, or Resident Commissioner demands a vote thereon. If such a vote is decided in the affirmative, it shall not be subject to a motion to reconsider. If such a vote is decided in the negative, then one motion that the Journal be read shall be privileged, shall be decided without debate, and shall not be subject to a motion to reconsider.

Preservation of order

2. The Speaker shall preserve order and decorum and, in case of disturbance or disorderly conduct in the galleries or in the lobby, may cause the same to be cleared.

Control of Capitol facilities

3. Except as otherwise provided by rule or law, the Speaker shall have general control of the Hall of the House, the corridors and passages in the part of the Capitol assigned to the use of the House, and the disposal of unappropriated rooms in that part of the Capitol.

RULES OF THE HOUSE OF REPRESENTATIVES

RULE I

DUTIES OF THE SPEAKER

1. The Speaker shall take the Chair on every legislative day precisely at the hour to which the House shall have adjourned at the last sitting and immediately call the Members to order. The Speaker, having examined the Journal of the proceedings of the last day's sitting and approved the same, shall announce to the House his approval of the Journal, and the Speaker's approval of the Journal shall be deemed to be agreed to subject to a vote on agreeing to the Speaker's approval on the demand of any Member, which vote, if decided in the affirmative, shall not be subject to a motion to reconsider. It shall be in order to offer one motion that the Journal be read only if the Speaker's approval of the Journal is not agreed to, and such motion shall be determined without debate and shall not be subject to a motion to reconsider.

2. He shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

3. He shall have general control, except as provided by rule or law, of the Hall of the House, and of the corridors and passages and the disposal of the unappropriated rooms in that part of the Capitol assigned to the use of the House, until further order.

Rules I–II—Duties of Officers and Members

In proposed rule I, the existing provisions on the Speaker's conduct of votes have been transferred to rule XX. All voting procedures are consolidated under rule XX, including ballot voting currently under rule XXXVIII. The Speaker's authority to provide broadcast coverage of House proceedings (currently clause 9, rule I) has been transferred to proposed rule V. The Speaker's authority to appoint select and conference committees is transferred from clause 6(f) of rule X, since more appropriately addressed as a duty of the Speaker. Recent additions to the rules on term limits for Speaker, as well as recess authority and drug testing, remain in rule I.

The phrase "until further order" in existing clause 3 is deleted as superfluous given existing language of "Except as otherwise provided by rule or law."

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
4. The Speaker shall sign all acts and joint resolutions passed by the two Houses and all writs, warrants, and subpoenas of, or issued by order of, the House. The Speaker may sign enrolled bills and joint resolutions whether or not the House is in session.	4. He shall sign all acts, addresses, joint resolutions, writs, warrants, and subpoenas of, or issued by order of, the House and decide all questions of order, subject to an appeal by any Member, on which appeal no Member shall speak more than once, unless by permission of the House. The Speaker is authorized to sign enrolled bills whether or not the House is in session.	Proposed clause 4, rule I-Existing clause 4 divided into clauses 4 and 5, to separate Speaker's signing authority from authority to decide questions of order, subject to appeal. The term "addresses" is deleted as obsolete.
Questions of order 5. The Speaker shall decide all questions of order, subject to appeal by a Member, Delegate, or Resident Commissioner. On such an appeal a Member, Delegate, or Resident Commissioner may not speak more than once without permission of the House.		
Form of a question 6. The Speaker shall rise to put a question but may state it sitting. The Speaker shall put a question in this form: "Those in favor (of the question), say 'Aye.'"; and after the affirmative voice is expressed, "Those opposed, say, 'No.'". After a vote by voice under this clause, the Speaker may use such voting procedures as may be invoked under rule XX.	5. (a) He shall rise to put a question, but may state it sitting; and shall put questions in this form, to wit: "As many as are in favor (as the question may be), say 'Aye'."; and after the affirmative voice is expressed, "As many as are opposed, say 'No'."; . . . **[Remainder transferred to Rule XX].**	Proposed clause 6, rule I-Existing provisions in clause 5, rule I on division votes and recorded votes are transferred to new rule XX on voting. Also, existing provisions in that clause on postponing votes are transferred to the new voting rule. Both provisions make more sense under voting procedures than under Speaker's authority.
Discretion to vote 7. The Speaker is not required to vote in ordinary legislative proceedings, except when his vote would be decisive or when the House is engaged in voting by ballot.	6. He shall not be required to vote in ordinary legislative proceedings, except where his vote would be decisive, or where the House is engaged in voting by ballot; . . . **[Remainder transferred to Rule XX].**	Proposed clause 7, rule I-Existing provisions in clause 6, rule I, stating that the question loses on a tie vote are transferred to new clause 1, rule XX as a voting question.
Speaker pro tempore 8. (a) The Speaker may appoint a Member to perform the duties of the Chair. Except as specified in paragraph (b), such an appointment may not extend beyond three legislative days. (b)(1) In the case of his illness, the Speaker may appoint a Member to perform the duties of the Chair for a period not exceeding 10 days, subject to the approval of the House. If the Speaker is absent and has omitted to make such an appointment, then the House shall elect a Speaker pro tempore to act during the absence of the Speaker. (2) With the approval of the House, the Speaker may appoint a Member to act as Speaker pro tempore only to sign enrolled bills and joint resolutions for a specified period of time.	7. (a) He shall have the right to name any Member to perform the duties of the Chair, but such substitution shall not extend beyond three legislative days, except that with the permission of the House he may name a Member to act as Speaker pro tempore only to sign enrolled bills and joint resolutions for a period of time specified in the designation, notwithstanding any other provision of this clause: Provided, however, That in case of his illness, he may make such appointment for a period not exceeding ten days, with the approval of the House at the time the same is made; and in his absence and omission to make such appointment, the House shall proceed to elect a Speaker pro tempore to act during his absence.	Only Members, and not Delegates or the Resident Commissioner, may preside over the House or the Committee of the Whole. The Speaker's designation of a Speaker pro tempore to sign enrolled bills and joint resolutions is approved ordinarily by unanimous consent.
Term Limit 9. A person may not serve as Speaker for more than four consecutive Congresses (disregarding for this purpose any service for less than a full session in any Congress).	(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).	The phrase "beginning with the One Hundred Fourth Congress" is deleted as no longer necessary.

Designation of travel

10. The Speaker may designate a Member, Delegate, Resident Commissioner, officer, or employee of the House to travel on the business of the House within or without the United States, whether the House is meeting, has recessed, or has adjourned. Expenses for such travel may be paid from applicable accounts of the House described in clause 1(i)(1) of rule X on vouchers approved and signed solely by the Speaker.

8. He shall have the authority to designate any Member, officer or employee of the House of Representatives to travel on the business of the House of Representatives, as determined by him, within or without the United States, whether the House is meeting, has recessed or has adjourned, and all expenses for such travel may be paid for from the applicable accounts of the House described in clause 1(h)(1) of rule X on vouchers solely approved and signed by the Speaker.

Proposed clause 10, rule I—The existing clause 8, rule I, prohibition on use of applicable accounts for travel of "lame duck" Members has been transferred to a new rule XXV.

The Speaker's television coverage authority, now in clause 9, rule I, has been transferred to a new rule V, and the committee hearing broadcast rule is now in clause 4, rule XI.

Committee appointment

11. The Speaker shall appoint all select, joint, and conference committees ordered by the House. At any time after an original appointment, the Speaker may remove Members, Delegates, or the Resident Commissioner from, or appoint additional Members, Delegates, or the Resident Commissioner to, a select or conference committee. In appointing Members, Delegates, or the Resident Commissioner to conference committees, the Speaker shall appoint no less than a majority who generally supported the House position as determined by the Speaker, shall name those who are primarily responsible for the legislation, and shall, to the fullest extent feasible, include the principal proponents of the major provisions of the bill or resolution passed or adopted by the House.

Derived from clause 6(f), rule X: The Speaker shall appoint all select and conference committees which shall be ordered by the House from time to time. At any time after an original appointment, the Speaker may remove Members or appoint additional Members to select and conference committees. In appointing members to conference committees the Speaker shall appoint no less than a majority of members who generally supported the House position as determined by the Speaker. The Speaker shall name Members who are primarily responsible for the legislation and shall, to the fullest extent feasible, include the principal proponents of the major provisions of the bill as it passed the House.

Clause 11, rule I, has been transferred from existing clause 6(f), rule X as it is more logical under rule I (Speaker's authority) than under rule X (jurisdiction of committees). It is desirable for this clause to include joint committees as part of the Speaker's appointment authority since the Speaker does appoint members to some joint committees under existing law, such as the Joint Economic Committee. Other joint committees could be similarly structured in the future.

Declaration of recess

12. To suspend the business of the House for a short time when no question is pending before the House, the Speaker may declare a recess subject to the call of the Chair.

Derived from clause 12, rule I: 12. To suspend the business of the House for a short time when no question is pending before the House, the Speaker may declare a recess subject to the call of the Chair.

Existing clauses 10 and 11, rule I on the Historian and General Counsel have been transferred to new rule II.

Other responsibilities

13. The Speaker, in consultation with the Minority Leader, shall develop through an appropriate entity of the House a system for drug testing in the House. The system may provide for the testing of a Member, Delegate, Resident Commissioner, officer, or employee of the House, and otherwise shall be comparable in scope to the system for drug testing in the executive branch pursuant to Executive Order 12564 (Sept. 15, 1986). The expenses of the system may be paid from applicable accounts of the House for official expenses.

13. The Speaker, in consultation with the Minority Leader, shall develop through an appropriate entity of the House a system for drug testing in the House of Representatives. The system may provide for the testing of any Member, officer, or employee of the House, and otherwise shall be comparable in scope to the system for drug testing in the executive branch pursuant to Executive Order 12564 (Sept. 15, 1986). The expenses of the system may be paid from applicable accounts of the House for official expenses.

RULE II.

OTHER OFFICERS AND OFFICIALS.

RULE II

ELECTION OF OFFICERS

PROPOSED NEW RULES

Elections

1. There shall be elected at the commencement of each Congress, to continue in office until their successors are chosen and qualified, a Clerk, a Sergeant-at-Arms, a Chief Administrative Officer, and a Chaplain. Each of these officers shall take an oath to support the Constitution of the United States, and for the true and faithful exercise of the duties of his office to the best of his knowledge and ability, and to keep the secrets of the House. Each of these officers shall appoint all of the employees of his department provided for by law. The Clerk, Sergeant-at-Arms, and Chief Administrative Officer may be removed by the House or by the Speaker.

Clerk

2. (a) At the commencement of the first session of each Congress, the Clerk shall call the Members, Delegates, and Resident Commissioner to order and proceed to record their presence by States in alphabetical order, either by call of the roll or by use of the electronic voting system. Pending the election of a Speaker or Speaker pro tempore, the Clerk shall preserve order and decorum and decide all questions of order, subject to appeal by a Member, Delegate, or Resident Commissioner.

(b) At the commencement of every regular session of Congress, the Clerk shall make and cause to be printed and delivered to each Member, Delegate, and the Resident Commissioner a list of the reports that any officer or Department is required to make to Congress, citing the law or resolution in which the requirement may be contained and placing under the name of each officer the list of reports he is required to make.

EXISTING RULES

There shall be elected by a viva voce vote, at the commencement of each Congress, to continue in office until their successors are chosen and qualified, a Clerk, Sergeant-at-Arms, Chief Administrative Officer, and Chaplain, each of whom shall take an oath to support the Constitution of the United States, and for the true and faithful discharge of the duties of his office to the best of his knowledge and ability, and to keep the secrets of the House; and each shall appoint all of the employees of his department provided for by law. The Clerk, Sergeant-at-Arms, and Chief Administrative Officer may be removed by the House or by the Speaker.

RULE III

DUTIES OF THE CLERK

1. The Clerk shall, at the commencement of the first session of each Congress, call the Members to order, proceed to call the roll of Members by States in alphabetical order, and, pending the election of a Speaker or Speaker pro tempore, preserve order and decorum, and decide all questions of order subject to appeal by any Member.

2. He shall make and cause to be printed and delivered to each Member, or mailed to his address, at the commencement of every regular session of Congress, a list of the reports which it is the duty of any officer or Department to make to Congress, referring to the act or resolution and page of the volume of the laws or Journal in which it may be contained, and placing under the name of each officer the list of reports required of him to be made.

COMMENTARY

In proposed rule II, the election and duties of other offices of the House are combined as one new organizational rule, rather than separately addressed as in current rules III through VII, with the duties of each officer addressed in separate clauses and the establishment of the offices of Inspector General, Historian, and General Counsel moved from rules VI and I respectively, although they are not elected officers.

Officers are elected by adoption of one resolution under modern practice. Old procedure whereby voting was for named candidates is obsolete.

On the opening day of each Congress since 1981 the House has permitted by unanimous consent the alphabetical roll call of Members by States to be conducted by electronic device to establish a quorum. Proposed clause 2(a) codifies this practice by permitting the Clerk to use the electronic system in this situation.

(c) The Clerk shall—

(1) note all questions of order, with the decisions thereon, the record of which shall be appended to the Journal of each session;

(2) enter on the Journal the hour at which the House adjourns;

(3) complete the printing and distribution of the Journal to Members, Delegates, and the Resident Commissioner, together with an accurate and complete index, as soon as possible after the close of a session; and

(4) send a printed copy of the Journal to the executive of and to each branch of the legislature of every State as may be requested by such State officials.

(d) The Clerk shall attest and affix the seal of the House to all writs, warrants, and subpoenas issued by order of the House and certify the passage of all bills and joint resolutions.

(e) The Clerk shall cause the calendars of the House to be printed and distributed each legislative day.

(f) The Clerk shall—

(1) retain in the library at the Office of the Clerk for the use of the Members, Delegates, Resident Commissioner, and officers of the House, and not to be withdrawn therefrom, two copies of all the books and printed documents deposited there; and

(2) deliver or mail to any Member, Delegate, or the Resident Commissioner an extra copy, in binding of good quality, of each document requested by that Member, Delegate, or Resident Commissioner that has been printed by order of either House of Congress in any Congress in which the Member, Delegate, or Resident Commissioner served.

(g) The Clerk shall provide for his temporary absence or disability by designating an official in the Office of the Clerk to sign all papers that may require the official signature of the Clerk and to do all other official acts that the Clerk may be required to do under the rules and practices of the House, except such official acts as are provided for by statute. Official acts done by the designated official shall be under the name of the Clerk. The designation shall be in writing and shall be laid before the House and entered on the Journal.

(h) The Clerk may receive messages from the President and from the Senate at any time when the House is not in session.

3. He shall note all questions of order, with the decisions thereon, the record of which shall be printed as an appendix to the Journal of each session; and complete, as soon after the close of the session as possible, the printing and distribution to Members, Delegates, and the Resident Commissioner from Puerto Rico of the Journal of the House, together with an accurate and complete index; retain in the library at his office, for the use of the Members, Delegates, the Resident Commissioner from Puerto Rico and officers of the House, and not to be withdrawn therefrom, two copies of all the books and printed documents deposited there; send, at the end of each session, a printed copy of the Journal thereof to the executive and to each branch of the legislature of every State as may be requested by such State officials; deliver or mail to any Member, Delegate, or the Resident Commissioner from Puerto Rico an extra copy, in binding of good quality, of each document requested by that Member, Delegate, or the Resident Commissioner which has been printed, by order of either House of the Congress, in any Congress in which he served; attest and affix the seal of the House to all writs, warrants, and subpoenas issued by order of the House; and certify to the passage of all bills and joint resolutions.

4. He shall, in case of temporary absence or disability, designate an official in his office to sign all papers that may require the official signature of the Clerk of the House, and to do all other acts except such as are provided for by statute, that may be required under the rules and practices of the House to be done by the Clerk. Such official acts, when so done by the designated official, shall be under the name of the Clerk of the House. The said designation shall be in writing, and shall be laid before the House and entered on the Journal.

5. The Clerk is authorized to receive messages from the President and from the Senate at any time that the House is not in session.

Consolidation of Clerk's authority as noted below:

In proposed clause 2, rule II, all legislative duties of the Clerk are consolidated in the first portion of this clause, and his remaining administrative duties are consolidated in the last portion of this clause.

Existing clause 6, rule XIII requiring daily printing of calendars has been transferred to new clause 2(e), rule II to consolidate Clerk's authority under one rule. The requirement of existing clause 5, rule XVI that the Journal note the hour of adjournment is also transferred to the new clause 2(c)(2).

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(i)(1) The Clerk shall supervise the staff and manage the office of a Member, Delegate, or Resident Commissioner who has died, resigned, or been expelled until a successor is elected. The Clerk shall perform similar duties in the event that a vacancy is declared by the House in any congressional district because of the incapacity of the person representing such district or other reason. Whenever the Clerk is acting as a supervisory authority over such staff, he shall have authority to terminate employees and, with the approval of the Committee on House Administration, may appoint such staff as is required to operate the office until a successor is elected.	6. He shall supervise the staff and manage any office of a Member who is deceased, has resigned, or been expelled until a successor is elected and shall perform similar duties in the event that a vacancy is declared by the House in any congressional district because of the incapacity of the Member representing such district or other reason. Whenever the Clerk is acting as a supervisory authority over such staff, he shall have authority to terminate employees; and he may appoint, with the approval of the Committee on House Administration, such staff as is required to operate the office until a successor is elected.	
(2) For 60 days following the death of a former Speaker, the Clerk shall maintain on the House payroll, and shall supervise in the same manner, staff appointed under House Resolution 1238, Ninety-first Congress (as enacted into permanent law by chapter VIII of the Supplemental Appropriations Act, 1971) (2 U.S.C. 31b-5).	He shall maintain on the House payroll and supervise in the same manner staff appointed pursuant to section 800 of Public Law 91-665 (2 U.S.C. 31b-5) for sixty days following the death of a former Speaker.	
(j) In addition to any other reports required by the Speaker or the Committee on House Administration, the Clerk shall report to the Committee on House Administration not later than 45 days following the close of each semiannual period ending on June 30 or on December 31 on the financial and operational status of each function under the jurisdiction of the Clerk. Each report shall include financial statements and a description or explanation of current operations, the implementation of new policies and procedures, and future plans for each function.	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 45 days following the close of each semiannual period ending on June 30 or on December 31 on the financial and operational 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.	
(k) The Clerk shall fully cooperate with the appropriate offices and persons in the performance of reviews and audits of financial records and administrative operations.	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.	
Sergeant-at-Arms	RULE IV	
3. (a) The Sergeant-at-Arms shall attend the House during its sittings and maintain order under the direction of the Speaker or other presiding officer. The Sergeant-at-Arms shall execute the commands of the House, and all processes issued by authority thereof, directed to him by the Speaker.	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.	In proposed clause 3, rule II only grammatical changes are made: "or other presiding officer" replaces "chairman" and "clerk" in existing rule.
(b) The symbol of the office of the Sergeant-at-Arms shall be the mace, which shall be borne by him while enforcing order on the floor.	2. The symbol of his office shall be the mace, which shall be borne by him while enforcing order on the floor.	
(c) The Sergeant-at-Arms shall enforce strictly the rules relating to the privileges of the Hall of the House and be responsible to the House for the official conduct of his employees.	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.	

(d) The Sergeant-at-Arms may not allow a person to enter the room over the Hall of the House during its sittings; and from 15 minutes before the hour of the meeting of the House each day until 10 minutes after adjournment, he shall see that the floor is cleared of all persons except those privileged to remain.

(e) In addition to any other reports required by the Speaker or the Committee on House Administration, the Sergeant-at-Arms shall report to the Committee on House Administration not later than 45 days following the close of each semiannual period ending on 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 and a description or explanation of current operations, the implementation of new policies and procedures, and future plans for each function.

(f) 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.

Chief Administrative Officer

4. (a) The Chief Administrative Officer shall have operational and financial responsibility for functions as assigned by the Committee on House Administration and shall be subject to the policy direction and oversight of the Committee on House Administration.

(b) In addition to any other reports required by the Committee on House Administration, the Chief Administrative Officer shall report to the Committee on House Administration not later than 45 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 Administrative Officer. Each report shall include financial statements and a description or explanation of current operations, the implementation of new policies and procedures, and future plans for each function.

(c) The Chief Administrative Officer shall fully cooperate with the appropriate offices and persons in the performance of reviews and audits of financial records and administrative operations.

Chaplain

5. The Chaplain shall offer a prayer at the commencement of each day's sitting of the House.

Office of Inspector General

6. (a) There is established an Office of Inspector General.

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 45 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 Committee on House Oversight, and shall be subject to the policy direction and oversight of the Committee on House Oversight.

2. In addition to any other reports required by the Committee on House Oversight, the Chief shall report to the Committee on House Oversight not later than 45 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.

Derived from: RULE VII

DUTIES OF THE CHAPLAIN

The Chaplain shall attend at the commencement of each day's sitting of the House and open the same with prayer.

Derived from: RULE VI

OFFICE OF INSPECTOR GENERAL

1. There is established an Office of Inspector General.

The "room over the Hall of the House" houses mechanical equipment and thus admission is restricted during sittings of the House.

PROPOSED NEW RULES

(b) The Inspector General shall be appointed for a Congress by the Speaker, the Majority Leader, and the Minority Leader, acting jointly.

(c) Subject to the policy direction and oversight of the Committee on House Administration, the Inspector General shall only—

(1) conduct periodic audits of the financial and administrative functions of the House and of joint entities;

(2) inform the officers or other officials who are the subject of an audit of the results of that audit and suggesting appropriate curative actions;

(3) simultaneously notify the Speaker, the Majority Leader, the Minority Leader, and the chairman and ranking minority member of the Committee on House Administration in the case of any financial irregularity discovered in the course of carrying out responsibilities under this clause;

(4) simultaneously submit to the Speaker, the Majority Leader, the Minority Leader, and the chairman and ranking minority member of the Committee on House Administration a report of each audit conducted under this clause; and

(5) report to the Committee on Standards of Official Conduct information involving possible violations by a Member, Delegate, Resident Commissioner, 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 that may require referral to the appropriate Federal or State authorities under clause 3(a)(3) of rule XI.

Office of the Historian

7. There is established an Office of the Historian of the House of Representatives. The Speaker shall appoint and set the annual rate of pay for employees of the Office of the Historian.

Office of General Counsel

8. There is established an Office of General Counsel for the purpose of providing legal assistance and representation to the House. Legal assistance and representation shall be provided without regard to political affiliation. The Office of General Counsel shall function pursuant to the direction of the Speaker, who shall consult with a Bipartisan Legal Advisory Group, which shall include the majority and minority leaderships. The Speaker shall appoint and set the annual rate of pay for employees of the Office of General Counsel.

EXISTING RULES

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, the Minority 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.

Derived from clause 10, rule I: 10. There is established in the House of Representatives an office to be known as the Office of the Historian of the House of Representatives.

Derived from clause 11, rule I: 11. There is established in the House of Representatives an office to be known as the Office of General Counsel for the purpose of providing legal assistance and representation to the House. Legal assistance and representation shall be provided without regard to political affiliation. The Office of General Counsel shall function pursuant to the direction of the Speaker, who shall consult with a Bipartisan Legal Advisory Group, which shall include the majority and minority leaderships. The Speaker shall appoint and set the annual rate of pay for employees of the Office of General Counsel.

COMMENTARY

Conforming changes are required when existing rule VI becomes clause 6, rule II.

RULE III.

THE MEMBERS, DELEGATES, AND RESIDENT COMMISSIONER OF PUERTO RICO.

Voting

1. Every Member shall be present within the Hall of the House during its sittings, unless excused or necessarily prevented, and shall vote on each question put, unless he has a direct personal or pecuniary interest in the event of such question.

2. (a) A Member may not authorize any other person to cast his vote or record his presence in the House or the Committee of the Whole House on the state of the Union.

(b) No other person may cast a Member's vote or record a Member's presence in the House or the Committee of the Whole House on the state of the Union.

Delegates and the Resident Commissioner

3. (a) Each Delegate and the Resident Commissioner shall be elected to serve on standing committees in the same manner as Members of the House and shall possess in such committees the same powers and privileges as the other members of the committee.

(b) The Delegates and the Resident Commissioner may be appointed to any select committee and to any conference committee.

Derived from: RULE VIII

DUTIES OF THE MEMBERS

1. Every Member shall be present within the Hall of the House during its sittings, unless excused or necessarily prevented, and shall vote on each question put, unless he has a direct personal or pecuniary interest in the event of such question.

3.(a) A Member may not authorize any other individual to cast his vote or record his presence in the House or Committee of the Whole.

(b) No individual other than a Member may cast a vote or record a Member's presence in the House or the Committee of the Whole.

(c) A Member may not cast a vote for any other Member or record another Member's presence in the House or Committee of the Whole.

Derived from: RULE XII

RESIDENT COMMISSIONER AND DELEGATES

The Resident Commissioner to the United States from Puerto Rico and each Delegate to the House shall be elected to serve on standing committees in the same manner as Members of the House and shall possess in such committees the same powers and privileges as the other Members.

Derived from clause 6(h), rule X: (h) The Speaker may appoint the Resident Commissioner from Puerto Rico and Delegates to the House to any select committee and to any conference committee.

In proposed rule III the duty of Members with respect to attendance and voting, currently in rule VIII, are combined with provisions currently in rule XII authorizing Delegates and the Resident Commissioner from Puerto Rico to serve on standing, select and conference committees but are kept separate from a code of conduct and other rules regarding official conduct also applicable to officers and employees (moved to new rules XXIV through XXVII). This rule is specific as to the respective duties and prerogatives of Members, Delegates and the Resident Commissioner.

Existing clause 2, rule VIII on announcement of pairs has been transferred to new clause 8, rule XX as logically belonging to the voting rule.

RULE IV.

THE HALL OF THE HOUSE.

Use and admittance

1. The Hall of the House shall be used only for the legislative business of the House and for caucus and conference meetings of its Members, except when the House agrees to take part in any ceremonies to be observed therein. The Speaker may not entertain a motion for the suspension of this clause.

Derived from: RULE XXXI

HALL OF THE HOUSE

The Hall of the House shall be used only for the legislative business of the House and for the caucus meetings of its Members, except upon occasions where the House by resolution agrees to take part in any ceremonies to be observed therein; and the Speaker shall not entertain a motion for the suspension of this rule.

Derived from: RULE XXXII

Rules IV–VI—Administration of the House

In proposed rule IV, current provisions regulating the Hall of the House (rule XXXI), admission to the floor (rule XXXII), and to the galleries (rule XXXIII) are combined as one administrative rule consisting of seven clauses.

"By resolution" is deleted as an acknowledgment that means other than resolution exist to order the use of the Hall of the House, such as by unanimous consent or by law.

PROPOSED NEW RULES

2. (a) Only the following persons shall be admitted to the Hall of the House or rooms leading thereto:

(1) Members of Congress, Members-elect, and contestants in election cases during the pendency of their cases on the floor.

(2) The Delegates and the Resident Commissioner.

(3) The President and Vice President of the United States and their private secretaries.

(4) Justices of the Supreme Court.

(5) Elected officers and minority employees nominated as elected officers of the House.

(6) The Parliamentarian.

(7) Staff of committees when business from their committee is under consideration.

(8) Not more than one person from the staff of a Member, Delegate, or Resident Commissioner when that Member, Delegate, or Resident Commissioner has an amendment under consideration (subject to clause 5).

(9) The Architect of the Capitol.

(10) The Librarian of Congress and the assistant in charge of the Law Library.

(11) The Secretary and Sergeant-at-Arms of the Senate.

(12) Heads of departments.

(13) Foreign ministers.

(14) Governors of States.

(15) Former Members, Delegates, and Resident Commissioners; former Parliamentarians of the House; and former elected officers and minority employees nominated as elected officers of the House (subject to clause 4).

(16) One attorney to accompany a Member, Delegate, or Resident Commissioner who is the respondent in an investigation undertaken by the Committee on Standards of Official Conduct when a recommendation of that committee is under consideration in the House.

(17) Such persons as have, by name, received the thanks of Congress.

(b) The Speaker may not entertain a unanimous consent request or a motion to suspend this clause.

3. (a) Except as provided in paragraph (b), all persons not entitled to the privilege of the floor during the session shall be excluded at all times from the Hall of the House and the cloakrooms.

(b) Until 15 minutes of the hour of the meeting of the House, persons employed in its service, accredited members of the press entitled to admission to the press gallery, and other persons on request of a Member, Delegate, or Resident Commissioner by card or in writing, may be admitted to the Hall of the House.

EXISTING RULES

OF ADMISSION TO THE FLOOR

1. The persons hereinafter named, and none other, shall be admitted to the Hall of the House or rooms leading thereto, viz: The President and Vice President of the United States and their private secretaries, judges of the Supreme Court, Members of Congress and Members-elect, contestants in election cases during the pendency of their cases in the House, the Secretary and Sergeant-at-Arms of the Senate, heads of departments, foreign ministers, governors of States, the Architect of the Capitol, the Librarian of Congress and his assistant in charge of the Law Library, the Resident Commissioner to the United States from Puerto Rico, each Delegate to the House, such persons as have, by name, received the thanks of Congress, the Parliamentarian, elected officers and elected minority employees of the House (other than Members); and ex-Members of the House of Representatives, former Parliamentarians of the House, and former elected officers and elected minority employees of the House, subject to the provisions of clause 3 of this rule; and clerks of committees when business from their committee is under consideration and not more than one person from a Member's staff when that Member has an amendment under consideration, subject to the provisions of clause 4 of this rule; and one attorney to accompany any Member who is the respondent in an investigation undertaken by the Committee on Standards of Official Conduct when the recommendation of such committee is under consideration; and it shall not be in order for the Speaker to entertain a request for the suspension of this rule or to present from the chair the request of any Member for unanimous consent.

2. There shall be excluded at all times from the Hall of the House of Representatives and the cloakrooms all persons not entitled to the privilege of the floor during the session, except that until fifteen minutes of the hour of the meeting of the House persons employed in its service, accredited members of the press entitled to admission to the press gallery, and other persons on request of Members, by card or in writing may be admitted.

COMMENTARY

Proposed clause 2(a)(1) of this rule clarifies that contestants in election cases have privileges of the House floor only when their cases are the business on the floor and not merely before a committee.

The minority employees referred to in proposed subparagraphs (5) and (15) are not elected by the House; rather they are nominated by the minority to be their candidates for the elected offices of the House. The language is added for clarity.

4. (a) Former Members, Delegates, and Resident Commissioners; former Parliamentarians of the House; and former elected officers and minority employees nominated as elected officers of the House shall be entitled to the privilege of admission to the Hall of the House and rooms leading thereto only if—

(1) they do not have any direct personal or pecuniary interest in any legislative measure pending before the House or reported by a committee; and

(2) they are not in the employ of, or do not represent, any party or organization for the purpose of influencing, directly or indirectly, the passage, defeat, or amendment of any legislative measure pending before the House, reported by a committee, or under consideration in any of its committees or subcommittees.

(b) The Speaker shall promulgate such regulations as may be necessary to implement this rule and to ensure its enforcement.

5. A person from the staff of a Member, Delegate, or Resident Commissioner may be admitted to the Hall of the House or rooms leading thereto under clause 2 only upon prior notice to the Speaker. Such persons, and persons from the staff of committees admitted under clause 2, may not engage in efforts in the Hall of the House or rooms leading thereto to influence Members with regard to the legislation being amended. Such persons shall remain at the desk and are admitted only to advise the Member, Delegate, Resident Commissioner, or committee responsible for their admission. A person who violates this clause may be excluded during the session from the Hall of the House and rooms leading thereto by the Speaker.

Gallery

6. (a) The Speaker shall set aside a portion of the west gallery for the use of the President, the members of the Cabinet, justices of the Supreme Court, foreign ministers and suites, and the members of their respective families. The Speaker shall set aside another portion of the same gallery for the accommodation of persons to be admitted on the cards of Members, Delegates, or the Resident Commissioner.

(b) The Speaker shall set aside the southerly half of the east gallery for the use of the families of Members of Congress. The Speaker shall control one bench. On the request of a Member, Delegate, Resident Commissioner, or Senator, the Speaker shall issue a card of admission to his family, which may include their visitors. No other person shall be admitted to this section.

3. Ex-Members of the House of Representatives, former Parliamentarians of the House, and former elected officers and former elected minority employees of the House, shall be entitled to the privilege of admission to the Hall of the House and rooms leading thereto only if they do not have any direct personal or pecuniary interest in any legislative measure pending before the House or reported by any committee of the House and only if they are not in the employ of, or do not represent, any party or organization for the purpose of influencing, directly or indirectly, the passage, defeat or amendment of any legislative measure pending before the House, reported by any committee of the House or under consideration in any of its committees or subcommittees. The Speaker shall promulgate such regulations as may be necessary to implement the provisions of this rule and to ensure its enforcement.

4. Persons from Member's staffs admitted to the Hall of the House or rooms leading thereto under clause 1 shall be admitted only upon prior notification to the Speaker. No such person or clerk of a committee so admitted under clause 1 shall engage in efforts in the Hall of the House or rooms leading thereto to influence Members with regard to the legislation being amended. Such persons and clerks shall remain at the desk and are admitted only to advise the Member or committee responsible for their admission. Any such person or clerk who violates this clause may be excluded during the session from the Hall of the House and rooms leading thereto by the Speaker.

Derived from: RULE XXXIII

OF ADMISSION TO THE GALLERIES

The Speaker shall set aside a portion of the west gallery for the use of the President of the United States, the members of his Cabinet, justices of the Supreme Court, foreign ministers and suites, and the members of their respective families, and shall also set aside another portion of the same gallery for the accommodation of persons to be admitted on the card of Members. The southerly half of the east gallery shall be assigned exclusively for the use of the families of Members of Congress, in which the Speaker shall control one bench, and on request of a Member the Speaker shall issue a card of admission to his family, which shall include their visitors, and no other person shall be admitted to this section.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
Prohibition on campaign contributions 7. A Member, Delegate, Resident Commissioner, officer, or employee of the House, or any other person entitled to admission to the Hall of the House or rooms leading thereto by this rule, may not knowingly distribute a political campaign contribution in the Hall of the House or rooms leading thereto.	**Derived from clause 5, rule XXXII:** 5. No Member, officer, or employee of the House of Representatives, or any other person entitled to admission to the Hall of the House or rooms leading thereto by this rule, shall knowingly distribute any political campaign contribution in the Hall of the House or rooms leading thereto.	
RULE V. **BROADCASTING THE HOUSE.** 1. The Speaker shall administer a system subject to his direction and control for closed-circuit viewing of floor proceedings of the House in the offices of all Members, Delegates, the Resident Commissioner, and committees and in such other places in the Capitol and the House Office Buildings as he considers appropriate. Such system may include other telecommunications functions as the Speaker considers appropriate. Any such telecommunications shall be subject to rules and regulations issued by the Speaker. 2. (a) The Speaker shall administer a system subject to his direction and control for complete and unedited audio and visual broadcasting and recording of the proceedings of the House. The Speaker shall provide for the distribution of such broadcasts and recordings to news media, for the storage of audio and video recordings of the proceedings, and for the closed-captioning of the proceedings for hearing-impaired persons. (b) All television and radio broadcasting stations, networks, services, and systems (including cable systems) that are accredited to the House Radio and Television Correspondents' Galleries, and all radio and television correspondents who are so accredited, shall be provided access to the live coverage of the House. (c) Coverage made available under this clause, including any recording thereof— (1) may not be used for any political purpose; (2) may not be used in any commercial advertisement; and (3) may not be broadcast with commercial sponsorship except as part of a bona fide news program or public affairs documentary program. 3. The Speaker may delegate any of his responsibilities under this rule to such legislative entity as he considers appropriate.	**Derived from clause 9, rule I:** 9. (a) He shall devise and implement a system subject to his direction and control for closed circuit viewing of floor proceedings of the House of Representatives in the offices of all Members and committees and in such other places in the Capitol and the House Office Buildings as he deems appropriate. Such system may include other telecommunications functions as he deems appropriate. Any such telecommunications function shall be subject to rules and regulations issued by the Speaker. (b)(1) He shall devise and implement a system subject to his direction and control for complete and unedited audio and visual broadcasting and recording of the proceedings of the House of Representatives. He shall provide for the distribution of such broadcasts and recordings thereof to news media, the storage of audio and video recordings of the proceedings, and the closed captioning of the proceedings for hearing-impaired individuals. (2) All television and radio broadcasting stations, networks, services, and systems (including cable systems) which are accredited to the House radio and television correspondents' galleries, and all radio and television correspondents who are accredited to the radio and television correspondents' galleries shall be provided access to the live coverage of the House of Representatives. (3) No coverage made available under this clause nor any recording thereof shall be used for any political purpose. (4) Coverage made available under this clause shall not be broadcast with commercial sponsorship except as part of bona fide news programs and public affairs documentary programs. No part of such coverage or any recording thereof shall be used in any commercial advertisement. (c) He may delegate any of his responsibilities under this clause to such legislative entity as he deems appropriate.	In proposed rule V, current provisions in clause 9 of rule I with respect to the Speaker's authority to control broadcasting of proceedings of the House are transferred to become a separate administrative rule.
RULE VI. **OFFICIAL REPORTERS AND NEWS MEDIA GALLERIES.**	**Derived from:** RULE XXXIV	

Official reporters

1. Subject to the direction and control of the Speaker, the Clerk shall appoint, and may remove for cause, the official reporters of the House, including stenographers of committees, and shall supervise the execution of their duties.

OFFICIAL AND OTHER REPORTERS

1. The appointment and removal, for cause, of the official reporters of the House, including stenographers of committees, and the manner of the execution of their duties shall be vested in the Clerk, subject to the direction and control of the Speaker.

In proposed rule VI, current provisions in rule XXXIV regarding official and other reporters are redesignated as a new administrative rule and are redescribed to refer to news media galleries (rather than "other reporters").

The term "supervise" in clause 1 describes the vesting of authority in the Clerk.

News media galleries

2. A portion of the gallery over the Speaker's chair as may be necessary to accommodate representatives of the press wishing to report debates and proceedings shall be set aside for their use. Reputable reporters and correspondents shall be admitted thereto under such regulations as the Speaker may prescribe from time to time. The Standing Committee of Correspondents for the Press Gallery and the Executive Committee of Correspondents for the Periodical Press Gallery, shall supervise such galleries, including the designation of its employees, subject to the direction and control of the Speaker. The Speaker may assign one seat on the floor to Associated Press reporters and one to United Press International reporters, and may regulate their occupation. The Speaker may admit to the floor, under such regulations as he may prescribe, one additional representative of each press association.

3. A portion of the gallery as may be necessary to accommodate reporters of news to be disseminated by radio, television, and similar means of transmission, wishing to report debates and proceedings, shall be set aside for their use. Reputable reporters and correspondents shall be admitted thereto under such regulations as the Speaker may prescribe. The Executive Committee of the Radio and Television Correspondents' Galleries shall supervise such gallery, including the designation of its employees, subject to the direction and control of the Speaker. The Speaker may admit to the floor, under such regulations as he may prescribe, one representative of the National Broadcasting Company, one of the Columbia Broadcasting System, and one of the American Broadcasting Company.

2. Such portion of the gallery over the Speaker's chair as may be necessary to accommodate representatives of the press wishing to report debates and proceedings shall be set aside for their use, and reputable reporters and correspondents shall be admitted thereto under such regulations as the Speaker may from time to time prescribe; and the supervision of such gallery, including the designation of its employees, shall be vested in the standing committee of correspondents, subject to the direction and control of the Speaker; and the Speaker may assign one seat on the floor to Associated Press reporters and one to United Press International, and regulate the occupation of the same. And the Speaker may admit to the floor, under such regulations as he may prescribe, one additional representative of each press association.

3. Such portion of the gallery of the House of Representatives as may be necessary to accommodate reporters of news to be disseminated by radio, television, and similar means of transmission, wishing to report debates and proceedings, shall be set aside for their use, and reputable reporters thus engaged shall be admitted thereto under such regulations as the Speaker may from time to time prescribe; and the supervision of such gallery, including the designation of its employees, shall be vested in the Executive Committee of the Radio and Television Correspondents' Galleries, subject to the direction and control of the Speaker; and the Speaker may admit to the floor, under such regulations as he may prescribe, one representative of the National Broadcasting Company, one of the Columbia Broadcasting System, one of the Mutual Broadcasting System, and one of the American Broadcasting Company.

RULE VII.

RECORDS OF THE HOUSE.

Derived from: RULE XXXVI

Archiving

1. (a) At the end of each Congress, the chairman of each committee shall transfer to the Clerk any noncurrent records of such committee, including the subcommittees thereof.

PRESERVATION AND AVAILABILITY OF NONCURRENT RECORDS OF THE HOUSE

1. (a) At the end of each Congress, the chairman of each committee of the House shall transfer to the Clerk any noncurrent records of such committee, including the subcommittees thereof.

Rules VII–IX—Institutional Prerogatives

In proposed rule VII, current provisions in rules XXXVI and XXXVII regarding preservation and availability of noncurrent records of the House and withdrawal of papers presented to the House are combined as one administrative rule consisting of seven clauses. The two rules are related logically.

PROPOSED NEW RULES

(b) At the end of each Congress, each officer of the House elected under rule II shall transfer to the Clerk any noncurrent records made or acquired in the course of the duties of such officer.

2. The Clerk shall deliver the records transferred under clause 1, together with any other noncurrent records of the House, to the Archivist of the United States for preservation at the National Archives and Records Administration. Records so delivered are the permanent property of the House and remain subject to this rule and any order of the House.

Public availability

3. (a) The Clerk shall authorize the Archivist to make records delivered under clause 2 available for public use, subject to paragraph (b), clause 4, and any order of the House.

(b)(1) A record shall immediately be made available if it was previously made available for public use by the House or a committee or a subcommittee.

(2) An investigative record that contains personal data relating to a specific living person (the disclosure of which would be an unwarranted invasion of personal privacy), an administrative record relating to personnel, or a record relating to a hearing that was closed under clause 2(g)(2) of rule XI shall be made available if it has been in existence for 50 years.

(3) A record for which a time, schedule, or condition for availability is specified by order of the House shall be made available in accordance with that order. Except as otherwise provided by order of the House, a record of a committee for which a time, schedule, or condition for availability is specified by order of the committee (entered during the Congress in which the record is made or acquired by the committee) shall be made available in accordance with the order of the committee.

(4) A record (other than a record referred to in subparagraph (1), (2), or (3)) shall be made available if it has been in existence for 30 years.

4. (a) A record may not be made available for public use under clause 3 if the Clerk determines that such availability would be detrimental to the public interest or inconsistent with the rights and privileges of the House. The Clerk shall notify in writing the chairman and ranking minority member of the Committee on House Administration of any such determination.

EXISTING RULES

(b) At the end of each Congress, each officer of the House elected pursuant to rule II shall transfer to the Clerk any noncurrent records made or acquired in the course of the duties of such officer.

2. The Clerk shall deliver the records transferred pursuant to clause 1 of the rule, together with any other noncurrent records of the House, to the Archivist of the United States for preservation at the National Archives and Records Administration. Records so delivered are the permanent property of the House and remain subject to this rule and the orders of the House.

3. (a) Subject to paragraph (b) of the clause, clause 4 of this rule, and orders of the House, the Clerk shall authorize the Archivist of the United States to make available for public use the records delivered to the Archivist under clause 2 of this rule.

(b)(1) Any record that the House or a committee of the House (or a subcommittee thereof) makes available for public use before such record is delivered to the Archivist under clause 2 of this rule shall be made available immediately.

(2) Any investigative record that contains personal data relating to a specific living individual (the disclosure of which would be an unwarranted invasion of personal privacy), any administrative record with respect to personnel, and any record with respect to a hearing closed pursuant to clause 2(g)(2) of rule XI shall be available if such record has been in existence for 50 years.

(3) Any record for which a time, schedule, or condition for availability is specified by order of the House shall be made available in accordance with that order. Except as otherwise provided by order of the House, any record of a committee for which a time, schedule, or condition for availability is specified by order of the committee (entered during the Congress in which the record is made or acquired by the committee) shall be made available in accordance with the order of the committee.

(4) Any record (other than a record referred to in subparagraph (1), (2), or (3) of this paragraph) shall be made available if such record has been in existence for 30 years.

4. (a) A record shall not be made available for public use under clause 3 of this rule if the Clerk determines that such availability would be detrimental to the public interest or inconsistent with the rights and privileges of the House. The Clerk shall notify in writing the chairman and the ranking minority party member of the Committee on House Oversight of any determination under the preceding sentence.

COMMENTARY

(b) A determination of the Clerk under paragraph (a) is subject to later orders of the House and, in the case of a record of a committee, later orders of the committee.

5. (a) This rule does not supersede rule VIII or clause 9 of rule X and does not authorize the public disclosure of any record if such disclosure is prohibited by law or executive order of the President.

(b) The Committee on House Administration may prescribe guidelines and regulations governing the applicability and implementation of this rule.

(c) A committee may withdraw from the National Archives and Records Administration any record of the committee delivered to the Archivist under this rule. Such a withdrawal shall be on a temporary basis and for official use of the committee.

Definition of record

6. In this rule the term "record" means any official, permanent record of the House (other than a record of an individual Member, Delegate, or Resident Commissioner), including—

(a) with respect to a committee, an official, permanent record of the committee (including any record of a legislative, oversight, or other activity of such committee or a subcommittee thereof); and

(b) with respect to an officer of the House elected under rule II, an official, permanent record made or acquired in the course of the duties of such officer.

Withdrawal of papers

7. A memorial or other paper presented to the House may not be withdrawn from its files without its leave. If withdrawn certified copies thereof shall be left in the office of the Clerk. When an act passes for the settlement of a claim, the Clerk may transmit to the officer charged with the settlement thereof the papers on file in his office relating to such claim. The Clerk may lend temporarily to an officer or bureau of the executive departments any papers on file in his office relating to any matter pending before such officer or bureau, taking proper receipt therefor.

(b) A determination of the Clerk under paragraph (a) is subject to later order of the House and, in the case of a record of a committee, later order of the committee.

5. (a) This rule does not supersede rule XLVIII or rule L and does not authorize the public disclosure of any record if such disclosure is prohibited by law or executive order of the President.

(b) The Committee on House Oversight may prescribe guidelines and regulations governing the applicability and implementation of this rule.

(c) A committee may withdraw from the National Archives and Records Administration any record of the committee delivered to the Archivist of the United States under this rule. Such withdrawal shall be on a temporary basis and for official use of the committee.

6. As used in the rule the term "record" means any official permanent record of the House, including—

(a) with respect to a committee of the House, an official, permanent record of the committee (including any record of a legislative, oversight, or other activity of such committee or subcommittee thereof); and

(b) with respect to an officer of the House elected pursuant to rule II, an official, permanent record made or acquired in the course of the duties of such officer. Such term does not include a record of an individual Member of the House.

Derived from: RULE XXXVII

WITHDRAWAL OF PAPERS

No memorial or other paper presented to the House shall be withdrawn from its files without its leave, and if withdrawn therefrom certified copies thereof shall be left in the office of the Clerk; but when an act may pass for the settlement of a claim, the Clerk is authorized to transmit to the officer in charge with the settlement thereof the papers on file in his office relating to such claim, or may loan temporarily to an officer or bureau of the executive departments any papers on file in his office relating to any matter pending before such officer or bureau, taking proper receipt therefor.

Proposed clause 2(e)(2)(A), rule XI (existing clause 2(e)(2), rule XI) requires all committee records be kept separate and distinct from the congressional office records of the member serving as chairman.

PROPOSED NEW RULES

RULE VIII.

RESPONSE TO SUBPOENAS.

1. When a Member, Delegate, Resident Commissioner, officer, or employee of the House is properly served with a subpoena or other judicial order directing appearance as a witness relating to the official functions of the House or for the production or disclosure of any document relating to the official functions of the House, such Member, Delegate, Resident Commissioner, officer, or employee shall comply, consistently with the privileges and rights of the House, with the subpoena or other judicial order as hereinafter provided, unless otherwise determined under this rule.

2. Upon receipt of a properly served subpoena or other judicial order described in clause 1, a Member, Delegate, Resident Commissioner, officer, or employee of the House shall promptly notify the Speaker of its receipt in writing. Such notification shall promptly be laid before the House by the Speaker. During a period of recess or adjournment of longer than three days, notification to the House is not required until the reconvening of the House, when the notification shall promptly be laid before the House by the Speaker.

3. Once notification has been laid before the House, the Member, Delegate, Resident Commissioner, officer, or employee of the House shall determine whether the issuance of the subpoena or other judicial order described in clause 1 is a proper exercise of jurisdiction by the court, is material and relevant, and is consistent with the privileges and rights of the House. Such Member, Delegate, Resident Commissioner, officer, or employee shall notify the Speaker before seeking judicial determination of these matters.

4. Upon determination whether a subpoena or other judicial order described in clause 1 is a proper exercise of jurisdiction by the court, is material and relevant, and is consistent with the privileges and rights of the House, the Member, Delegate, Resident Commissioner, officer, or employee of the House shall immediately notify the Speaker of the determination in writing.

EXISTING RULES

Derived from: RULE L

PROCEDURE FOR RESPONSE TO SUBPOENAS.

1. When any Member, officer, or employee of the House of Representatives is properly served with a subpoena or other judicial order directing appearance as a witness relating to the official functions of the House or for the production or disclosure of any documents relating to the official functions of the House, such Member, officer, or employee shall comply, consistently with the privileges and rights of the House, with said subpoena or other judicial order as hereinafter provided, unless otherwise determined pursuant to the provisions of this rule.

2. Upon receipt of a properly served subpoena or other judicial order directing appearance as a witness relating to the official functions of the House or for the production or disclosure of any documents relating to the official functions of the House, such Member, officer, or employee shall promptly notify, in writing, the Speaker of its receipt and such notification shall then be promptly laid before the House by the Speaker, except that during a period of recess or adjournment of longer than three days, no such notification to the House shall be required. However, upon the reconvening of the House, such notification shall then be promptly laid before the House by the Speaker.

3. Once notification has been laid before the House, the Member, officer, or employee shall determine whether the issuance of the subpoena or other judicial order is a proper exercise of the court's jurisdiction, is material and relevant, and is consistent with the privileges and rights of the House. The Member, officer, or employee shall notify the Speaker prior to seeking judicial determination of these matters.

4. Upon determination whether the subpoena or other judicial order is a proper exercise of the court's jurisdiction, is material and relevant, and is consistent with the privileges and rights of the House, the Member, officer, or employee shall immediately notify, in writing, the Speaker of such a determination.

COMMENTARY

In proposed rule VIII, current provisions in rule L regarding responses to judicial subpoenas are transferred to this portion of the rules covering institutional prerogatives. These responses are to be distinguished from those involving congressional subpoenas.

The changes in proposed clauses 3 and 4 are intended to avoid the use of possessives, as in the current rule.

5. The Speaker shall inform the House of a determination whether a subpoena or other judicial order described in clause 1 is a proper exercise of jurisdiction by the court, is material and relevant, and is consistent with the privileges and rights of the House. In so informing the House, the Speaker shall generally describe the records or information sought. During a period of recess or adjournment of longer than three days, such notification is not required until the reconvening of the House, when the notification shall promptly be laid before the House by the Speaker.

6. (a) Except as specified in paragraph (b) or otherwise ordered by the House, upon notification to the House that a subpoena or other judicial order described in clause 1 is a proper exercise of jurisdiction by the court, is material and relevant, and is consistent with the privileges and rights of the House, the Member, Delegate, Resident Commissioner, officer, or employee of the House shall comply with the subpoena or other judicial order by supplying certified copies.

(b) Under no circumstances may minutes or transcripts of executive sessions, or evidence of witnesses in respect thereto, be disclosed or copied. During a period of recess or adjournment of longer than three days, the Speaker may authorize compliance or take such other action as he considers appropriate under the circumstances. Upon the reconvening of the House, all matters that transpired under this clause shall promptly be laid before the House by the Speaker.

7. A copy of this rule shall be transmitted by the Clerk to the court when a subpoena or other judicial order described in clause 1 is issued and served on a Member, Delegate, Resident Commissioner, officer, or employee of the House.

8. Nothing in this rule shall be construed to deprive, condition, or waive the constitutional or legal privileges or rights applicable or available at any time to a Member, Delegate, Resident Commissioner, officer, or employee of the House, or of the House itself, or the right of such Member, Delegate, Resident Commissioner, officer, or employee, or of the House itself, to assert such privileges or rights before a court in the United States.

5. The Speaker shall inform the House of the determination of whether the subpoena or other judicial order is a proper exercise of the court's jurisdiction, is material and relevant, and is consistent with the privileges and rights of the House, and shall generally describe the records or information sought, except that during any recess or adjournment of the House for longer than three days, no such notification is required. However, upon the reconvening of the House, such notification shall then be promptly laid before the House by the Speaker.

6. Upon such notification to the House that said subpoena is a proper exercise of the court's jurisdiction, is material and relevant, and is consistent with the privileges and rights of the House, the Member, officer, or employee shall comply with such subpoena or other judicial order by supplying certified copies, unless the House adopts a resolution to the contrary; except that under no circumstances shall any minutes or transcripts of executive sessions, or any evidence of witnesses in respect thereto, be disclosed or copied. Should the House be in recess or adjournment for longer than three days, the Speaker may authorize compliance or take such other action as he deems appropriate under the circumstances during the pendency of such recess or adjournment. And upon the reconvening of the House, all matters having transpired under this clause shall be laid promptly before the House by the Speaker.

7. A copy of this rule shall be transmitted by the Clerk of the House to any of said courts whenever any such subpoena or other judicial order is issued and served on a Member, officer, or employee of the House.

8. Nothing in this rule shall be construed to deprive, condition or waive the constitutional or legal rights applicable or available to any Member, officer, or employee of the House, or of the House itself, or the right of a Member or the House to assert such privilege or right before any court in the United States, or the right of the House thereafter to assert such privilege or immunity before any court in the United States.

PROPOSED NEW RULES

RULE IX.

QUESTIONS OF PRIVILEGE.

1. Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; and second, those affecting the rights, reputation, and conduct of Members, Delegates, or the Resident Commissioner, individually, in their representative capacity only.

2. (a)(1) A resolution reported as a question of the privileges of the House, or offered from the floor by the Majority Leader or the Minority Leader as a question of the privileges of the House, or offered as privileged under clause 1, section 7, article I of the Constitution, shall have precedence of all other questions except motions to adjourn. A resolution offered from the floor by a Member, Delegate, or Resident Commissioner other than the Majority Leader or the Minority Leader as a question of the privileges of the House shall have precedence of all other questions except motions to adjourn only at a time or place, designated by the Speaker, in the legislative schedule within two legislative days after the day on which the proponent announces to the House his intention to offer the resolution and the form of the resolution. Oral announcement of the form of the resolution may be dispensed with by unanimous consent.

(2) The time allotted for debate on a resolution offered from the floor as a question of the privileges of the House shall be equally divided between (A) the proponent of the resolution, and (B) the Majority Leader, the Minority Leader, or a designee, as determined by the Speaker.

(b) A question of personal privilege shall have precedence of all other questions except motions to adjourn.

RULE X.

ORGANIZATION OF COMMITTEES.

EXISTING RULES

Derived from: RULE IX

QUESTIONS OF PRIVILEGE

1. Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; and second, those affecting the rights, reputation, and conduct of Members, individually, in their representative capacity only.

2. (a)(1) A resolution reported as a question of the privileges of the House, or offered from the floor by the Majority Leader or the Minority Leader as a question of the privileges of the House, or offered as privileged under clause 1, section 7, article I of the Constitution, shall have precedence of all other questions except motions to adjourn. A resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House shall have precedence of all other questions except motions to adjourn only at a time or place, designated by the Speaker, in the legislative schedule within two legislative days after the day on which the proponent announces to the House his intention to offer the resolution and the form of the resolution.

(2) The time allotted for debate on a resolution offered from the floor as a question of the privileges of the House shall be equally divided between (A) the proponent of the resolution, and (B) the Majority Leader or the Minority Leader or a designee, as determined by the Speaker.

(b) A question of personal privilege shall have precedence of all other questions except motions to adjourn.

Derived from: RULE X

ESTABLISHMENT AND JURISDICTION OF STANDING COMMITTEES

COMMENTARY

Proposed rule IX on questions of privilege, including privileges of the House and personal privilege, retains the same number as the existing rule, in order to preserve many precedent citations to rule IX and consistent with the treatment in this portion of the rules of matters involving institutional prerogatives. Questions of privilege remain distinguished from "privileged questions," matters which are merely eligible for expedited consideration under the rules (see proposed rule XIII).

Committees and their legislative jurisdictions

1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned by this clause and clauses 2, 3, and 4. All bills, resolutions, and other matters relating to subjects within the jurisdiction of the standing committees listed in this clause shall be referred to those committees, in accordance with clause 2 of rule XII, 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) Commodity exchanges.

(10) Crop insurance and soil conservation.

(11) Dairy industry.

(12) Entomology and plant quarantine.

The Committees and Their Jurisdiction

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.

Rules X-XI—Committees

In proposed rule X, clauses 1 through 3 remain the same with respect to statements of legislative jurisdiction of standing committees (clause 1), general oversight responsibilities (clause 2), and special oversight functions (clause 3). In clause 4, under additional functions of committees, the provisions currently in clause 4(e) regarding the Committee on Standards of Official Conduct are transferred to rule XI to become a separate clause 3 following committee procedures generally, as they are more appropriately "procedure" provisions than "functions" provisions. Rule X retains organizational provisions relating to committee membership in clause 5 (currently clause 6). Proposed clause 6 relates to committee expense resolutions (currently clause 5 of rule XI) since this matter is more appropriately an organizational matter than a committee procedure provision. Interim committee funding logically follows as a proposed clause 7 (currently clause 5(f), rule XI), and then committee travel as proposed clause 8 (currently clause 2(n), rule XI). The committee staff provisions currently in clause 6 of rule XI are transferred to become a new clause 9 of rule X, also more appropriately an organizational matter. Provisions relating to select and conference committees currently clause 6(f) and (g) are transferred to proposed clause 10. The provisions of rule XLVIII establishing the Permanent Select Committee on Intelligence are transferred to rule X to become proposed clause 11. In sum, rule X covers all organizational matters relating to all committees, except committee procedure which remains rule XI. This achieves a logical sequence and retains existing citations to committee jurisdictions and committee procedural issues found in precedent and practice volumes.

PROPOSED NEW RULES

(13) Extension of farm credit and farm security.

(14) Inspection of livestock, poultry, 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) Bills and joint resolutions reported by other committees that provide new entitlement authority as defined in section 3(9) of the Congressional Budget Act of 1974 and referred to the committee under clause 4(a)(2).

EXISTING RULES

(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 authority to enter into contracts under which the United States is obligated to make outlays, the budget authority for which is not provided in advance by appropriation Acts; new authority to incur indebtedness (other than indebtedness incurred under chapter 31 of title 31 of the United States Code) for the repayment of which the United States is liable, the budget authority for which is not provided in advance by appropriation Acts; new entitlement authority as defined in section 3(9) of the Congressional Budget Act of 1974, including bills and resolutions (reported by other committees) which provide new entitlement authority as defined in section 3(9) of the Congressional Budget Act of 1974 and are referred to the committee under clause 4(a); authority to forego the collection by the United States of proprietary offsetting receipts, the budget authority for which is not provided in advance by appropriation Acts to offset such foregone receipts; and authority to make payments by the United States (including loans, grants, and payments from revolving funds) other than those covered by this subparagraph, the budget authority for which is not provided in advance by appropriation Acts.

COMMENTARY

(c) **Committee on Armed Services.**

(1) Ammunition depots; forts; arsenals; and 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 Defense.

(9) National security aspects of merchant marine, including financial assistance for the construction and operation of vessels, 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.

(d) **Committee on Banking and Financial Services.**

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.

In clause 1(b), rule X, the legislative jurisdiction of the Committee on Appropriations includes only statements of legislative jurisdiction. The additional paragraph in the existing rule on headings for rescissions and transfers of appropriations is transferred to a new clause 3(f)(2), rule XIII as more logically under committee reporting requirements.

Also in rule X, existing statements of oversight jurisdiction carried in clause 1, following statements of legislative jurisdiction for the following standing committees, were eliminated, since they already appear under clauses 2, 3 or 4 of rule X as general or special oversight functions or additional functions: Appropriations, Commerce, Education and the Workforce, Government Reform and Oversight, House Oversight, International Relations, National Security, Resources, Science, and Small Business. All of the above "in addition" statements of oversight jurisdictions are merely repetitive.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(1) Banks and banking, including deposit insurance and Federal monetary policy.	(1) Banks and banking, including deposit insurance and Federal monetary policy.	
(2) Bank capital markets activities generally.	(2) Bank capital markets activities generally.	
(3) Depository institutions securities activities generally, including activities of any affiliates (except for functional regulation under applicable securities laws not involving safety and soundness).	(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.	(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).	(5) Financial aid to commerce and industry (other than transportation).	
(6) International finance.	(6) International finance.	
(7) International financial and monetary organizations.	(7) International financial and monetary organizations.	
(8) Money and credit, including currency and this issuance of notes and redemption thereof; gold and silver, including the coinage thereof; valuation and revaluation of the dollar.	(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.	(9) Public and private housing.	
(10) Urban development.	(10) Urban development.	
(e) **Committee on the Budget.**	(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.	In proposed clause 1(d), rule X, only the legislative jurisdiction of the Committee on the Budget remains. The existing provision on the composition of the committee is transferred to proposed clause 5(a)(2) of rule X under election of standing committees. The duty of the Budget Committee regarding tax expenditures currently stated in its legislative jurisdiction is transferred to clause 4 of rule X under additional functions of committees.
(1) Concurrent resolutions on the budget (as defined in section 3(4) 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.	(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.	

(2) Budget process generally.	(3) Measures relating to the budget process, generally.	
(3) 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.	(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.	
(f) **Committee on Commerce.**	(e) Committee on Commerce.	
(1) Biomedical research and development.	(1) Biomedical research and development.	
(2) Consumer affairs and consumer protection.	(2) Consumer affairs and consumer protection.	
(3) Health and health facilities (except health care supported by payroll deductions).	(3) Health and health facilities, except health care supported by payroll deductions.	
(4) Interstate energy compacts.	(4) Interstate energy compacts.	
(5) Interstate and foreign commerce generally.	(5) Interstate and foreign commerce generally.	
(6) Exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including all fossil fuels, solar energy, and other unconventional or renewable energy resources.	(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.	The phrase "measures relating to" appearing in the rule X jurisdictional statements of a number of committees has been deleted in the recodification as unnecessary. No jurisdictional addition or subtraction is intended by the change.
(7) Conservation of energy resources.	(7) Measures relating to the conservation of energy resources.	
(8) Energy information generally.	(8) Measures relating to energy information generally.	
(9) The generation and marketing of power (except by federally chartered or Federal regional power marketing authorities); reliability and interstate transmission of, and ratemaking for, all power; and siting of generation facilities (except the installation of interconnections between Government water-power projects).	(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 ratemaking for, all power, and (C) the siting of generation facilities; except the installation of interconnections between Government water power projects.	
(10) General management of the Department of Energy and management and all functions of the Federal Energy Regulatory Commission.	(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.	(11) National energy policy generally.	
(12) Public health and quarantine.	(12) Public health and quarantine.	

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(13) Regulation of the domestic nuclear energy industry, including regulation of research and development reactors and nuclear regulatory research.	(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.	(14) Regulation of interstate and foreign communications.	
(15) Securities and exchanges.	(15) Securities and exchanges.	
(16) Travel and tourism.	(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.	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.	
(g) **Committee on Education and the Workforce.**	(f) Committee on Education and the Workforce.	
(1) Child labor	(1) Child labor.	
(2) Gallaudet University and Howard University and Hospital.	(2) Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital.	References to specific entities in subparagraphs (2) and (9) of proposed clause 1(f), rule X have been modernized in the jurisdictional statement of the Committee on Education and the Workforce. No substantive changes to the jurisdictional statement is intended.
(3) Convict labor and the entry of goods made by convicts into interstate commerce.	(3) Convict labor and the entry of goods made by convicts into interstate commerce.	
(4) Food programs for children in schools.	(4) Food programs for children in schools.	
(5) Labor standards and statistics.	(5) Labor standards and statistics.	
(6) Education or labor generally.	(6) Measures relating to education or labor generally.	
(7) Mediation and arbitration of labor disputes.	(7) Mediation and arbitration of labor disputes.	
(8) Regulation or prevention of importation of foreign laborers under contract.	(8) Regulation or prevention of importation of foreign laborers under contract.	
(9) Workers' compensation.	(9) United States Employees' Compensation Commission.	
(10) Vocational rehabilitation.	(10) Vocational rehabilitation.	
(11) Wages and hours of labor.	(11) Wages and hours of labor.	
(12) Welfare of miners.	(12) Welfare of miners.	
(13) Work incentive programs.	(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.	See comment at beginning of rule X.
(h) **Committee on Government Reform.**	(g) Committee on Government Reform and Oversight.	

(1) Federal civil service, including intergovernmental personnel; and the status of officers and employees of the United States, including their compensation, classification, and retirement.	(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) Municipal affairs of the District of Columbia in general (other than appropriations).	(2) Measures relating to the municipal affairs of the District of Columbia in general, other than appropriations.	
(3) Federal paperwork reduction.	(3) Federal paperwork reduction.	
(4) Government management and accounting measures generally.	(4) Government management and accounting measures, generally.	
(5) Holidays and celebrations.	(5) Holidays and celebrations.	
(6) Overall economy, efficiency, and management of government operations and activities, including Federal procurement.	(6) The overall economy, efficiency and management of government operations and activities, including Federal procurement.	
(7) National archives.	(7) National archives.	
(8) Population and demography generally, including the Census.	(8) Population and demography generally, including the Census.	
(9) Postal service generally, including transportation of the mails.	(9) Postal service generally, including the transportation of the mails.	
(10) Public information and records.	(10) Public information and records.	
(11) Relationship of the Federal Government to the States and municipalities generally.	(11) Relationship of the Federal Government to the States and municipalities generally.	
(12) Reorganizations in the executive branch of the Government.	(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).	See comment at beginning of rule X.
(i) **Committee on House Administration.**	(h) Committee on House Oversight.	
(1) Appropriations from accounts for committee salaries and expenses (except for the Committee on Appropriations); House Information Resources; and allowance and expenses of Members, Delegates, the Resident Commissioner, officers, and administrative offices of the House.	(1) Appropriations from accounts for committee salaries and expenses (except for the Committee on Appropriations), House Information Resources, 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).	(2) Auditing and settling of all accounts described in subparagraph (1).	
(3) Employment of persons by the House, including staff for Members, Delegates, the Resident Commissioner, and committees; and reporters of debates, subject to rule VI.	(3) Employment of persons by the House, including clerks for Members and committees, and reporters of debates.	Under proposed clause 1, rule VI the official reporters of the House are subject to the direction and control of the Speaker. The reference to rule VI in subparagraph (3) is added for clarity.
(4) Except as provided in paragraph (q)(11), the Library of Congress, including management thereof; the House Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Garden; and purchase of books and manuscripts.	(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) The Smithsonian Institution and the incorporation of similar institutions (except as provided in paragraph (q)(11)).	(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).	(6) Expenditure of accounts described in subparagraph (1).	
(7) Franking Commission.	(7) Franking Commission.	

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(8) Printing and correction of the Congressional Record.	(8) Matters relating to printing and correction of the Congressional Record.	
(9) Accounts of the House generally.	(9) Measures relating to accounts of the House generally.	
(10) Assignment of office space for Members, Delegates, the Resident Commissioner, and committees.	(10) Measures relating to assignment of office space for Members and committees.	
(11) Disposition of useless executive papers.	(11) Measures relating to the disposition of useless executive papers.	
(12) Election of the President, Vice President, Members, Senators, Delegates, or the Resident Commissioner; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally.	(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) 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.	(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) Travel of Members, Delegates, and the Resident Commissioner.	(14) Measures relating to the travel of Members of the House.	
(15) Raising, reporting, and use of campaign contributions for candidates for office of Representative, of Delegate, and of Resident Commissioner.	(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) Compensation, retirement, and other benefits of the Members, Delegates, the Resident Commissioner, officers, and employees of Congress.	(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).	See comment at beginning of rule X.
(j) **Committee on International Relations.**	(i) Committee on International Relations.	
(1) Relations of the United States with foreign nations generally.	(1) Relations of the United States with foreign nations generally.	
(2) Acquisition of land and buildings for embassies and legations in foreign countries.	(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.	(3) Establishment of boundary lines between the United States and foreign nations.	
(4) Export controls, including nonproliferation of nuclear technology and nuclear hardware.	(4) Export controls, including nonproliferation of nuclear technology and nuclear hardware.	
(5) Foreign loans.	(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.	(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.	(7) International conferences and congresses.	
(8) International education.	(8) International education.	
(9) Intervention abroad and declarations of war.	(9) Intervention abroad and declarations of war.	
(10) Diplomatic service.	(10) Measures relating to the diplomatic service.	

(11) Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.	(11) Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.	
(12) International economic policy.	(12) Measures relating to international economic policy.	
(13) Neutrality.	(13) Neutrality.	
(14) Protection of American citizens abroad and expatriation.	(14) Protection of American citizens abroad and expatriation.	
(15) The American National Red Cross.	(15) The American National Red Cross.	
(16) Trading with the enemy.	(16) Trading with the enemy.	
(17) United Nations organizations.	(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.	See comment at beginning of rule X.
(k) **Committee on the Judiciary.**	(j) Committee on the Judiciary.	
(1) The judiciary and judicial proceedings, civil and criminal.	(1) The judiciary and judicial proceedings, civil and criminal.	
(2) Administrative practice and procedure.	(2) Administrative practice and procedure.	
(3) Apportionment of Representatives.	(3) Apportionment of Representatives.	
(4) Bankruptcy, mutiny, espionage, and counterfeiting.	(4) Bankruptcy, muting, espionage, and counterfeiting.	
(5) Civil liberties.	(5) Civil liberties.	
(6) Constitutional amendments.	(6) Constitutional amendments.	
(7) Federal courts and judges, and local courts in the Territories and possessions.	(7) Federal courts and judges, and local courts in the Territories and possessions.	
(8) Immigration and naturalization.	(8) Immigration and naturalization.	
(9) Interstate compacts generally.	(9) Interstate compacts, generally.	
(10) Claims against the United States.	(10) Measures relating to claims against the United States.	
(11) Meetings of Congress; attendance of Members, Delegates, and the Resident Commissioner; and their acceptance of incompatible offices.	(11) Meetings of Congress, attendance of Members and their acceptance of incompatible offices.	
(12) National penitentiaries.	(12) National penitentiaries.	
(13) Patents, the Patent and Trademark Office, copyrights, and trademarks.	(13) Patents, the Patent Office, copyrights, and trademarks.	The reference in subparagraph (13) to the " Patent Office" has been modernized to the "Patent and Trademark Office".
(14) Presidential succession.	(14) Presidential succession.	
(15) Protection of trade and commerce against unlawful restraints and monopolies.	(15) Protection of trade and commerce against unlawful restraints and monopolies.	
(16) Revision and codification of the Statutes of the United States.	(16) Revision and codification of the Statutes of the United States.	
(17) State and territorial boundary lines.	(17) State and territorial boundaries.	
(18) Subversive activities affecting the internal security of the United States.	(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.	

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
	(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 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.	See comment at beginning of rule X.
(1) **Committee on Resources.**	(1) Committee on Resources.	Previous references to "Indians" in the jurisdictional statement of the Committee on Resources has been updated. No substantive change to jurisdiction is intended.
(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.	(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) Native Americans generally, including the care and allotment of Native American lands and general and special measures relating to claims that are paid out of Native American funds.	(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) Insular possessions of the United States generally (except those affecting the revenue and appropriations).	(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.	(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.	(11) Mineral land laws and claims and entries thereunder.	
(12) Mineral resources of public lands.	(12) Mineral resources of the public lands.	
(13) Mining interests generally.	(13) Mining interests generally.	
(14) Mining schools and experimental stations.	(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).	(15) Marine affairs (including coastal zone management), except for measures relating to oil and other pollution of navigable waters.	
(16) Oceanography.	(16) Oceanography.	
(17) Petroleum conservation on public lands and conservation of the radium supply in the United States.	(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.	(18) Preservation of prehistoric ruins and objects of interest on the public domain.	
(19) Public lands generally, including entry, easements, and grazing thereon.	(19) Public lands generally, including entry, easements, and grazing thereon.	
(20) Relations of the United States with Native Americans and Native American tribes.	(20) Relations of the United States with the Indians and the Indian tribes.	
(21) Trans-Alaska Oil Pipeline (except rate-making).	(21) Trans-Alaska Oil Pipeline (except rate-making).	See comment at beginning of rule X.
	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.**	(m) Committee on Rules.	
(1) Rules and joint rules (other than those relating to the Code of Official Conduct) and the order of business of the House.	(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.	(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.	Existing clause 1(m)(2), rule X on authority of the Committee on Rules to sit whether the House is in session or not has been eliminated, since it merely duplicates the provision in clause 2(m), rule XI already applicable to all standing committees. This authority for the Rules Committee to sit predates the standing authority for other committees.
(n) **Committee on Science.**	(n) Committee on Science.	
(1) All energy research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.	(1) All energy research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.	

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(2) Astronautical research and development, including resources, personnel, equipment, and facilities.	(2) Astronautical research and development, including resources, personnel, equipment, and facilities.	
(3) Civil aviation research and development.	(3) Civil aviation research and development.	
(4) Environmental research and development.	(4) Environmental research and development.	
(5) Marine research.	(5) Marine research.	
(6) Commercial application of energy technology.	(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.	(7) National Institute of Standards and Technology, standardization of weights and measures, and the metric system.	
(8) National Aeronautics and Space Administration.	(8) National Aeronautics and Space Administration.	
(9) National Space Council.	(9) National Space Council.	
(10) National Science Foundation.	(10) National Science Foundation.	
(11) National Weather Service.	(11) National Weather Service.	
(12) Outer space, including exploration and control thereof.	(12) Outer space, including exploration and control thereof.	
(13) Science scholarships.	(13) Science Scholarships.	
(14) Scientific research, development, and demonstration, and projects therefor.	(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 nonmilitary research and development.	See comment at beginning of rule X.
(o) **Committee on Small Business.**	(o) Committee on Small Business.	
(1) Assistance to and protection of small business, including financial aid, regulatory flexibility, and paperwork reduction.	(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.	(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.	See comment at beginning of rule X.
(p) **Committee on Standards of Official Conduct.**	(p) Committee on Standards of Official Conduct.	
The Code 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.	The additional functions of the Committee on Standards of Official Conduct now contained in clause 1(p), rule X are transferred to proposed clause 3(b)(7), rule XI since clause 1, rule X is to be confined to statements of legislative jurisdiction only.
(q) **Committee on Transportation and Infrastructure.**	(q) Committee on Transportation and Infrastructure.	

(1) Coast Guard, including lifesaving service, lighthouses, lightships, ocean derelicts, and the Coast Guard Academy.	(1) Coast Guard, including lifesaving service, lighthouses, lightships, ocean derelicts, and the Coast Guard Academy.	
(2) Federal management of emergencies and natural disasters.	(2) Federal management of emergencies and natural disasters.	
(3) Flood control and improvement of rivers and harbors.	(3) Flood control and improvement of rivers and harbors.	
(4) Inland waterways.	(4) Inland waterways.	
(5) Inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.	(5) Inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.	
(6) Navigation and laws relating thereto, including pilotage.	(6) Navigation and laws relating thereto, including pilotage.	
(7) Registering and licensing of vessels and small boats.	(7) Registering and licensing of vessels and small boats.	
(8) Rules and international arrangements to prevent collisions at sea.	(8) Rules and international arrangements to prevent collisions at sea.	
(9) The Capitol Building and the Senate and House Office Buildings.	(9) Measures relating to the Capitol Building and the Senate and House Office Buildings.	
(10) Construction or maintenance of roads and post roads (other than appropriations therefor).	(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.	The prohibition in the existing Transportation and Infrastructure jurisdictional rule (now clause 1(q)(10)) regarding consideration of general road bills containing specific road provisions has been transferred to new clause 3, rule XXI since it more logically belongs in a rule precluding consideration of certain provisions in bills rather than in a jurisdictional rule.
(11) Construction or reconstruction, maintenance, and care of buildings and grounds of the Botanic Garden, the Library of Congress, and the Smithsonian Institution.	(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) Merchant marine (except for national security aspects thereof).	(12) Measures relating to merchant marine, except for national security aspects of merchant marine.	
(13) Purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.	(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.	(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.	(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.	(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).	(17) Public works for the benefit of navigation, including bridges and dams (other than international bridges and dams).	
(18) Related transportation regulatory agencies.	(18) Related transportation regulatory agencies.	
(19) Roads and the safety thereof.	(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).	(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).	

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(21) Water power.	(21) Water power.	
(r) **Committee on Veterans' Affairs.**	(r) Committee on Veterans' Affairs.	
(1) Veterans' measures generally.	(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).	(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.	(3) Compensation, vocational rehabilitation, and education of veterans.	
(4) Life insurance issued by the Government on account of service in the Armed Forces.	(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.	(5) Pensions of all the wars of the United States, general and special.	
(6) Readjustment of servicemen to civil life.	(6) Readjustment of servicemen to civil life.	
(7) Soldiers' and sailors' civil relief.	(7) Soldiers' and sailors' civil relief.	
(8) Veterans' hospitals, medical care, and treatment of veterans.	(8) Veterans' hospitals, medical care, and treatment of veterans.	
(s) **Committee on Ways and Means.**	(s) Committee on Ways and Means.	
(1) Customs, collection districts, and ports of entry and delivery.	(1) Customs, collection districts, and ports of entry and delivery.	
(2) Reciprocal trade agreements.	(2) Reciprocal trade agreements.	
(3) Revenue measures generally.	(3) Revenue measures generally.	
(4) Revenue measures relating to insular possessions.	(4) Revenue measures relating to the insular possessions.	
(5) Bonded debt of the United States, subject to the last sentence of clause 4(f).	(5) The bonded debt of the United States (subject to the last sentence of clause 4(g) of this rule).	
(6) Deposit of public monies.	(6) The deposit of public moneys.	
(7) Transportation of dutiable goods.	(7) Transportation of dutiable goods.	
(8) Tax exempt foundations and charitable trusts.	(8) Tax exempt foundations and charitable trusts.	
(9) National social security (except health care and facilities programs that are supported from general revenues as opposed to payroll deductions and except work incentive programs).	(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.	
General oversight responsibilities	General Oversight Responsibilities	
2. (a) The various standing committees shall have general oversight responsibilities as provided in paragraph (b) in order to assist the House in—	2. (a) In order to assist the House in—	
(1) its analysis, appraisal, and evaluation of—	(1) its analysis, appraisal, and evaluation of (A) the application, administration, execution, and effectiveness of the laws enacted by the Congress, or (B) conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation, and	
(A) the application, administration, execution, and effectiveness of Federal laws; and		
(B) conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and		
(2) its formulation, consideration, and enactment of changes in Federal laws, and of such additional legislation as may be necessary or appropriate.	(2) its formulation, consideration, and enactment of such modifications of or changes in those laws, and of such additional legislation, as may be necessary or appropriate, the various standing committees shall have oversight responsibilities as provided in paragraph (b).	

(b)(1) In order to determine whether laws and programs addressing subjects within the jurisdiction of a committee are being implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated, each standing committee (other than the Committee on Appropriations) shall review and study on a continuing basis—

(A) the application, administration, execution, and effectiveness of laws and programs addressing subjects within its jurisdiction;

(B) the organization and operation of Federal agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within its jurisdiction;

(C) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation addressing subjects within its jurisdiction (whether or not a bill or resolution has been introduced with respect thereto); and

(D) future research and forecasting on subjects within its jurisdiction.

(2) Each committee to which subparagraph (1) applies having more than 20 members shall establish an oversight subcommittee, or require its subcommittees to conduct oversight in their respective jurisdictions, to assist in carrying out its responsibilities under this clause. The establishment of an oversight subcommittee does not limit the responsibility of a subcommittee with legislative jurisdiction in carrying out its oversight responsibilities.

(c) Each standing committee shall review and study on a continuing basis the impact or probable impact of tax policies affecting subjects within its jurisdiction as described in clauses 1 and 3.

(d)(1) Not later than February 15 of the first session of a Congress, each standing committee shall, in a meeting that is open to the public and with a quorum present, adopt its oversight plan for that Congress. Such plan shall be submitted simultaneously to the Committee on Government Reform and to the Committee on House Administration. In developing its plan each committee shall, to the maximum extent feasible—

(b)(1) Each standing committee (other than the Committee on Appropriations and the Committee on the Budget) shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of that committee and the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, each such committee shall review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of that committee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of that committee. Each such committee having more than twenty members shall establish an oversight subcommittee, or require its subcommittees, if any, to conduct oversight in the area of their respective jurisdiction, to assist in carrying out its responsibilities under this subparagraph. The establishment of oversight subcommittees shall in no way limit the responsibility of the subcommittees with legislative jurisdiction from carrying out their oversight responsibilities.

(c) Each standing committee of the House shall have the function of reviewing and studying on a continuing basis the impact or probable impact of tax policies affecting subjects within its jurisdiction as described in clauses 1 and 3.

(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—

Proposed clause 2(b), rule X is rewritten and reorganized in its entirety here to emphasize general oversight responsibilities for all standing committees. Directions to specific committees in the existing clause have been transferred.

The general oversight responsibilities of the Committees on Appropriations and Government Reform and Oversight currently specified in subparagraphs (3) and (4) of clause 2(b), rule X, have been transferred to paragraphs (a) and (e) respectively in proposed clause 3, rule X. These responsibilities are more accurately characterized as special oversight functions of those two committees and thus belong in that clause.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(A) consult with other committees that have jurisdiction over the same or related laws, programs, or agencies within its jurisdiction with the objective of ensuring maximum coordination and cooperation among committees when conducting reviews of such laws, programs, or agencies and include in its plan an explanation of steps that have been or will be taken to ensure such coordination and cooperation;	(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 plan the review of those laws, programs, or agencies operating under permanent budget authority or permanent statutory authority; and	(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 jurisdiction are subject to review every 10 years.	(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) 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 shall report to the House the oversight plans submitted by committees together with any recommendations that it, or the House leadership group described above, may make to ensure the most effective coordination of oversight plans and otherwise to achieve the objectives of this clause.	(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.	(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.	
Special oversight functions 3. (a) The Committee on Appropriations shall conduct such studies and examinations of the organization and operation of executive departments and other executive agencies (including an agency the majority of the stock of which is owned by the United States) as it considers necessary to assist it in the determination of matters within its jurisdiction.	**Derived from clause 2(b)(3), rule X:** (3) The Committee on Appropriations shall conduct such studies and examinations of the organization and operation of executive departments and other executive agencies (including any agency the majority of the stock of which is owned by the Government of the United States) as it may deem necessary to assist it in the determination of matters within its jurisdiction. **Derived from clause 3, rule X:** Special Oversight Functions	This function of the Appropriations Committee is more appropriately described as one of special, rather than general, oversight and is thus transferred here. This proposed clause is largely derived from existing clause 3, rule X and is reordered in this recodification.

(b) The Committee on the Budget shall study on a continuing basis the effect on budget outlays of relevant existing and proposed legislation and report the results of such studies to the House on a recurring basis.

(c) The Committee on Commerce shall review and study on a continuing basis laws, programs, and Government activities relating to nuclear and other energy and nonmilitary nuclear energy research and development including the disposal of nuclear waste.

(d) The Committee on Education and the Workforce shall review, study, and coordinate on a continuing basis laws, programs, and Government activities relating to domestic educational programs and institutions and programs of student assistance within the jurisdiction of other committees.

(e) The Committee on Government Reform shall review and study on a continuing basis the operation of Government activities at all levels with a view to determining their economy and efficiency.

(f) The Committee on International Relations shall review and study on a continuing basis laws, programs, and Government activities relating to customs administration, intelligence activities relating to foreign policy, international financial and monetary organizations, and international fishing agreements.

(g) The Committee on Armed Services shall review and study on a continuing basis laws, programs, and Government activities relating to international arms control and disarmament and the education of military dependents in schools.

(h) The Committee on Resources shall review and study on a continuing basis laws, programs, and Government activities relating to Native Americans.

(i) The Committee on Rules shall review and study on a continuing basis the congressional budget process, and the committee shall report its findings and recommendations to the House from time to time.

3. (a) The Committee on National Security shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving international arms control and disarmament and the education of military dependents in schools.

(b) The Committee on the Budget shall have the function of—

(1) making continuing studies of the effect on budget outlays of relevant existing and proposed legislation, and reporting the results of such studies to the House on a recurring basis; and

(2) requesting and evaluating continuing studies of tax expenditures, devising methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and reporting the results of such studies to the House on a recurring basis.

(c) The Committee on Education and the Workforce shall have the function of reviewing, studying, and coordinating, on a continuing basis, all laws, programs, and Government activities dealing with or involving domestic educational programs and institutions, and programs of student assistance, which are within the jurisdiction of other committees.

This function of the Government Reform Committee is more appropriately described as one of special, rather than general, oversight and is thus transferred here from existing clause 2(b), rule X.

(d) The Committee on International Relations shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving customs administration, intelligence activities relating to foreign policy, international financial and monetary organizations, and international fishing agreements.

(e) The Committee on Resources shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with Indians.

Previous reference to "Indians" has been updated.

(f) The Committee on Science shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving nonmilitary research and development.

PROPOSED NEW RULES

(j) The Committee on Science shall review and study on a continuing basis laws, programs, and Government activities relating to nonmilitary research and development.

(k) The Committee on Small Business shall study and investigate on a continuing basis the problems of all types of small business.

Additional functions of committees

4. (a)(1)(A) The Committee on Appropriations shall, within 30 days after the transmittal of the Budget to Congress each year, hold hearings on the dget as a whole with particular reference to—

(i) the basic recommendations and budgetary policies of the President in the presentation of the Budget; and

(ii) the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts.

(B) In holding hearings under subdivision (A), the committee shall receive testimony from the Secretary of the Treasury, the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, and such other persons as the committee may desire.

(C) A hearing under subdivision (A), or any part thereof, shall be held in open session, except when the committee, in open session and with a quorum present, determines by record vote that the testimony to be taken at that hearing on that day may be related to a matter of national security. The committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy thereof furnished to each Member, Delegate, and the Resident Commissioner.

(D) A hearing under subdivision (A), or any part thereof, may be held before a joint meeting of the committee and the Committee on Appropriations of the Senate in accordance with such procedures as the two committees jointly may determine.

EXISTING RULES

(g) The Committee on Small Business shall have the function of studying and investigating, on a continuing basis, the problems of all types of small business.

(h) The Committee on Commerce shall have the function of reviewing and studying on a continuing basis, all laws, programs and Government activities relating to nuclear and other energy, and nonmilitary nuclear energy and research and development including the disposal of nuclear waste.

(i) The Committee on Rules shall have the function of reviewing and studying, on a continuing basis, the congressional budget process, and the committee shall, from time to time, report its findings and recommendations to the House.

Derived from clause 2(b)(2), rule X: (2) The Committee on Government Reform and Oversight shall review and study, on a continuing basis, the operation of Government activities at all levels with a view to determining their economy and efficiency.

Additional Functions of Committees

4. (a)(1)(A) The Committee on Appropriations shall, within thirty days after the transmittal of the Budget to the Congress each year, hold hearings on the Budget as a whole with particular reference to—

(i) the basic recommendations and budgetary policies of the President in the presentation of the Budget; and

(ii) the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts.

(B) In holding hearings pursuant to subdivision (A), the committee shall receive testimony from the Secretary of the Treasury, the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, and such other persons as the committee may desire.

(C) Hearings pursuant to subdivision (A), or any part thereof, shall be held in open session, except when the committee, in open session and with a quorum present, determines by rollcall vote that the testimony to be taken at that hearing on that day may be related to a matter of national security: Provided, however, That the committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy thereof furnished to each Member, Delegate, and the Resident Commissioner from Puerto Rico.

(D) Hearings pursuant to subdivision (A), or any part thereof, may be held before joint meetings of the committee and the Committee on Appropriations of the Senate in accordance with such procedures as the two committees jointly may determine.

COMMENTARY

(2) Pursuant to section 401(b)(2) of the Congressional Budget Act of 1974, when a committee reports a bill or joint resolution that provides new entitlement authority as defined in section 3(9) of that Act, and enactment of the bill or joint resolution, as reported, would cause a breach of the committee's pertinent allocation of new budget authority under section 302(a) of that Act, the bill or joint resolution may be referred to the Committee on Appropriations with instructions to report it with recommendations (which may include an amendment limiting the total amount of new entitlement authority provided in the bill or joint resolution). If the Committee on Appropriations fails to report a bill or joint resolution so referred within 15 calendar days (not counting any day on which the House is not in session), the committee automatically shall be discharged from consideration of the bill or joint resolution, and the bill or joint resolution shall be placed on the appropriate calendar.

(3) In addition, the Committee on Appropriations shall study on a continuing basis those provisions of law that (on the first day of the first fiscal year for which the congressional budget process is effective) provide spending authority or permanent budget authority and shall report to the House from time to time its recommendations for terminating or modifying such provisions.

(4) In the manner provided by section 302 of the Congressional Budget Act of 1974, the Committee on Appropriations (after consulting with the Committee on Appropriations of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such concurrent resolution, and promptly report the subdivisions to the House as soon as practicable after a concurrent resolution on the budget for a fiscal year is agreed to.

(b) The Committee on the Budget shall—

(1) review on a continuing basis the conduct by the Congressional Budget Office of its functions and duties;

(2) hold hearings and receive testimony from Members, Senators, Delegates, the Resident Commissioner, and such appropriate representatives of Federal departments and agencies, the general public, and national organizations as it considers desirable in developing concurrent resolutions on the budget for each fiscal year;

(2) Whenever any bill or resolution which provides new entitlement authority as defined in section 3(9) of the Congressional Budget Act of 1974 is reported by a committee of the House and the amount of new budget authority which will be required for the fiscal year involved if such bill or resolution is enacted as so reported exceeds the appropriate allocation of new budget authority reported as described in clause 4(h) in connection with the most recently agreed to concurrent resolution on the budget for such fiscal year, such bill or resolution shall then be referred to the Committee on Appropriations with instructions to report it, with the committee's recommendations and (if the committee deems it desirable) with an amendment limiting the total amount of new entitlement authority provided in the bill or resolution, within 15 calendar days (not counting any day on which the House is not in session) beginning with the day following the day on which it is so referred. If the Committee on Appropriations fails to report the bill or resolution within such 15-day period, the committee shall be automatically discharged from further consideration of the bill or resolution and the bill or resolution shall be placed on the appropriate calendar.

(3) In addition, the Committee on Appropriations shall study on a continuing basis those provisions of law which (on the first day of the first fiscal year for which the congressional budget process is effective) provide spending authority or permanent budget authority, and shall report to the House from time to time its recommendations for terminating or modifying such provisions.

Derived from clause 4(h), rule X: (h) As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, each standing committee of the House (after consulting with the appropriate committee or committees of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 302 of the Congressional Budget Act of 1974.

(b) The Committee on the Budget shall have the duty—

(1) to review on a continuing basis the conduct by the Congressional Budget Office of its functions and duties;

(2) to hold hearings, and receive testimony from Members of Congress and such appropriate representatives of Federal departments and agencies, the general public, and national organizations as it deems desirable, in developing the concurrent resolutions on the budget for each fiscal year;

In proposed clause 4(a)(2), rule XI, "may" is substituted for "shall" to conform with the discretionary authority to refer reported bills containing new entitlement authority to the Appropriations Committee pursuant to section 401(b)(2) of the Congressional Budget Act. This is a conforming change that properly should have been made in 1997.

This duty of the Appropriations Committee to subdivide allocations made to it in a budget resolution is properly grouped with other additional functions of that committee and is thus transferred here from its former placement later in this clause.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(3) make all reports required of it by the Congressional Budget Act of 1974;	(3) to make all reports required of it by the Congressional Budget Act of 1974, including the reporting of reconciliation bills and resolutions when so required;	
(4) study on a continuing basis those provisions of law that exempt Federal agencies or any of their activities or outlays from inclusion in the Budget of the United States Government, and report to the House from time to time its recommendations for terminating or modifying such provisions;	(4) to study on a continuing basis those provisions of law which exempt Federal agencies or any of their activities or outlays from inclusion in the Budget of the United States Government, and to report to the House from time to time its recommendations for terminating or modifying such provisions; and	
(5) study on a continuing basis proposals designed to improve and facilitate the congressional budget process, and report to the House from time to time the results of such studies, together with its recommendations; and	(5) to study on a continuing basis proposals designed to improve and facilitate methods of congressional budget-making, and to report to the House from time to time the results of such study together with its recommendations.	
(6) request and evaluate continuing studies of tax expenditures, devise methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and report the results of such studies to the House on a recurring basis.		Subparagraph (6) derives from the Committee on the Budget jurisdictional statement in existing clause 1(d)(5)(C), rule X.
(c)(1) The Committee on Government Reform shall—	(c)(1) The Committee on Government Reform and Oversight shall have the general function of—	
(A) receive and examine reports of the Comptroller General of the United States and submit to the House such recommendations as it considers necessary or desirable in connection with the subject matter of the reports;	(A) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the House as it deems necessary or desirable in connection with the subject matter of such reports;	
(B) evaluate the effects of laws enacted to reorganize the legislative and executive branches of the Government; and	(B) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government; and	
(C) study intergovernmental relationships between the United States and the States and municipalities and between the United States and international organizations of which the United States is a member.	(C) studying intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.	
(2) In addition to its duties under subparagraph (1), the Committee on Government Reform may at any time conduct investigations of any matter without regard to clause 1, 2, 3, or this clause conferring jurisdiction over the matter to another standing committee. The findings and recommendations of the committee in such an investigation shall be made available to any other standing committee having jurisdiction over the matter involved and shall be included in the report of any such other committee when required by clause 3(c)(4) of rule XIII.	(2) In addition to its duties under subparagraph (1), the Committee on Government Reform may at any time conduct investigations of any matter without regard to the provisions of clause 1, 2, or 3 (or this clause) conferring jurisdiction over such matter upon another standing committee. The committee's findings and recommendations in any such investigation shall be made available to the other standing committee or committees having jurisdiction over the matter involved (and included in the report of any such other committee when required by clause 2(l)(3) of rule XI).	
(d)(1) The Committee on House Administration shall—	(d)(1) The Committee on House Oversight shall have the function of—	

(A) examine all bills, amendments, and joint resolutions after passage by the House and, in cooperation with the Senate, examine all bills and joint resolutions that have passed both Houses to see that they are correctly enrolled and forthwith present those bills and joint resolutions that originated in the House to the President in person after their signature by the Speaker and the President of the Senate, and report to the House the fact and date of their presentment;

(B) provide policy direction for, and oversight of, the Clerk, Sergeant-at-Arms, Chief Administrative Officer, and Inspector General;

(C) have the function of accepting on behalf of the House a gift, except as otherwise provided by law, if the gift does not involve a duty, burden, or condition, or is not made dependent on some future performance by the House; and

(D) promulgate regulations to carry out subdivision (C).

(2) An employing office of the House may enter into a settlement of a complaint under the Congressional Accountability Act of 1995 that provides for the payment of funds only after receiving the joint approval of the chairman and ranking minority member of the Committee on House Administration concerning the amount of such payment.

(e)(1) Each standing committee shall, in its consideration of all public bills and public joint resolutions within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal Government and the government of the District of Columbia will be made annually to the maximum extent feasible and consistent with the nature, requirement, and objective of the programs and activities involved. In this subparagraph programs and activities of the Federal Government and the government of the District of Columbia includes programs and activities of any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or of the government of the District of Columbia.

(2) Each standing committee shall review from time to time each continuing program within its jurisdiction for which appropriations are not made annually to ascertain whether the program should be modified to provide for annual appropriations.

(A) examining all bills, amendments, and joint resolutions after passage by the House and, in cooperation with the Senate, examining all bills and joint resolutions which shall have passed both Houses to see that they are correctly enrolled, forthwith presenting those which originated in the House to the President of the United States in person after their signature by the Speaker of the House and the President of the Senate and reporting the fact and date of such presentation to the House;

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

(C) accepting a gift, other than as otherwise provided by law, if the gift does not involve any duty, burden, or condition, or is not made dependent upon some future performance by the House of Representatives and promulgating regulations to carry out this paragraph.

(2) An employing office of the House of Representatives may enter a settlement of a complaint under the Congressional Accountability Act of 1995 that provides for the payment of funds only after receiving the joint approval of the chairman and the ranking minority party member of the Committee on House Oversight concerning the amount of such payment.

(f)(1) Each standing committee of the House shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, insure that appropriations for continuing programs and activities of the Federal Government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. For the purposes of this paragraph a Government agency includes the organizational units of government listed in clause 7(c) of rule XIII.

(2) Each standing committee of the House shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

Current clause 4(e), rule X relating to procedures of the Committee on Standards of Official Conduct is transferred to proposed clause 3, rule XI as a committee procedure.

This proposed subparagraph lists the covered governmental entities rather than utilizing a cross-reference.

PROPOSED NEW RULES

Budget Act responsibilities

(f)(1) Each standing committee shall submit to the Committee on the Budget not later than six weeks after the President submits his budget, or at such time as the Committee on the Budget may request—

(A) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year that are within its jurisdiction or functions; and

(B) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction that it intends to be effective during that fiscal year.

(2) The views and estimates submitted by the Committee on Ways and Means under subparagraph (1) shall include a specific recommendation, made after holding public hearings, as to the appropriate level of the public debt that should be set forth in the concurrent resolution on the budget and serve as the basis for an increase or decrease in the statutory limit on such debt under the procedures provided by rule XXIII.

Election and membership of standing committees

5. (a)(1) The standing committees specified in clause 1 shall be elected by the House within seven calendar days after the commencement of each Congress, from nominations submitted by the respective party caucus or conference. A resolution proposing to change the composition of a standing committee shall be privileged if offered by direction of the party caucus or conference concerned.

(2)(A) The Committee on the Budget shall be composed of members as follows:

(i) Members, Delegates, or the Resident Commissioner who are members of other standing committees, including five who are members of the Committee on Appropriations and five who are members of the Committee on Ways and Means;

(ii) one Member from the elected leadership of the majority party; and

EXISTING RULES

(g) Each standing committee of the House shall, not later than 6 weeks after the President submits his budget, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions, and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year. The views and estimates submitted by the Committee on Ways and Means under the preceding sentence shall include a specific recommendation, made after holding public hearings, as to the appropriate level of the public debt which should be set forth in the concurrent resolution on the budget referred to in such sentence and serve as the basis for an increase or decrease in the statutory limit on such debt under the procedures provided by rule XLIX.

Derived from clause 4(i), rule X: (i) Each standing committee of the House which is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

Derived from clause 6, rule X: Election and Membership of Committees; Chairmen; Vacancies; Select and Conference Committees

6. (a)(1) The standing committees specified in clause 1 shall be elected by the House within the seventh calendar day beginning after the commencement of each Congress, from nominations submitted by the respective party caucuses. It shall always be in order to consider resolutions recommended by the respective party caucuses to change the composition of standing committees.

[Composition of Budget Committee derived from clause 1(d), rule X]: . . . 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

COMMENTARY

Existing clause 5, rule X, on referral of bills and other matters to committees, is transferred to proposed clause 2, rule XII.

(iii) one Member from the elected leadership of the minority party.

(B) Except as permitted by subdivision (C), a member of the Committee on the Budget other than one from the elected leadership of a party may not serve on the committee during more than four Congresses in a period of six successive Congresses (disregarding for this purpose any service for less than a full session in a Congress).

(C) A member of the Committee on the Budget who served as either the chairman or the ranking minority member of the committee in the immediately previous Congress and who did not serve in that respective capacity in an earlier Congress may serve as either the chairman or the ranking minority member of the committee during one additional Congress.

(3)(A) The Committee on Standards of Official Conduct shall be composed of ten members, five from the majority party and five from the minority party.

(B) Except as permitted by subdivision (C), a member of the Committee on Standards of Official Conduct may not serve on the committee during more than three Congresses in a period of five successive Congresses (disregarding for this purpose any service for less than a full session in a Congress).

(C) A member of the Committee on Standards of Official Conduct may serve on the Committee during a fourth Congress in a period of five successive Congresses only as either chairman or the ranking minority member of the committee.

(4)(A) At the beginning of a Congress, the Speaker or his designee and the Minority Leader or his designee each shall name 10 Members, Delegates, or the Resident Commissioner from his respective party who are not members of the Committee on Standards of Official Conduct to be available to serve on investigative subcommittees of that committee during that Congress. The lists of Members, Delegates, or the Resident Commissioner so named shall be announced to the House.

(B) Whenever the chairman and the ranking minority member of the Committee on Standards of Official Conduct jointly determine that Members, Delegates, or the Resident Commissioner named under subdivision (A) should be assigned to serve on an investigative subcommittee of that committee, each of them shall select an equal number of such Members, Delegates, or Resident Commissioner from his respective party to serve on that subcommittee.

(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.

Derived from clause 6(a)(2), rule X: (2) One-half of the members of the Committee on Standards of Official Conduct shall be from the majority party and one-half shall be from the minority party. No Member shall serve as a member of the Committee on Standards of Official Conduct for more than two Congresses in any period of three 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 a Member having served on the committee for two Congresses shall be eligible for election to the committee as chairman or ranking minority member for one additional Congress. Not less than two Members from each party shall rotate off the committee at the end of each Congress.

(3)(A) At the beginning of each Congress—

(i) the Speaker (or his designee) shall designate a list of 10 Members from the majority party; and

(ii) the Minority Leader (or his designee) shall designate a list of 10 Members from the minority party; who are not members of the Committee on Standards of Official Conduct and who may be assigned to serve as a member of an investigative subcommittee of that committee during that Congress. Members so chosen shall be announced to the House.

(B) Whenever the chairman and ranking minority member of the Committee on Standards of Official Conduct jointly determine that Members designated under subdivision (A) should be assigned to serve on an investigative subcommittee of that committee, they shall each select the same number of Members of his respective party from the list to serve on that subcommittee.

The naming of the 10 Members from the two parties available to serve on investigative subcommittees is unchangeable, absent unanimous consent, after its announcement at the beginning of a Congress.

PROPOSED NEW RULES

(b)(1) Membership on a standing committee during the course of a Congress shall be contingent on continuing membership in the party caucus or conference that nominated the Member, Delegate, or Resident Commissioner concerned for election to such committee. Should a Member, Delegate, or Resident Commissioner cease to be a member of a particular party caucus or conference, that Member, Delegate, or Resident Commissioner shall automatically cease to be a member of each standing committee to which he was elected on the basis of nomination by that caucus or conference. The chairman of the relevant party caucus or conference shall notify the Speaker whenever a Member, Delegate, or Resident Commissioner ceases to be a member of that caucus or conference. The Speaker shall notify the chairman of each affected committee that the election of such Member, Delegate, or Resident Commissioner to the committee is automatically vacated under this subparagraph.

(2)(A) Except as specified in subdivision (B), a Member, Delegate, or Resident Commissioner may not serve simultaneously as a member of more than two standing committees or more than four subcommittees of the standing committees.

(B)(i) Ex officio service by a chairman or ranking minority member of a committee on each of its subcommittees under a committee rule does not count against the limitation on subcommittee service.

(ii) Service on an investigative subcommittee of the Committee on Standards of Official Conduct under paragraph (a)(4) does not count against the limitation on subcommittee service.

(iii) Any other exception to the limitations in subdivision (A) must be approved by the House on the recommendation of the relevant party caucus or conference.

(C) In this subparagraph the term "subcommittee" includes a panel (other than a special oversight panel of the Committee on Armed Services), task force, special subcommittee, or other subunit of a standing committee that is established for a cumulative period longer than six months in a Congress.

EXISTING RULES

(b)(1) Membership on standing committees during the course of a Congress shall be contingent on continuing membership in the party caucus or conference that nominated Members for election to such committees. Should a Member cease to be a member of a particular party caucus or conference, said Member shall automatically cease to be a member of a standing committee to which he was elected on the basis of nomination by that caucus or conference. The chairman of the relevant party caucus or conference shall notify the Speaker whenever a Member ceases to be a member of a party caucus or conference and the Speaker shall notify the chairman of each standing committee on which said Member serves, that in accord with this rule, the Member's election to such committee is automatically vacated.

(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. Service on an investigative subcommittee of the Committee on Standards of Official Conduct pursuant to paragraph (a)(3) 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.

COMMENTARY

When a Member ceases to be a member of a party caucus or conference, the Speaker notifies the chairman of each committee on which that Member serves that the Member's election to that committee is automatically vacated; thus these are the "affected" committees.

(c)(1) One of the members of each standing committee shall be elected by the House, on the nomination of the majority party caucus or conference, as chairman thereof. In the temporary absence of the chairman, the member next in rank (and so on, as often as the case shall happen) shall act as chairman. Rank shall be determined by the order members are named in resolutions electing them to the committee. In the case of a permanent vacancy in the elected chairmanship of a committee, the House shall elect another chairman.

(2) A member of a standing committee may not serve as chairman of the same standing committee, or of the same subcommittee of a standing committee, during more than three consecutive Congresses (disregarding for this purpose any service for less than a full session in a Congress).

(d)(1) Except as permitted by subparagraph (2), a committee may have not more than five subcommittees.

(2) A committee that maintains a subcommittee on oversight may have not more than six subcommittees. The Committee on Appropriations may not have more than 13 subcommittees. The Committee on Government Reform and Oversight may have not more than seven subcommittees.

(e) The House shall fill a vacancy on a standing committee by election on the nomination of the respective party caucus or conference.

(c) One of the members of each standing committee shall be elected by the House, from nominations submitted by the majority party caucus, at the commencement of each Congress, as chairman thereof. 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). In the temporary absence of the chairman, the member next in rank in the order named in the election of the committee, and so on, as often as the case shall happen, shall act as chairman; and in case of a permanent vacancy in the chairmanship of any such committee the House shall elect another chairman.

(d) No committee of the House shall have more than five subcommittees (except the Committee on Appropriations, which shall have no more than 13; 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).

(e) All vacancies in standing committees shall be filled by election by the House from nominations, submitted by the respective party caucus or conference.

The proposed language clarifies the overlap during the absence of the chairman between paragraph (c) (the member next in rank shall act as chairman) and clause 2(d), rule XI (the vice chairman shall preside). The vice chairman is not necessarily the member next in rank.

Expense resolutions

6. (a) Whenever a committee, commission, or other entity (other than the Committee on Appropriations) is granted authorization for the payment of its expenses (including staff salaries) for a Congress, such authorization initially shall be procured by one primary expense resolution reported by the Committee on House Administration. A primary expense resolution may include a reserve fund for unanticipated expenses of committees. An amount from such a reserve fund may be allocated to a committee only by the approval of the Committee on House Administration. A primary expense resolution reported to the House may not be considered in the House unless a printed report thereon was available on the previous calendar day. For the information of the House, such report shall—

(1) state the total amount of the funds to be provided to the committee, commission, or other entity under the primary expense resolution for all anticipated activities and programs of the committee, commission, or other entity; and

Derived from clause 5, rule XI: Committee Expenses

5. (a) 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. A primary expense resolution may include a reserve fund for unanticipated expenses of committees. An amount from such a reserve fund may be allocated to a committee only by the approval of the Committee on House Oversight. A primary expense resolution reported to the House shall not be considered in the House unless a printed report on that resolution has been available to the Members of the House for at least one calendar day prior to the consideration of that resolution in the House. Such report shall, for the information of the House—

(1) state the total amount of the funds to be provided to the committee, commission or other entity under the primary expense resolution for all anticipated activities and programs of the committee, commission or other entity; and

Existing clause 2(l)(6) of rule XI states the general rule that measures may not be considered until the third calendar day on which the committee report is available. A primary committee expense resolution is an exception to this general rule of report availability, as it is subject to the separate one day rule stated here. In this case, a committee report must be available on the calendar day prior to consideration. A supplemental expense resolution is subject to a similar availability requirement (see proposed clause 6(b), rule X).

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(2) to the extent practicable, contain such general statements regarding the estimated foreseeable expenditures for the respective anticipated activities and programs of the committee, commission, or other entity as may be appropriate to provide the House with basic estimates of the expenditures contemplated by the primary expense resolution.	(2) to the extent practicable, contain such general statements regarding the estimated foreseeable expenditures for the respective anticipated activities and programs of the committee, commission or other entity as may be appropriate to provide the House with basic estimates with respect to the expenditure generally of the funds to be provided to the committee, commission or other entity under the primary expense resolution.	
(b) After the date of adoption by the House of a primary expense resolution for a committee, commission, or other entity for a 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 Administration, as necessary. A supplemental expense resolution reported to the House may not be considered in the House unless a printed report thereon was available on the previous calendar day. For the information of the House, such report shall—	(b) 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. Any such supplemental expense resolution reported to the House shall not be considered in the House unless a printed report on that resolution has been available to the Members of the House for at least one calendar day prior to the consideration of that resolution in the House. Such report shall, for the information of the House—	
(1) state the total amount of additional funds to be provided to the committee, commission, or other entity under the supplemental expense resolution and the purposes for which those additional funds are available; and	(1) state the total amount of additional funds to be provided to the committee, commission or other entity under the supplemental expense resolution and the purpose or purposes for which those additional funds are to be used by the committee, commission or other entity; and	
(2) state the reasons for the failure to procure the additional funds for the committee, commission, or other entity by means of the primary expense resolution.	(2) state the reason or reasons for the failure to procure the additional funds for the committee, commission or other entity by means of the primary expense resolution.	
(c) The preceding provisions of this clause do not apply to—	(c) The preceding provisions of this clause do not apply to—	
(1) a resolution providing for the payment from committee salary and expense accounts of the House of sums necessary to pay compensation for staff services performed for, or to pay other expenses of, a committee, commission, or other entity at any time after the beginning of an odd-numbered year and before the date of adoption by the House of the primary expense resolution described in paragraph (a) for that year; or	(1) any resolution providing for the payment from committee salary and expense accounts of the House of sums necessary to pay compensation for staff services performed for, or to pay other expenses of, any committee, commission or other entity at any time from and after the beginning of any odd-numbered year and before the date of adoption by the House of the primary expense resolution providing funds to pay the expenses of that committee, commission or other entity for that Congress; or	

(2) a resolution providing each of the standing committees in a Congress additional office equipment, airmail and special-delivery postage stamps, supplies, staff personnel, or any other specific item for the operation of the standing committees, and containing an authorization for the payment from committee salary and expense accounts of the House of the expenses of any of the foregoing items provided by that resolution, subject to and until enactment of the provisions of the resolution as permanent law.

(d) From the funds made available for the appointment of committee staff by a 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 treated fairly in the appointment of such staff.

(e) Funds authorized for a committee under this clause and clauses 7 and 8 are for expenses incurred in the activities of the committee.

Interim funding

7. (a) For the period beginning at noon on January 3 and ending at midnight on March 31 in each odd-numbered year, such sums as may be necessary shall be paid out of the committee salary and expense accounts of the House for continuance of necessary investigations and studies by—

(1) each standing and select committee established by these rules; and

(2) except as specified in paragraph (b), each select committee established by resolution.

(b) In the case of the first session of a Congress, amounts shall be made available under this paragraph for a select committee established by resolution in the preceding Congress only if—

(1) a resolution proposing to reestablish such select committee is introduced in the present Congress; and

(2) the House has not adopted a resolution of the preceding Congress providing for termination of funding for investigations and studies by such select committee.

(2) any resolution providing in any Congress, for all of the standing committees of the House, additional office equipment, airmail and special delivery postage stamps, supplies, staff personnel, or any other specific item for the operation of the standing committees, and containing an authorization for the payment from committee salary and expense accounts of the House of the expenses of any of the foregoing items provided by that resolution, subject to and until enactment of the provisions of the resolution as permanent law.

(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.

Derived from clause 5(f)(1), rule XI: (f)(1) For continuance of necessary investigations and studies by—

(A) each standing committee and select committee established by these rules; and (B) except as provided in subparagraph (2), each select committee established by resolution;

there shall be paid out of committee salary and expense accounts of the House such amounts as may be necessary for the period beginning at noon on January 3 and ending at midnight on March 31 in each odd-numbered year.

(2) In the case of the first session of a Congress, amounts shall be made available under this paragraph for a select committee established by resolution in the preceding Congress only if—

(A) a reestablishing resolution for such select committee is introduced in the present Congress; and (B) no resolution of the preceding Congress provided for termination of funding of investigations and studies by such select committee at or before the end of the preceding Congress.

PROPOSED NEW RULES

(c) Each committee described in paragraph (a) shall be entitled for each month during the period specified in paragraph (a) to 9 percent (or such lesser percentage as may be determined by the Committee on House Oversight) of the total annualized amount made available under expense resolutions for such committee in the preceding session of Congress.

(d) Payments under this paragraph shall be made on vouchers authorized by the committee involved, signed by the chairman of the committee, except as provided in paragraph (e), and approved by the Committee on House Administration.

(e) Notwithstanding any provision of law, rule of the House, or other authority, from noon on January 3 of the first session of a Congress until the election by the House of the committee concerned in that Congress, payments under this paragraph shall be made on vouchers signed by—

(1) the member of the committee who served as chairman of the committee at the expiration of the preceding Congress; or

(2) if the chairman is not a Member, Delegate, or Resident Commissioner in the present Congress, then the ranking member of the committee as it was constituted at the expiration of the preceding Congress who is a Member of the majority party in the present Congress.

(f)(1) The authority of a committee to incur expenses under this paragraph shall expire upon adoption by the House of a primary expense resolution for the committee.

(2) Amounts made available under this paragraph shall be expended in accordance with regulations prescribed by the Committee on House Administration.

(3) This clause shall be effective only insofar as it is not inconsistent with a resolution reported by the Committee on House Administration and adopted by the House after the adoption of these rules.

EXISTING RULES

(3) Each committee receiving amounts under this paragraph shall be entitled, for each month in the period specified in subparagraph (1), to 9 per centum (or such lesser per centum as may be determined by the Committee on House Oversight) of the total annualized amount made available under expense resolutions for such committee in the preceding session of Congress.

(4) Payments under this paragraph shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, except as provided in subparagraph (5), and approved by the Committee on House Oversight.

(5) Notwithstanding any provision of law, rule of the House, or other authority, from noon on January 3 of the first session of a Congress, until the election by the House of the committee involved in that Congress, payments under this paragraph shall be made on vouchers signed by—

(A) the chairman of such committee as constituted at the close of the preceding Congress; or

(B) if such chairman is not a Member in the present Congress, the ranking majority party member of such committee as constituted at the close of the preceding Congress who is a Member in the present Congress.

(6)(A) The authority of a committee to incur expenses under this paragraph shall expire upon agreement by the House to a primary expense resolution for such committee.

(B) Amounts made available under this paragraph shall be expended in accordance with regulations prescribed by the Committee on House Oversight.

(C) The provisions of this paragraph shall be effective only insofar as not inconsistent with any resolution, reported by the Committee on House Oversight and adopted after the date of adoption of these rules.

COMMENTARY

Travel

8. (a) Local currencies owned by the United States shall be made available to the committee and its employees engaged in carrying out their official duties outside the United States or its territories or possessions. Appropriated funds, including those authorized under this clause and clauses 6 and 8, may not be expended for the purpose of defraying expenses of members of a committee or its employees in a country where local currencies are available for this purpose.

(b) The following conditions shall apply with respect to travel outside the United States or its territories or possessions:

(1) A member or employee of a committee may not receive or expend local currencies for subsistence in a country for a day at a rate in excess of the maximum per diem set forth in applicable Federal law.

(2) A member or employee shall be reimbursed for his expenses for a day at the lesser of—

(A) the per diem set forth in applicable Federal law; or

(B) the actual, unreimbursed expenses (other than for transportation) he incurred during that day.

(3) Each member or employee of a committee shall make to the chairman of the committee an itemized report showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and funds expended for any other official purpose and shall summarize in these categories the total foreign currencies or appropriated funds expended. Each report shall be filed with the chairman of the committee not later than 60 days following the completion of travel for use in complying with reporting requirements in applicable Federal law and shall be open for public inspection.

(c)(1) In carrying out the activities of a committee outside the United States in a country where local currencies are unavailable, a member or employee of a committee may not receive reimbursement for expenses (other than for transportation) in excess of the maximum per diem set forth in applicable Federal law.

(2) A member or employee shall be reimbursed for his expenses for a day, at the lesser of—

(A) the per diem set forth in applicable Federal law; or

Derived from clause 2(n), rule XI: Use of committee funds for travel

(n)(1) Funds authorized for a committee under clause 5 are for expenses incurred in the committee's activities; however, local currencies owned by the United States shall be made available to the committee and its employees engaged in carrying out their official duties outside the United States, its territories or possessions. No appropriated funds, including those authorized under clause 5 shall be expended for the purpose of defraying expenses of members of the committee or its employees in any country where local currencies are available for this purpose; and the following conditions shall apply with respect to travel outside the United States or its territories or possessions:

(A) No member or employee of the committee shall receive or expend local currencies for subsistence in any country for any day at a rate in excess of the maximum per diem set forth in applicable Federal law, or if the Member or employee is reimbursed for any expenses for such day, then the lesser of the per diem or the actual, unreimbursed expenses (other than for transportation) incurred by the Member or employee during that day.

(B) Each member or employee of the committee shall make to the chairman of the committee an itemized report showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, any funds expended for any other official purpose and shall summarize in these categories the total foreign currencies and/or appropriated funds expended. All such individual reports shall be filed no later than sixty days following the completion of travel with the chairman of the committee for use in complying with with reporting requirements in applicable Federal law and shall be open for public inspection.

(2) In carrying out the committee's activities outside of the United States in any country where local currencies are unavailable, a member or employee of the committee may not receive reimbursement for expenses (other than for transportation) in excess of the maximum per diem set forth in applicable Federal law, or if the member or employee is reimbursed for any expenses for such day, then the lesser of the per diem or the actual unreimbursed expenses (other than for transportation) incurred, by the member or employee during any day.

PROPOSED NEW RULES

(B) the actual unreimbursed expenses (other than for transportation) he incurred during that day.

(3) A member or employee of a committee may not receive reimbursement for the cost of any transportation in connection with travel outside the United States unless the member or employee actually paid for the transportation.

(d) The restrictions respecting travel outside the United States set forth in paragraph (c) also shall apply to travel outside the United States by a Member, Delegate, Resident Commissioner, officer, or employee of the House authorized under any standing rule.

Committee staffs

9. (a)(1) Subject to subparagraph (2) and paragraph (f), each standing committee may appoint, by majority vote, not more than 30 professional staff members to be compensated from the funds provided for the appointment of committee staff by primary and additional expense resolutions. Each professional staff member appointed under this subparagraph shall be assigned to the chairman and the ranking minority member of the committee, as the committee considers advisable.

(2) Subject to paragraph (f) of this clause, whenever a majority of the minority party members of a standing committee (except the Committee on Standards of Official Conduct and the Permanent Select Committee on Intelligence) so request, not more than ten persons (or one-third of the total professional committee staff appointed under this clause, whichever is less) may be selected, by majority vote of the minority party members, for appointment by the committee as professional staff members from among the number authorized by subparagraph (1) of this paragraph. The committee shall appoint any persons so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of any person so selected are unacceptable to the committee, a majority of the minority party members may select other persons for appointment by the committee to the professional staff until such appointment is made. Each professional staff member appointed under this subparagraph shall be assigned to such committee business as the minority party members of the committee consider advisable.

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

EXISTING RULES

(3) A member or employee of a committee may not receive reimbursement for the cost of any transportation in connection with travel outside of the United States unless the member or employee has actually paid for the transportation.

(4) The restrictions respecting travel outside of the United States set forth in subparagraphs (2) and (3) shall also apply to travel outside of the United States by Members, officers, and employees of the House authorized under clause 8 of rule I, clause 1(b) of this rule, or any other provision of these Rules of the House of Representatives.

Derived from clause 6, rule XI: Committee Staffs

6. (a)(1) 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. Each professional staff member appointed under this subparagraph shall be assigned to the chairman and the ranking minority party member of such committee, as the committee considers advisable.

(2) Subject to paragraph (f) of this clause, whenever a majority of the minority party members of a standing committee (except the Committee on Standards of Official Conduct and the Permanent Select Committee on Intelligence) so request, not more than ten persons (or one-third of the total professional committee staff appointed under this clause, whichever is less) may be selected, by majority vote of the minority party members, for appointment by the committee as professional staff members from among the number authorized by subparagraph (1) of this paragraph. The committee shall appoint any persons so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of any person so selected are unacceptable to the committee, a majority of the minority party members may select other persons for appointment by the committee to the professional staff until such appointment is made. Each professional staff member appointed under this subparagraph shall be assigned to such committee business as the minority party members of the committee consider advisable.

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

COMMENTARY

"Lame duck" travel prohibitions currently contained in clause 2(n)(5), rule X and clause 8, rule I are consolidated in proposed rule XXV.

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

(B) may not be assigned a duty other than one pertaining to committee business.

(2) Subparagraph (1) does not apply to 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 staff is commensurate with the work performed for the committee in accordance with clause 8 of rule XXIV.

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

(4) This paragraph does not apply to the Committee on Appropriations.

(c) Each employee on the professional or investigative staff of a standing committee shall be entitled to pay at a single gross per annum rate, to be fixed by the chairman and that does not exceed the maximum rate of pay as in effect from time to time under applicable provisions of law.

(d) Subject to appropriations hereby authorized, the Committee on Appropriations may appoint by majority vote such staff as it determines to be necessary (in addition to the clerk of the committee and assistants for the minority). The staff appointed under this paragraph, other than minority assistants, shall possess such qualifications as the committee may prescribe.

(e) A committee may not appoint to its staff an expert or other personnel detailed or assigned from a department or agency of the Government except with the written permission of the Committee on House Administration.

(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) Subparagraph (1) 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.

(c) Each employee on the professional and investigative staff of each standing committee shall be entitled to pay at a single gross per annum rate, to be fixed by the chairman, which does not exceed the maximum rate of pay, as in effect from time to time, under applicable provisions of law.

(d) Subject to appropriations hereby authorized, the Committee on Appropriations may appoint such staff, in addition to the clerk thereof and assistants for the minority, as it determines by majority vote to be necessary, such personnel, other than minority assistants, to possess such qualifications as the committee may prescribe.

(e) No committee shall appoint to its staff any experts or other personnel detailed or assigned from any department or agency of the Government, except with the written permission of the Committee on House Oversight.

PROPOSED NEW RULES

(f) If a request for the appointment of a minority professional staff member under paragraph (a) is made when no vacancy exists for such an appointment, the committee nevertheless may appoint under paragraph (a) a person selected by the minority and acceptable to the committee. A person so appointed shall serve as an additional member of the professional staff of the committee until such a vacancy occurs (other than a vacancy in the position of head of the professional staff, by whatever title designated), at which time that person is considered as appointed to that vacancy. Such a person shall be paid from the applicable accounts of the House described in clause 1(h)(1) of rule X. If such a vacancy occurs on the professional staff when seven or more persons have been so appointed who are eligible to fill that vacancy, a majority of the minority party members shall designate which of those persons shall fill the vacancy.

(g) Each staff member appointed pursuant to a request by minority party members under paragraph (a), and each staff member appointed to assist minority members of a committee pursuant to an expense resolution described in paragraph (a) of clause 6, shall be accorded equitable treatment with respect to the fixing of the rate of pay, the assignment of work facilities, and the accessibility of committee records.

(h) Paragraph (a) may not be construed to authorize the appointment of additional professional staff members of a committee pursuant to a request under paragraph (a) by the minority party members of that committee if 10 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.

(i) Notwithstanding paragraph (a)(2), a committee may employ nonpartisan staff, in lieu of or in addition to committee staff designated exclusively for the majority or minority party, by an affirmative vote of a majority of the members of the majority party and of a majority of the members of the minority party.

EXISTING RULES

(f) If a request for the appointment of a minority professional staff member under paragraph (a) is made when no vacancy exists to which that appointment may be made, the committee nevertheless shall appoint, under paragraph (a), the person selected by the minority and acceptable to the committee. The person so appointed shall serve as an additional member of the professional staff of the committee, and shall be paid from the applicable accounts of the House described in clause 1(h)(1) of rule X, until such a vacancy (other than a vacancy in the position of head of the professional staff, by whatever title designated) occurs, at which time that person shall be deemed to have been appointed to that vacancy. If such vacancy occurs on the professional staff when seven or more persons have been so appointed who are eligible to fill that vacancy, a majority of the minority party members shall designate which of those persons shall fill that vacancy.

(g) Each staff member appointed pursuant to a request by minority party members under paragraph (a) of this clause, and each staff member appointed to assist minority party members of a committee pursuant to an expense resolution described in paragraph (a) of clause 5, shall be accorded equitable treatment with respect to the fixing of his or her rate of pay, the assignment to him or her of work facilities, and the accessibility to him or her of committee records.

(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.

(i) Notwithstanding paragraph (a)(2), a committee may employ nonpartisan staff, in lieu of or in addition to committee staff designated exclusively for the majority or minority party, upon an affirmative vote of a majority of the members of the majority party and a majority of the members of the minority party.

COMMENTARY

Select and joint committees

10. (a) Membership on a select or joint committee appointed by the Speaker under clause 11 of rule I during the course of a Congress shall be contingent on continuing membership in the party caucus or conference of which the Member, Delegate, or Resident Commissioner concerned was a member at the time of appointment. Should a Member, Delegate, or Resident Commissioner cease to be a member of that caucus or conference, that Member, Delegate, or Resident Commissioner shall automatically cease to be a member of any select or joint committee to which he is assigned. The chairman of the relevant party caucus or conference shall notify the Speaker whenever a Member, Delegate, or Resident Commissioner ceases to be a member of a party caucus or conference. The Speaker shall notify the chairman of each affected select or joint committee that the appointment of such Member, Delegate, or Resident Commissioner to the select or joint committee is automatically vacated under this paragraph.

(b) Each select or joint committee, other than a committee of conference, shall comply with clause 2(a) of rule XI unless specifically exempted by law.

Permanent Select Committee on Intelligence

11. (a)(1) There is established a Permanent Select Committee on Intelligence (hereafter in this clause referred to as the "select committee"). The select committee shall be composed of not more than 16 Members, Delegates, or the Resident Commissioner, of whom not more than nine may be from the same party. The select committee shall include at least one Member, Delegate, or the Resident Commissioner from each of the following committees:

(A) the Committee on Appropriations;

(B) the Committee on Armed Services;

(C) the Committee on International Relations; and

(D) the Committee on the Judiciary.

(2) The Speaker and the Minority Leader shall be ex officio members of the select committee but shall have no vote in the select committee and may not be counted for purposes of determining a quorum thereof.

(3) The Speaker and Minority Leader each may designate a member of his leadership staff to assist him in his capacity as ex officio member, with the same access to committee meetings, hearings, briefings, and materials as employees of the select committee and subject to the same security clearance and confidentiality requirements as employees of the select committee under this clause.

Derived from clause 6(g), rule X:

(g) Membership on select and joint committees during the course of a Congress shall be contingent on continuing membership in the party caucus or conference the Member was a member of at the time of his appointment to a select or joint committee. Should a Member cease to be a member of that caucus or conference, said Member shall automatically cease to be a member of any select or joint committee to which he is assigned. The chairman of the relevant party caucus or conference shall notify the Speaker whenever a Member ceases to be a member of a party caucus or conference and the Speaker shall notify the chairman of each select or joint committee on which said Member serves, that in accord with this rule, the Member's appointment to such committee is automatically vacated.

Derived from clause 2(a), rule XI: . . . Each select or joint committee shall comply with the provisions of this paragraph unless specifically prohibited by law.

Exception for conference committees (which are select committees) is added for clarification.

Derived from rule XLVIII: RULE XLVIII

Permanent Select Committee on Intelligence

1. (a) There is hereby established a permanent select committee to be known as the Permanent Select Committee on Intelligence (hereinafter in this rule referred to as the "select committee"). The select committee shall be composed of not more than sixteen Members, of whom not more than nine may be from the same party. The select committee shall include at least one Member from:

(1) the Committee on Appropriations;

(2) the Committee on National Security;

(3) the Committee on International Relations; and

(4) the Committee on the Judiciary.

(b)(1) The Speaker of the House and the Minority Leader of the House shall be ex officio members of the select committee, but shall have no vote in the select committee and shall not be counted for purposes of determining a quorum.

(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.

While the Permanent Select Committee on Intelligence is the only active select committee established in the standing rules, other select committees (Aging, for example) have been so constituted in the past. Any future select committee carried in the standing rules could also be added to rule X.

PROPOSED NEW RULES

(4)(A) Except as permitted by subdivision (B), a Member, Delegate, or Resident Commissioner, other than the Speaker or the Minority Leader, may not serve as a member of the select committee during more than four Congresses in a period of six successive Congresses (disregarding for this purpose any service for less than a full session in a Congress).

(B) A member of the select committee who served as either the chairman or the ranking minority member of the select committee in the immediately previous Congress and who did not serve in that respective capacity in an earlier Congress may serve as either the chairman or the ranking minority member of the select committee during one additional Congress.

(b)(1) There shall be referred to the select committee proposed legislation, messages, petitions, memorials, and other matters relating to the following:

(A) The Central Intelligence Agency, the 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 the tactical intelligence and intelligence-related activities of the Department of Defense.

(C) The organization or reorganization of a department or agency of the Government to the extent that the organization or reorganization relates to a function or activity involving intelligence or intelligence-related activities.

(D) Authorizations for appropriations, both direct and indirect, for the following:

(i) 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.

(ii) Intelligence and intelligence-related activities of all other departments and agencies of the Government, including the tactical intelligence and intelligence-related activities of the Department of Defense.

(iii) A department, agency, subdivision, or program that is a successor to an agency or program named or referred to in (i) or (ii).

EXISTING RULES

(c) No Member of the House other than the Speaker or 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 the incumbent chairman or the ranking minority member having 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.

2. (a) There shall be referred to the select committee all proposed legislation, messages, petitions, memorials, and other matters relating to the following:

(1) The Central Intelligence Agency, the Director of Central Intelligence, and the National Foreign Intelligence Program as defined in section 3(6) of the National Security Act of 1947.

(2) 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.

(3) The organization or reorganization of any department or agency of the Government to the extent that the organization or reorganization relates to a function or activity involving intelligence or intelligence-related activities.

(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).

COMMENTARY

(2) Proposed legislation initially reported by the select committee (other than provisions solely involving matters specified in subparagraph (1)(A) or subparagraph (1)(D)(i)) containing any matter otherwise within the jurisdiction of a standing committee shall be referred by the Speaker to that standing committee. Proposed legislation initially reported by another committee that contains matter within the jurisdiction of the select committee shall be referred by the Speaker to the select committee if requested by the chairman of the select committee.

(3) Nothing in this clause shall be construed as prohibiting or otherwise restricting the authority of any other committee to study and review an intelligence or intelligence-related activity to the extent that such activity directly affects a matter otherwise within the jurisdiction of that committee.

(4) Nothing in this clause shall be construed as amending, limiting, or otherwise changing the authority of a standing committee to obtain full and prompt access to the product of the intelligence and intelligence-related activities of a department or agency of the Government relevant to a matter otherwise within the jurisdiction of that committee.

(c)(1) For purposes of accountability to the House, the select committee shall make regular and periodic reports to the House on the nature and extent of the intelligence and intelligence-related activities of the various departments and agencies of the United States. The select committee shall promptly call to the attention of the House, or to any other appropriate committee, a matter requiring the attention of the House or another committee. In making such report, the select committee shall proceed in a manner consistent with paragraph (g) to protect national security.

(b) Any proposed legislation initially reported by the select committee, except any legislation involving matters specified in subparagraph (1) or (4)(A) of paragraph (a), containing any matter otherwise within the jurisdiction of any standing committee shall, at the request of the chairman of such standing committee, be referred to such standing committee by the Speaker for its consideration of such matter and be reported to the House by such standing committee within the time prescribed by the Speaker in the referral; and any proposed legislation initially reported by any committee, other than the select committee, which contains any matter within the jurisdiction of the select committee shall, at the request of the chairman of the select committee, be referred by the Speaker to the select committee for its consideration of such matter and be reported to the House within the time prescribed by the Speaker in the referral.

(c) Nothing in this rule shall be construed as prohibiting or otherwise restricting the authority of any other committee to study and review any intelligence or intelligence-related activity to the extent that such activity directly affects a matter otherwise within the jurisdiction of such committee.

(d) Nothing in this rule shall be construed as amending, limiting, or otherwise changing the authority of any standing committee of the House to obtain full and prompt access to the product of the intelligence and intelligence-related activities of any department or agency of the Government relevant to a matter otherwise within the jurisdiction of such committee.

3. (a) The select committee, for purposes of accountability to the House, shall make regular and periodic reports to the House on the nature and extent of the intelligence and intelligence-related activities of the various departments and agencies of the United States. Such committee shall promptly call to the attention of the House or to any other appropriate committee of the House any matters requiring the attention of the House or such other committee or committees. In making such reports, the select committee shall proceed in a manner consistent with clause 7 to protect national security.

PROPOSED NEW RULES

(2) The select committee shall obtain annual reports from the Director of the Central Intelligence Agency, the Secretary of Defense, the Secretary of State, and the Director of the Federal Bureau of Investigation. Such reports shall review the intelligence and intelligence-related activities of the agency or department concerned and the intelligence and intelligence-related activities of foreign countries directed at the United States or its interests. An unclassified version of each report may be made available to the public at the discretion of the select committee. Nothing herein shall be construed as requiring the public disclosure in such reports of the names of persons engaged in intelligence or intelligence-related activities for the United States or the divulging of intelligence methods employed or the sources of information on which the reports are based or the amount of funds authorized to be appropriated for intelligence and intelligence-related activities.

(3) Within six weeks after the President submits a budget under section 1105(a) of title 31, United States Code, or at such time as the Committee on the Budget may request, the select committee shall submit to the Committee on the Budget the views and estimates described in section 301(d) of the Congressional Budget Act of 1974 regarding matters within the jurisdiction of the select committee.

(d)(1) Except as specified in subparagraph (2), clauses 6(a), (b), and (c) and 8(a), (b), and (c) of this rule, and clauses 1, 2, and 4 of rule XI shall apply to the select committee to the extent not inconsistent with this clause.

(2) Notwithstanding the requirements of the first sentence of clause 2(g)(2) of rule XI, in the presence of the number of members required under the rules of the select committee for the purpose of taking testimony or receiving evidence, the select committee may vote to close a hearing whenever a majority of those present determines that the testimony or evidence would endanger the national security.

(e) An employee of the select committee, or a person engaged by contract or otherwise to perform services for or at the request of the select committee, may not be given access to any classified information by the select committee unless such employee or person has—

(1) agreed in writing and under oath to be bound by the Rules of the House, including the jurisdiction of the Committee on Standards of Official Conduct and of the select committee concerning the security of classified information during and after the period of his employment or contractual agreement with the select committee; and

EXISTING RULES

(b) The select committee shall obtain an annual report from the Director of the Central Intelligence Agency, the Secretary of Defense, the Secretary of State, and the Director of the Federal Bureau of Investigation. Such reports shall review the intelligence and intelligence-related activities of the agency or department concerned and the intelligence and intelligence-related activities of foreign countries directed at the United States or its interest. An unclassified version of each report may be made available to the public at the discretion of the select committee. Nothing herein shall be construed as requiring the public disclosure in such reports of the names of individuals engaged in intelligence or intelligence-related activities for the United States or the divulging of intelligence methods employed or the sources of information on which such reports are based or the amount of funds authorized to be appropriated for intelligence and intelligence-related activities.

(c) Within 6 weeks after the President submits a budget under section 1105(a) of title 31, United States Code, the select committee shall submit to the Committee on the Budget the views and estimates described in section 301(d) of the Congressional Budget Act of 1974 regarding matters within the jurisdiction of the select committee.

4. To the extent not inconsistent with the provisions of this rule, the provisions of clauses 1, 2, 3, and 5 (a), (b), (c), and 6 (a), (b), (c) of rule XI shall apply to the select committee, except that, notwithstanding the requirements of the first sentence of clause 2(g)(2) of rule XI, a majority of those present, there being in attendance the requisite number required under the rules of the select committee to be present for the purpose of taking testimony or receiving evidence, may vote to close a hearing whenever a majority of those present determines that such testimony or evidence would endanger the national security.

5. No employee of the select committee or any person engaged by contract or otherwise to perform services for or at the request of such committee shall be given access to any classified information by such committee unless such employee or person has—

(1) agreed in writing and under oath to be bound by the rules of the House (including the jurisdiction of the Committee on Standards of Official Conduct and of the select committee as to the security of such information during and after the period of his employment or contractual agreement with such committee); and

COMMENTARY

(2) received an appropriate security clearance, as determined by the select committee in consultation with the Director of Central Intelligence, that is commensurate with the sensitivity of the classified information to which such employee or person will be given access by the select committee.

(f) The select committee shall formulate and carry out such rules and procedures as it considers necessary to prevent the disclosure, without the consent of each person concerned, of information in the possession of the select committee that unduly infringes on the privacy or that violates the constitutional rights of such person. Nothing herein shall be construed to prevent the select committee from publicly disclosing classified information in a case in which it determines that national interest in the disclosure of classified information clearly outweighs any infringement on the privacy of a person.

(g)(1) The select committee may disclose publicly any information in its possession after a determination by the select committee that the public interest would be served by such disclosure. With respect to the disclosure of information for which this paragraph requires action by the select committee—

(A) the select committee shall meet to vote on the matter within five days after a member of the select committee requests a vote; and

(B) a member of the select committee may not make such a disclosure before a vote by the select committee on the matter, or after a vote by the select committee on the matter except in accordance with this paragraph.

(2)(A) In a case in which the select committee votes to disclose publicly any information that has been classified under established security procedures, that has been submitted to it by the executive branch, and that the executive branch requests be kept secret, the select committee shall notify the President of such vote.

(B) The select committee may disclose publicly such information after the expiration of a five-day period following the day on which notice of the vote to disclose is transmitted to the President unless, before the expiration of the five-day period, the President, personally in writing, notifies the select committee that he objects to the disclosure of such information, provides his reasons therefor, and certifies that the threat to the national interest of the United States posed by the disclosure is of such gravity that it outweighs any public interest in the disclosure.

(2) received an appropriate security clearance as determined by such committee, in consultation with the Director of Central Intelligence. The type of security clearance to be required in the case of any such employee or person shall, within the determination of such committee in consultation with the Director of Central Intelligence, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by such committee.

6. The select committee shall formulate and carry out such rules and procedures as it deems necessary to prevent the disclosure, without the consent of the person or persons concerned, of information in the possession of such committee which unduly infringes upon the privacy or which violates the constitutional rights of such person or persons. Nothing herein shall be construed to prevent such committee from publicly disclosing any such information in any case in which such committee determines that national interest in the disclosure of such information clearly outweighs any infringement on the privacy of any person or persons.

7. (a) The select committee may, subject to the provisions of this clause, disclose publicly any information in the possession of such committee after a determination by such committee that the public interest would be served by such disclosure. Whenever committee action is required to disclose any information under this clause, the committee shall meet to vote on the matter within five days after any member of the committee requests such a vote. No member of the select committee shall disclose any information, the disclosure of which requires a committee vote, prior to a vote by the committee on the question of the disclosure of such information or after such vote except in accordance with this clause.

(b)(1) In any case in which the select committee votes to disclose publicly any information that has been classified under established security procedures, which has been submitted to it by the executive branch, and which the executive branch requests be kept secret, the select committee shall notify the President of such vote.

(2) The select committee may disclose publicly such information after the expiration of a five-day period following the day on which notice of such vote is transmitted to the President unless, prior to the expiration of such five-day period, the President, personally in writing, notifies the select committee that he objects to the disclosure of such information, provides his reasons therefor, and certifies that the threat to the national interest of the United States posed by such disclosure is of such gravity that it outweighs any public interest in the disclosure.

PROPOSED NEW RULES

(C) If the President, personally in writing, notifies the select committee of his objections to the disclosure of information as provided in subdivision (B), the select committee may, by majority vote, refer the question of the disclosure of such information, with a recommendation thereon, to the House. The select committee may not publicly disclose such information without leave of the House.

(D) Whenever the select committee votes to refer the question of disclosure of any information to the House under subdivision (C), the chairman shall, not later than the first day on which the House is in session following the day on which the vote occurs, report the matter to the House for its consideration.

(E) If the chairman of the select committee does not offer in the House a motion to consider in closed session a matter reported under subdivision (D) within four calendar days on which the House is in session after the recommendation described in subdivision (C) is reported, then such a motion shall be privileged when offered by a Member, Delegate, or Resident Commissioner. In either case such a motion shall be decided without debate or intervening motion except one that the House adjourn.

(F) Upon adoption by the House of a motion to resolve into closed session as described in subdivision (E), the Speaker may declare a recess subject to the call of the Chair. At the expiration of the recess, the pending question, in closed session, shall be, "Shall the House approve the recommendation of the select committee?".

(G) Debate on the question described in subdivision (F) shall be limited to two hours equally divided and controlled by the chairman and ranking minority member of the select committee. After such debate the previous question shall be considered as ordered on the question of approving the recommendation without intervening motion except one motion that the House adjourn. The House shall vote on the question in open session but without divulging the information with respect to which the vote is taken. If the recommendation of the select committee is not approved, then the question is considered as recommitted to the select committee for further recommendation.

EXISTING RULES

(3) If the President, personally, in writing, notifies the select committee of his objections to the disclosure of such information as provided in subparagraph (2), such committee may, by majority vote, refer the question of this disclosure of such information with a recommendation thereon to the House for consideration. The select committee shall not publicly disclose such information without leave of the House.

(4) Whenever the select committee votes to refer the question of disclosure of any information to the House under subparagraph (3), the chairman shall, not later than the first day on which the House is in session following the day on which the vote occurs, report the matter to the House for its consideration.

(5) If within four calendar days on which the House is in session, after such recommendation is reported, no motion has been made by the chairman of the select committee to consider, in closed session, the matter reported under subparagraph (4), then such a motion shall be deemed privileged and may be made by any Member. The motion under this subparagraph shall not be subject to debate or amendment. When made, it shall be decided without intervening motion except one motion to adjourn.

(6) If the House adopts a motion to resolve into closed session, the Speaker shall then be authorized to declare a recess subject to the call of the Chair. At the expiration of such recess, the pending question, in closed session, shall be, "Shall the House approve the recommendation of the select committee?".

(7) After not more than two hours of debate on the motion, such debate to be equally divided and controlled by the chairman and ranking minority member of the select committee, or their designees, the previous question shall be considered as ordered and the House, without intervening motion except one motion to adjourn, shall immediately vote on the question, in open session, but without divulging the information with respect to which the vote is being taken. If the recommendation of the select committee is not agreed to, the question shall be deemed recommitted to the select committee for further recommendation.

COMMENTARY

The phrase "or their designees" in existing subparagraph (7) is unnecessary since the House has always permitted a chairman and ranking minority member controlling debate time under circumstances like that of proposed subdivision (G) to designate another committee member to control that time in their stead. Most special order of business resolutions from the Rules Committee regarding general debate in the Committee of the Whole are stated in a similar fashion, and unanimous consent is not required to designate another committee member to control time.

(3)(A) Information in the possession of the select committee relating to the lawful intelligence or intelligence-related activities of a department or agency of the United States that has been classified under established security procedures, and that the select committee has determined should not be disclosed under subparagraph (1) or (2), may not be made available to any person by a Member, Delegate, Resident Commissioner, officer, or employee of the House except as provided in subdivision (B).

(B) The select committee shall, under such regulations as it may prescribe, make information described in subdivision (A) available to a committee or a Member, Delegate, or Resident Commissioner, and permit a Member, Delegate, or Resident Commissioner to attend a hearing of the select committee that is closed to the public. Whenever the select committee makes such information available, it shall keep a written record showing, in the case of particular information, which committee or which Member, Delegate, or Resident Commissioner received the information. A Member, Delegate, or Resident Commissioner who, and a committee that, receives information under this subdivision may not disclose the information except in a closed session of the House.

(4) The Committee on Standards of Official Conduct shall investigate any unauthorized disclosure of intelligence or intelligence-related information by a Member, Delegate, Resident Commissioner, officer, or employee of the House in violation of subparagraph (3) and report to the House concerning any allegation that it finds to be substantiated.

(5) Upon the request of a person who is subject to an investigation described in subparagraph (4), the Committee on Standards of Official Conduct shall release to such person at the conclusion of its investigation a summary of its investigation, together with its findings. If, at the conclusion of its investigation, the Committee on Standards of Official Conduct determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, Delegate, Resident Commissioner, officer, or employee of the House, it shall report its findings to the House and recommend appropriate action. Recommendations may include censure, removal from committee membership, or expulsion from the House, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

(h) The select committee may permit a personal representative of the President, designated by the President to serve as a liaison to the select committee, to attend any closed meeting of the select committee.

(c)(1) No information in the possession of the select committee relating to the lawful intelligence or intelligence-related activities of any department or agency of the United States which has been classified under established security procedures and which the select committee, pursuant to paragraphs (a) or (b) of this clause, has determined should not be disclosed shall be made available to any person by a Member, officer, or employee of the House except as provided in subparagraphs (2) and (3).

(2) The select committee shall, under such regulations as the committee shall prescribe, make any information described in subparagraph (1) available to any other committee or any other Member of the House, and permit any other Member of the House to attend any hearing of the select committee that is closed to the public. Whenever the select committee makes such information available (other than to the Speaker), the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the House received such information. No Member of the House who, and no committee which, receives any information under this subparagraph, shall disclose such information except in a closed session of the House.

(d) The Committee on Standards of Official Conduct shall investigate any unauthorized disclosure of intelligence or intelligence-related information by a Member, officer, or employee of the House in violation of paragraph (c) and report to the House concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Committee on Standards of Official Conduct shall release to such individual at the conclusion of its investigation a summary of its investigation, together with its findings. If, at the conclusion of its investigation, the Committee on Standards of Official Conduct determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the House, it shall report its findings to the House and recommend appropriate action such as censure, removal from committee membership, or expulsion from the House, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

8. The select committee is authorized to permit any personal representative of the President, designated by the President to serve as a liaison to the select committee, to attend any closed meeting of the such committee.

PROPOSED NEW RULES

(i) Subject to the Rules of the House, funds may not be appropriated for a fiscal year, with the exception of a bill or joint resolution continuing appropriations, or an amendment thereto, or a conference report thereon, to, or for use of, a department or agency of the United States to carry out any of the following activities, unless the funds shall previously have been authorized by a bill or joint resolution passed by the House during the same or preceding fiscal year to carry out such activity for such fiscal year:

(1) The activities of the Central Intelligence Agency and the Director of Central Intelligence.

(2) The activities of the Defense Intelligence Agency.

(3) The activities of the National Security Agency.

(4) The intelligence and intelligence-related activities of other agencies and subdivisions of the Department of Defense.

(5) The intelligence and intelligence-related activities of the Department of State.

(6) The intelligence and intelligence-related activities of the Federal Bureau of Investigation, including all activities of the Intelligence Division.

(j)(1) In this clause the term "intelligence and intelligence-related activities" includes—

(A) the collection, analysis, production, dissemination, or use of information that relates to a foreign country, or a government, political group, party, military force, movement, or other association in a foreign country, and that relates to the defense, foreign policy, national security, or related policies of the United States and other activity in support of the collection, analysis, production, dissemination, or use of such information;

(B) activities taken to counter similar activities directed against the United States;

(C) covert or clandestine activities affecting the relations of the United States with a foreign government, political group, party, military force, movement, or other association;

(D) the collection, analysis, production, dissemination, or use of information about activities of persons within the United States, its territories and possessions, or nationals of the United States abroad whose political and related activities pose, or may be considered by a department, agency, bureau, office, division, instrumentality, or employee of the United States to pose, a threat to the internal security of the United States; and

(E) covert or clandestine activities directed against persons described in subdivision (D).

EXISTING RULES

9. Subject to the rules of the House, no funds shall be appropriated for any fiscal year, with the exception of a continuing bill or resolution continuing appropriations, or an amendment thereto, or conference report thereon, to, or for use of, any department or agency of the United States to carry out any of the following activities, unless such funds shall previously have been authorized by a bill or joint resolution passed by the House during the same or preceding fiscal year to carry out such activity for such fiscal year:

(a) The activities of the Central Intelligence Agency and the Director of Central Intelligence.

(b) The activities of the Defense Intelligence Agency.

(c) The activities of the National Security Agency.

(d) The intelligence and intelligence-related activities of other agencies and subdivisions of the Department of Defense.

(e) The intelligence and intelligence-related activities of the Department of State.

(f) The intelligence and intelligence-related activities of the Federal Bureau of Investigation, including all activities of the Intelligence Division.

10. (a) As used in this rule, the term "intelligence and intelligence-related activities" includes—

(1) the collection, analysis, production, dissemination, or use of information which relates to any foreign country, or any government, political group, party, military force, movement, or other association in a foreign country, and which relates to the defense, foreign policy, national security, or related policies of the United States, and other activity in support of such activities; (2) activities taken to counter similar activities directed against the United States; (3) covert or clandestine activities affecting the relations of the United States with any foreign government, political group, party, military force, movement, or other association; (4) the collection, analysis, production, dissemination, or use of information about activities of persons within the United States, its territories and possessions, or nationals of the United States abroad whose political and related activities pose, or may be considered by any department, agency, bureau, office, division, instrumentality, or employee of the United States to pose, a threat to the internal security of the United States, and covert or clandestine activities directed against such persons.

COMMENTARY

(2) In this clause the term "department or agency" includes any organization, committee, council, establishment, or office within the Federal Government.

(3) For purposes of this clause, reference to a department, agency, bureau, or subdivision shall include a reference to any successor department, agency, bureau, or subdivision to the extent that a successor engages in intelligence or intelligence-related activities now conducted by the department, agency, bureau, or subdivision referred to in this clause.

(k) Clause 12(a) of rule XXII does not apply to meetings of a conference committee respecting legislation (or any part thereof) reported by the Permanent Select Committee on Intelligence.

RULE XI.

PROCEDURES OF COMMITTEES AND UNFINISHED BUSINESS.

In general

1. (a)(1)(A) Except as provided in subdivision (B), the Rules of the House are the rules of its committees and subcommittees so far as applicable.

(B) A motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, each shall be privileged in committees and subcommittees and shall be decided without debate.

(2) Each subcommittee is a part of its committee and is subject to the authority and direction of that committee and to its rules, so far as applicable.

(b) As used in this rule, the term "department or agency" includes any organization, committee, council, establishment, or office within the Federal Government.

(c) For purposes of this rule, reference to any department, agency, bureau, or subdivision shall include a reference to any successor department, agency, bureau, or subdivision to the extent that such successor engages in intelligence or intelligence-related activities now conducted by the department, agency, bureau, or subdivision referred to in this rule.

11. Clause 6(a) of rule XXVIII does not apply to meetings of a committee of conference respecting legislation (or any part thereof) reported by the Permanent Select Committee on Intelligence.

RULE XI

RULES OF PROCEDURE FOR COMMITTEES

In General

1. (a)(1) The Rules of the House are the rules of its committees and subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege in committees and subcommittees.

(2) Each subcommittee of a committee is a part of that committee, and is subject to the authority and direction of that committee and to its rules so far as applicable.

Proposed rule XI remains dedicated to issues of committee procedure and retains all current provisions of clauses 1 and 2, through the point of ordering a measure reported from full committee and the filing of views. Reporting requirements applicable to all committees have been transferred to rule XIII. Current clause 4 on privileged reports has been transferred to rule XIII to become a new clause 5, and provisions relating to consideration of reports from the Committee on Rules (clauses 4(b), (c) and (e) of rule XI have become clause 6 of rule XIII. Rule XI includes procedural matters relating to the Committee on Standards of Official Conduct as a new clause 3, transferred from clause 4 of rule X. The provisions on broadcasting of committee proceedings are renumbered as clause 4 (from current clause 3) with a modernized heading. The current rule XXXV on pay of witnesses is transferred to a new clause 5 of rule XI, since this is more appropriate as a committee procedural issue. The current rule XXVI on unfinished business of the session is transferred to a new clause 6 of rule XI since bearing some relevance to committee business (but also making explicit reference to House business) and to provide for a new rule XXV on use of official accounts.

PROPOSED NEW RULES

(b)(1) Each committee may conduct at any time such investigations and studies as it considers necessary or appropriate in the exercise of its responsibilities under rule X. Subject to the adoption of expense resolutions as required by clause 6 of rule X, each committee may incur expenses, including travel expenses, in connection with such investigations and studies.

(2) A proposed investigative or oversight report shall be considered as read in committee if it has been available to the members for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day).

(3) A report of an investigation or study conducted jointly by more than one committee may be filed jointly, provided that each of the committees complies independently with all requirements for approval and filing of the report.

(4) After an adjournment sine die of the last regular session of a Congress, an investigative or oversight report may be filed with the Clerk at any time, provided that a member who gives timely notice of intention to file supplemental, minority, or additional views shall be entitled to not less than seven calendar days in which to submit such views for inclusion in the report.

EXISTING RULES

(b)(1) Each committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under rule X, and (subject to the adoption of expense resolutions as required by clause 5) to incur expenses (including travel expenses) in connection therewith.

(2) A proposed investigative or oversight report shall be considered as read in committee if it has been available to the members for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day).

(3) A report of an investigation or study conducted jointly by more than one committee may be filed jointly, provided that each of the committees complies independently with all requirements for approval and filing of the report.

(4) After an adjournment of the last regular session of a Congress sine die, an investigative or oversight report may be filed with the Clerk at any time, provided that if a member gives timely notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than seven calendar days in which to submit such views for inclusion with the report.

COMMENTARY

The recodification does not alter the existing relationship between a committee and its subcommittees. Under clause 1(a)(2), rule XI, the Rules of the House, including rule XI, remain generally applicable to subcommittees (except where considered inapplicable under current interpretations). Also, each subcommittee of a committee is a part of that committee and subject to its authority, direction and rules (proposed clause 1(a)(2), rule XI). On the other hand, certain authorities remain specifically granted to committees *and subcommittees*, such as authorizing and issuing subpoenas (proposed, rule XI). Current interpretations as to the applicability to subcommittees clause 2(m) are not to be changed or modified merely by the lack of inclusion of "subcommittee" in each clause. These interpretations of the applicability of House rules to subcommittee proceedings include: paragraph (c) provides that subcommittee chairs or three members of a subcommittee can call special meetings; paragraph (e) includes subcommittee files; paragraph (g)(3) is applicable to the announcement of hearing dates of subcommittees; paragraph (g)(4) applies the requirement for written statements of proposed testimony to subcommittees; paragraph (h)(3) allows subcommittees to have a one-third member working quorum if permitted by full committee rules; paragraph (i) prevents subcommittees from meeting during joint sessions and meetings; paragraph (j) applies the interrogation of witnesses rule to subcommittees; and paragraph (k) applies investigative hearing procedures to subcommittees.

(c) Each committee may have printed and bound such testimony and other data as may be presented at hearings held by the committee or its subcommittees. All costs of stenographic services and transcripts in connection with a meeting or hearing of a committee shall be paid from the applicable accounts of the House described in clause 1(i) of rule X.

(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 at noon 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 under clause 2(d) of rule X, a summary of the actions taken and recommendations made with respect to each such plan, a summary of any additional oversight activities undertaken by that committee, and any recommendations made or actions taken thereon.

(4) After an adjournment sine die of the last regular session of a Congress, the chairman of a committee may file an activities report under subparagraph (1) with the Clerk at any time and without approval of the committee, provided that—

(A) a copy of the report has been available to each member of the committee for at least seven calendar days; and

(B) the report includes any supplemental, minority, or additional views submitted by a member of the committee.

Adoption of written rules

2. (a)(1) Each standing committee shall adopt written rules governing its procedure. Such rules—

(A) shall be adopted in a meeting that is open to the public unless the committee, in open session and with a quorum present, determines by record vote that all or part of the meeting on that day shall be closed to the public;

(B) may not be inconsistent with the Rules of the House or with those provisions of law having the force and effect of Rules of the House; and

(C) shall in any event incorporate all of the succeeding provisions of this clause to the extent applicable.

(c) Each committee is authorized to have printed and bound testimony and other data presented at hearings held by the committee. All costs of stenographic services and transcripts in connection with any meeting or hearing of a committee shall be paid from the applicable accounts of the House described in clause 1(h)(1) of rule X.

(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.

(4) After an adjournment of the last regular session of a Congress sine die, the chairman of a committee may file a report pursuant to subparagraph (1) with the Clerk at any time and without approval of the committee, provided that a copy of the report has been available to each member of the committee for at least seven calendar days and includes any supplemental, minority, or additional views submitted by a member of the committee.

Committee Rules

Adoption of written rules

2. (a) Each standing committee of the House shall adopt written rules governing its procedure. Such rules—

(1) shall be adopted in a meeting which is open to the public unless the committee, in open session and with a quorum present, determined by rollcall vote that all or part of the meeting on that day is to be closed to the public;

(2) shall be not inconsistent with the Rules of the House or with those provisions of law having the force and effect of Rules of the House; and

(3) shall in any event incorporate all of the succeeding provisions of this clause to the extent applicable.

PROPOSED NEW RULES

(2) Each committee shall submit its rules for publication in the Congressional Record not later than 30 days after the committee is elected in each odd-numbered year.

Regular meeting days

(b) Each standing committee shall establish regular meeting days for the conduct of its business, which shall be not less frequent than monthly. Each such committee shall meet for the consideration of a bill or resolution pending before the committee or the transaction of other committee business on all regular meeting days fixed by the committee unless otherwise provided by written rule adopted by the committee.

Additional and special meetings

(c)(1) The chairman of each standing committee may call and convene, as he considers necessary, additional and special meetings of the committee for the consideration of a bill or resolution pending before the committee or for the conduct of other committee business, subject to such rules as the committee may adopt. The committee shall meet for such purpose under that call of the chairman.

EXISTING RULES

Each committee's rules specifying its regular meeting days, and any other rules of a committee which are in addition to the provisions of this clause, shall be published in the Congressional Record not later than thirty days after the committee is elected in each odd-numbered year. Each select or joint committee shall comply with the provisions of this paragraph unless specifically prohibited by law.

Regular meeting days

(b) Each standing committee of the House shall adopt regular meeting days, which shall be not less frequent than monthly, for the conduct of its business. Each such committee shall meet, for the consideration of any bill or resolution pending before the committee or for the transaction of other committee business, on all regular meeting days fixed by the committee, unless otherwise provided by written rule adopted by the committee.

Additional and special meetings

(c)(1) The Chairman of each standing committee may call and convene, as he or she considers necessary, additional meetings of the committee for the consideration of any bill or resolution pending before the committee or for the conduct of other committee business. The committee shall meet for such purpose pursuant to that call of the chairman.

COMMENTARY

The requirement of existing clause 2(a), rule XI that each select or joint committee shall comply with its provisions unless specifically prohibited by law is deleted here since proposed clause 10(b), rule X will require each select or joint committee to comply with the provisions of clause 2(a), rule XI (this paragraph). Often a resolution creating a select committee will specify that specified portions of the rules will apply in order to further clarify the point.

(2) Three or more members of a standing committee may file in the offices of the committee a written request that the chairman call a special meeting of the committee. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If the chairman does not call the requested special meeting within three calendar days after the filing of the request (to be held within seven calendar days after the filing of the request) a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held. The written notice shall specify the date and hour of the special meeting and the measure or matter to be considered. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered. Only the measure or matter specified in that notice may be considered at that special meeting.

(2) If at least three members of any standing committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of, and the measure or matter to be considered at, that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered; and only the measure or matter specified in that notice may be considered at that special meeting. Vice chairman or ranking majority member to preside in absence of chairman.

Temporary absence of chairman

(d) A member of the majority party on each standing committee or subcommittee thereof shall be designated by the chairman of the full committee as the vice chairman of the committee or subcommittee, as the case may be, and shall preside during the absence of the chairman from any meeting. If the chairman and vice chairman of a committee or subcommittee are not present at any meeting of the committee or subcommittee, the ranking majority member who is present shall preside at that meeting.

(d) A member of the majority party on any standing committee or subcommittee thereof designated by the chairman of the full committee shall be vice chairman of the committee or subcommittee, as the case may be, and shall preside at any meeting during the temporary absence of the chairman. If the chairman and vice chairman of the committee or subcommittee are not present at any meeting of the committee or subcommittee, the ranking member of the majority party who is present shall preside at that meeting.

Committee records

(e)(1)(A) Each committee shall keep a complete record of all committee action which shall include—

(i) in the case of a 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

Committee records

(e)(1) 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

PROPOSED NEW RULES

(ii) a record of the votes on any question on which a record vote is demanded.

(B)(i) Except as provided in subdivision (B)(ii) and subject to paragraph (k)(7), the result of each such record vote shall be made available by the committee for inspection by the public at reasonable times in its offices. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting.

(ii) The result of any record vote taken in executive session in the Committee on Standards of Official Conduct may not be made available for inspection by the public without an affirmative vote of a majority of the members of the committee.

(2)(A) Except as provided in subdivision (B), all committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as its chairman. Such records shall be the property of the House, and each Member, Delegate, and the Resident Commissioner shall have access thereto.

(B) A Member, Delegate, or Resident Commissioner, other than members of the Committee on Standards of Official Conduct, may not have access to the records of that committee respecting the conduct of a Member, Delegate, Resident Commissioner, officer, or employee of the House without the specific prior permission of that committee.

(3) Each committee shall include in its rules standards for availability of records of the committee delivered to the Archivist of the United States under rule VII. Such standards shall specify procedures for orders of the committee under clause 3(b)(3) and clause 4(b) of rule VII, including a requirement that nonavailability of a record for a period longer than the period otherwise applicable under that rule shall be approved by vote of the committee.

(4) Each committee shall make its publications available in electronic form to the maximum extent feasible.

EXISTING RULES

(B) a record of the votes on any question on which a rollcall vote is demanded.

The result of each such rollcall vote shall be made available by the committee for inspection by the public at reasonable times in the offices of the committee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each Member voting for and each Member voting against such amendment, motion, order, or proposition, and the names of those Members present but not voting, except that in the case of rollcall votes in the Committee on Standards of Official Conduct taken in executive session, the result of any such vote shall not be made available for inspection by the public without an affirmative vote of a majority of the members of the committee.

(2) All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the House and all Members of the House shall have access thereto, except that in the case of records in the Committee on Standards of Official Conduct respecting the conduct of any Member, officer, or employee of the House, no Member of the House (other than a member of such committee) shall have access thereto without the specific, prior approval of the committee.

(3) Each committee shall include in its rules standards for availability of records of the committee delivered to the Archivist of the United States under rule XXXVI. Such standards shall specify procedures for orders of the committee under clause 3(b)(3) and clause 4(b) of rule XXXVI, including a requirement that nonavailability of a record for a period longer than the period otherwise applicable under that rule shall be approved by vote of the committee.

(4) Each committee shall, to the maximum extent feasible, make its publications available in electronic form.

COMMENTARY

Paragraph (k)(7) of this clause precludes release of evidence or testimony taken in executive session of a committee without its approval. This prohibition has been interpreted to apply also to votes taken in an executive session. These would not be released without the appropriate approval and so would not automatically be made public. The "subject to paragraph (k)(7)" language is added to subdivision (B) for clarity. Otherwise, the release of record votes taken in executive session could compromise and reveal the nature of the questions voted upon.

Prohibition against proxy voting

(f) A vote by a member of a committee or subcommittee with respect to any measure or matter may not be cast by proxy.

Open meetings and hearings

(g)(1) Each meeting for the transaction of business, including the markup of legislation, by a standing committee or subcommittee thereof (other than the Committee on Standards of Official Conduct or its subcommittee) shall be open to the public, including to radio, television, and still photography coverage, except when the committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of the meeting on that day shall be in executive session 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 a law or rule of the House. Persons, other than members of the committee and such noncommittee Members, Delegates, Resident Commissioner, congressional staff, or departmental representatives as the committee may authorize, may not be present at a business or markup session that is held in executive session. This subparagraph does not apply to open committee hearings, which are governed by clause 4(a)(1) of rule X or by subparagraph (2).

(2)(A) Each hearing conducted by a committee or subcommittee (other than the Committee on Standards of Official Conduct or its subcommittees) shall be open to the public, including to radio, television, and still photography coverage, except when the committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would violate a law or rule of the House.

(B) Notwithstanding the requirements of subdivision (A), in the presence of the number of members required under the rules of the committee for the purpose of taking testimony, a majority of those present may—

(i) agree to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger national security, would compromise sensitive law enforcement information, or would violate clause 2(k)(5); or

(ii) agree to close the hearing as provided in clause 2(k)(5).

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.

Open meetings and hearings

(g)(1) Each meeting for the transaction of business, including the markup of legislation, of each standing committee or subcommittee thereof (except the Committee on Standards of Official Conduct) shall be open to the public, including to radio, television, and still photography coverage except when the committee or subcommittee, in open session and with a majority present, determines by rollcall vote that all or part of the remainder of the meeting on that day shall be closed to the public 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: Provided, however, That no person other than members of the committee and such congressional staff and such departmental representatives as they may authorize shall be present at any business or markup session which has been closed to the public. This paragraph does not apply to open committee hearings which are provided for by clause 4(a)(1) of rule X or by subparagraph (2) of this paragraph.

(2) Each hearing conducted by each committee or subcommittee thereof (except the Committee on Standards of Official Conduct) shall be open to the public, including to radio, television, and still photography coverage, except when the committee or subcommittee, in open session and with a majority present, determines by rollcall vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security, would compromise sensitive law enforcement information, or would violate any law or rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony,

(A) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or violate clause 2(k)(5) of rule XI; or

(B) may vote to close the hearing, as provided in clause 2(k)(5) of rule XI.

The term "executive session" is substituted for "closed to the public" to achieve consistency with clause 2(k)(7) of this rule.

Under paragraph (g)(1), noncommittee members can be admitted or excluded from executive session meetings in contrast to noncommittee members nonparticipatory attendance at hearings under paragraph (g)(2) unless precluded by the House.

The last sentence in subparagraph (1) is added to distinguish further between meetings and hearings.

A committee may agree to close a hearing either by a vote or by unanimous consent. Otherwise, committee hearings are held in the sunshine.

PROPOSED NEW RULES

(C) A Member, Delegate, or Resident Commissioner may not be excluded from nonparticipatory attendance at a hearing of a committee or subcommittee (other than the Committee on Standards of Official Conduct or its subcommittees) unless the House by majority vote authorizes a particular committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members, Delegates, and the Resident Commissioner by the same procedures specified in this subparagraph for closing hearings to the public.

(D) The committee or subcommittee may vote by the same procedure described in this subparagraph to close one subsequent day of hearing, except that the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence, and the subcommittees thereof, may vote by the same procedure to close up to five additional, consecutive days of hearings.

(3) The chairman of each committee (other than the Committee on Rules) shall make public announcement of the date, place, and subject matter of a committee hearing at least one week before the commencement of the hearing. If the chairman of the committee, with the concurrence of the ranking minority member, determines that there is good cause to begin a hearing sooner, or if the committee so determines by majority vote in the presence of the number of members required under the rules of the committee for the transaction of business, the chairman shall make the announcement at the earliest possible date. An announcement made under this subparagraph shall be published promptly in the Daily Digest and made available in electronic form.

(4) Each committee shall, to the greatest extent practicable, require witnesses who appear before it to submit in advance written statements of proposed testimony and to limit their initial presentations to the committee to brief summaries thereof. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness.

EXISTING RULES

No Member may be excluded from nonparticipatory attendance at any hearing of any committee or subcommittee, with the exception of the Committee on Standards of Official Conduct, unless the House of Representatives shall by majority vote authorize a particular committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subparagraph for closing hearings to the public: Provided, however, That the committee or subcommittee may by the same procedure vote to close one subsequent day of hearing except that the Committee on Appropriations, the Committee on National Security, and the Permanent Select Committee on Intelligence and the subcommittees therein may, by the same procedure, vote to close up to five additional consecutive days of hearings.

(3) The chairman of each committee of the House (except the Committee on Rules) shall make public announcement of the date, place, and subject matter of any committee hearing at least one week before the commencement of the hearing. If the chairman of the committee, with the concurrence of the ranking minority member, determines there is good cause to begin the hearing sooner, or if the committee so determines by majority vote, a quorum being present for the transaction of business, the chairman shall make the announcement at the earliest possible date. Any announcement made under this subparagraph shall be promptly published in the Daily Digest and promptly entered into the committee scheduling service of House Information Resources.

(4) Each committee shall, to the greatest extent practicable, require witnesses who appear before it to submit in advance written statements of proposed testimony and to limit their initial oral presentations to the committee to brief summaries thereof. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness.

COMMENTARY

(5)(A) Except as provided in subdivision (B), a point of order does not lie with respect to a measure reported by a committee on the ground that hearings on such measure were not conducted in accordance with this clause.

(B) A point of order on the ground described in subdivision (A) may be made by a member of the committee that reported the measure if such point of order was timely made and improperly disposed of in the committee.

(6) This paragraph does not apply to hearings of the Committee on Appropriations under clause 4(a)(1) of rule X.

Quorum requirements

(h)(1) A measure or recommendation may not be reported by a committee unless a majority of the committee is actually present.

(2) Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence, which may not be less than two.

(3) Each committee (other than the Committee on Appropriations, the Committee on the Budget, and the Committee on Ways and Means) may fix the number of its members to constitute a quorum for taking any action other than the reporting of a measure or recommendation, which may not be less than one-third of the members.

Limitation on committee sittings

(i) A committee may not 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.

Calling and questioning of witnesses

(j)(1) Whenever a hearing is conducted by a committee on a measure or matter, the minority members of the committee shall be entitled, upon request to the chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(2)(A) Subject to subdivisions (B) and (C), each committee shall apply the five-minute rule during the questioning of witnesses in a hearing until such time as each member of the committee who so desires has had an opportunity to question each witness.

(5) No point of order shall lie with respect to any measure reported by any committee on the ground that hearings on such measure were not conducted in accordance with the provisions of this clause; except that a point of order on that ground may be made by any member of the committee which reported the measure if, in the committee, such point of order was (A) timely made and (B) improperly overruled or not properly considered.

(6) The preceding provisions of this paragraph do not apply to the committee hearings which are provided for by clause 4(a)(1) of rule X.

Derived from clause 2(l)(2)(A), rule XI: (2)(A) No measure or recommendation shall be reported from any committee unless a majority of the committee was actually present.

Derived from clause 2(h), rule XI: Quorum for taking testimony and certain other action.

(h)(1) Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence which shall be not less than two.

(2) Each committee (except the Committee on Appropriations, the Committee on the Budget, and the Committee on Ways and Means) may fix the number of its members to constitute a quorum for taking any action other than the reporting of a measure or recommendation which shall be not less than one-third of the members.

Limitation on committees' sittings

(i) 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.

Calling and interrogation of witnesses

(j)(1) Whenever any hearing is conducted by any committee upon any measure or matter, the minority party members on the committee shall be entitled, upon request to the chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(2)(A) Subject to subdivisions (B) and (C), each committee shall apply the five-minute rule in the interrogation of witnesses in any hearing until such time as each member of the committee who so desires has had an opportunity to question each witness.

The requirement of existing clause 2(l)(2)(A), rule XI that a majority constitute a quorum to order a measure reported is transferred to proposed clause 2(h)(1) to consolidate all committee quorum requirements in one clause.

PROPOSED NEW RULES

(B) A committee may adopt a rule or motion permitting a specified number of its members to question a witness for longer than five minutes. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

(C) A committee may adopt a rule or motion permitting committee staff for its majority and minority members to question a witness for equal specified periods. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

Investigative hearing procedures

(k)(1) The chairman at an investigative hearing shall announce in an opening statement the subject of the investigation.

(2) A copy of the committee rules and of this clause shall be made available to each witness.

(3) Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

(5) Whenever it is asserted that the evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person—

(A) notwithstanding paragraph (g)(2), such testimony or evidence shall be presented in executive session if, in the presence of the number of members required under the rules of the committee for the purpose of taking testimony, the committee determines by vote of a majority of those present that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the committee shall proceed to receive such testimony in open session only if the committee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

In either case the committee shall afford such person an opportunity voluntarily to appear as a witness, and receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (5), the chairman shall receive and the committee shall dispose of requests to subpoena additional witnesses.

EXISTING RULES

(B) A committee may adopt a rule or motion permitting an equal number of its majority and minority party members each to question a witness for a specified period not longer than 30 minutes.

(C) A committee may adopt a rule or motion permitting committee staff for its majority and minority party members to question a witness for equal specified periods.

Investigative hearing procedures

(k)(1) The chairman at an investigative hearing shall announce in an opening statement the subject of the investigation.

(2) A copy of the committee rules and this clause shall be made available to each witness.

(3) Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

(5) Whenever it is asserted that the evidence or testimony at an investigatory hearing may tend to defame, degrade, or incriminate any person,

(A) such testimony or evidence shall be presented in executive session, notwithstanding the provisions of clause 2(g)(2) of this rule, if by a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony, the committee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the committee shall proceed to receive such testimony in open session only if the committee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

In either case the committee shall afford such person an opportunity voluntarily to appear as a witness, and receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (5), the chairman shall receive and the committee shall dispose of requests to subpoena additional witnesses.

COMMENTARY

(7) Evidence or testimony taken in executive session, and proceedings conducted in executive session, may be released or used in public sessions only when authorized by the committee, a majority being present.	(7) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee.	The requirement of existing clause 2(k)(7), rule XI that the "consent" of the committee is necessary to release executive session evidence or testimony is clarified in proposed clause 2(g)(7) to require committee authorization, a majority being present, before release. This reflects legislative history when the rule was adopted in 1955 and consistent interpretations since that date that the committee or subcommittee must actually meet to approve the release, not separate polling of members.
(8) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinence of testimony and evidence adduced at its hearing. (9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee.	(8) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing. (9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee.	
Supplemental, minority, or additional views	**Derived from clause 2(l)(5), rule XI:**	
(1) If at the time of approval of a measure or matter by a committee (other than the Committee on Rules) a member of the committee gives notice of intention to file supplemental, minority, or additional views for inclusion in the report to the House thereon, that member shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such a day) to file such views, in writing and signed by that member, with the clerk of the committee.	(5) If, at the time of approval of any measure or matter by any committee, other than the Committee on Rules, any member of the committee gives notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) in which to file such views, in writing and signed by that member, with the clerk of the committee. All such views so filed by one or more members of the committee shall be included within, and shall be a part of, the report filed by the committee with respect to that measure or matter . . . **[Remainder of clause 2(l)(5), rule XI transferred to new rule XIII]**	Committee procedures for reporting bills and resolutions in existing clause 2(l), rule XI have been transferred to proposed clause 2(b), rule XIII where all committee reporting requirements will be included except those provisions for requesting two days for filing supplemental, minority or additional views at the time the measure is ordered reported to the House. That two-day provision is retained in proposed clause 2(l), rule XI and is cross referenced in clause 2, rule XIII. The phrase "for inclusion in the report to the House thereon" clarifies that the right to supplemental, minority, or additional views attaches to matters filed as committee reports to the House, in contrast to matters transmitted elsewhere, such as views submitted to another committee.
	Derived from clause 2(m), rule XI:	
Power to sit and act; subpoena power (m)(1) For the purpose of carrying out any of its functions and duties under this rule and rule X (including any matters referred to it under clause 2 of rule XII), a committee or subcommittee is authorized (subject to subparagraph (2)(A))— (A) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings as it considers necessary; and (B) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it considers necessary. (2) The chairman of the committee, or a member designated by the chairman, may administer oaths to witnesses.	Power to sit and act; subpoena power (m)(1) For the purpose of carrying out any of its functions and duties under this rule and rule X (including any matters referred to it under clause 5 of rule X), any committee, or any subcommittee thereof, is authorized (subject to subparagraph (2)(A) of this paragraph)— (A) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings, and (B) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. The chairman of the committee, or any member designated by such chairman, may administer oaths to any witness.	

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(3)(A)(i) Except as provided in subdivision (A)(ii), a subpoena may be authorized and issued by a committee or subcommittee under subparagraph (1)(B) in the conduct of an investigation or series of investigations or activities only when authorized by the committee or subcommittee, a majority being present. The power to authorize and issue subpoenas under subparagraph (1)(B) may be delegated to the chairman of the committee under such rules and under such limitations as the committee may prescribe. Authorized subpoenas shall be signed by the chairman of the committee or by a member designated by the committee.	(2)(A) A subpoena may be authorized and issued by a committee or subcommittee under subparagraph (1)(B) in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present, except in the case of a subcommittee of the Committee on Standards of Official Conduct, a subpoena may be authorized and issued only when authorized by an affirmative vote of a majority of its members. The power to authorize and issue subpoenas under subparagraph (1)(B) may be delegated to the chairman of the committee pursuant to such rules and under such limitations as the committee may prescribe. Authorized subpoenas shall be signed by the chairman of the committee or by any member designated by the committee.	
(ii) In the case of a subcommittee of the Committee on Standards of Official Conduct, a subpoena may be authorized and issued only by an affirmative vote of a majority of its members.		
(B) A subpoena duces tecum may specify terms of return other than at a meetng or hearing of the commitee or subcommittee authorizing the subpoena.		
(C) Compliance with a subpoena issued by a committee or subcommittee under subparagraph (1)(B) may be enforced only as authorized or directed by the House.	(B) Compliance with any subpoena issued by a committee or subcommittee under subparagraph (1)(B) may be enforced only as authorized or directed by the House.	

Committee on Standards of Official Conduct

3. (a) The Committee on Standards of Official Conduct has the following functions:

(1) The committee may recommend to the House from time to time such administrative actions as it may consider appropriate to establish or enforce standards of official conduct for Members, Delegates, the Resident Commissioner, officers, and employees of the House. A letter of reproval or other administrative action of the committee pursuant to an investigation under subparagraph (2) shall only be issued or implemented as a part of a report required by such subparagraph.

(2) The committee may investigate, subject to paragraph (b), an alleged violation by a Member, Delegate, Resident Commissioner, officer, or employee of the House of the Code of Official Conduct or of a law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, Delegate, Resident Commissioner, officer, or employee in the performance of his duties or the discharge of his responsibilities. After notice and hearing (unless the right to a hearing is waived by the Member, Delegate, Resident Commissioner, officer or employee), the committee shall report to the House its findings of fact and recommendations, if any, for the final disposition of any such investigation and such action as the committee may consider appropriate in the circumstances.

(3) The committee may report to the appropriate Federal or State authorities, either with the approval of the House or by an affirmative vote of two-thirds of the members of the committee, any substantial evidence of a violation by a Member, Delegate, Resident Commissioner, officer, or employee of the House, of a law applicable to the performance of his duties or the discharge of his responsibilities that may have been disclosed in a committee investigation.

(4) The committee may consider the request of a Member, Delegate, Resident Commissioner, officer, or employee of the House for an advisory opinion with respect to the general propriety of any current or proposed conduct of such Member, Delegate, Resident Commissioner, officer, or employee. With appropriate deletions to ensure the privacy of the person concerned, the committee may publish such opinion for the guidance of other Members, Delegates, the Resident Commissioner, officers, and employees of the House.

(5) The committee may consider the request of a Member, Delegate, Resident Commissioner, officer, or employee of the House for a written waiver in exceptional circumstances with respect to clause 4 of rule XXIV.

Derived from clause 4(e), rule X: (e)(1) The Committee on Standards of Official Conduct is authorized: (A) to recommend to the House from time to time such administrative actions as it may deem appropriate to establish or enforce standards of official conduct for Members, officers, and employees of the House, and any letter of reproval or other administrative action of the committee pursuant to an investigation under subdivision (B) shall only be issued or implemented as a part of a report required by such subdivision; (B) to investigate, subject to subparagraph (2) of this paragraph, any alleged violation, by a Member, officer, or employee of the House, of the Code of Official Conduct or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities, and after notice and hearing (unless the right to a hearing is waived by the Member, officer, or employee), shall report to the House its findings of fact and recommendations, if any, upon the final disposition of any such investigation, and such action as the committee may deem appropriate in the circumstances; (C) to report to the appropriate Federal or State authorities, either with the approval of the House or by an affirmative vote of two-thirds of the members of the committee, any substantial evidence of a violation, by a Member, officer, or employee of the House, of any law applicable to the performance of his duties or the discharge of his responsibilities, which may have been disclosed in a committee investigation; (D) to give consideration to the request of any Member, officer, or employee of the House for an advisory opinion with respect to the general propriety of any current or proposed conduct of such Member, officer, or employee and, with appropriate deletions to assure the privacy of the individual concerned, to publish such opinion for the guidance of other Members, officers, and employees of the House; and (E) to give consideration to the request of any Member, officer, or employee of the House for a written waiver in exceptional circumstances with respect to clause 4 of rule XLIII.

The additional functions of the Committee on Standards of Official Conduct currently in clause 4(e), rule X are transferred to proposed clause 3, rule XI as a committee procedure.

PROPOSED NEW RULES

(b)(1)(A) Unless approved by an affirmative vote of a majority of its members, the Committee on Standards of Official Conduct may not report a resolution, report, recommendation, or advisory opinion relating to the official conduct of a Member, Delegate, Resident Commissioner, officer or employee of the House, or, except as provided in subparagraph (2), undertake an investigation of such conduct.

(B)(i) Upon the receipt of information offered as a complaint that is in compliance with this rule and the rules of the committee, the chairman and ranking minority member jointly may appoint members to serve as an investigative subcommittee.

(ii) The chairman and ranking minority member of the committee jointly may gather additional information concerning alleged conduct that is the basis of a complaint or of information offered as a complaint until they have established an investigative subcommittee or either of them has placed on the agenda of the committee the issue of whether to establish an investigative subcommittee.

(2) Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual Member, Delegate, Resident Commissioner, officer, or employee of the House only—

(A) upon receipt of information offered as a complaint, in writing and under oath, from a Member, Delegate, or Resident Commissioner and transmitted to the committee by such Member, Delegate, or Resident Commissioner; or

(B) upon receipt of information offered as a complaint, in writing and under oath, from a person not a Member, Delegate, or Resident Commissioner provided that a Member, Delegate, or Resident Commissioner certifies in writing to the committee that he believes the information is submitted in good faith and warrants the review and consideration of the committee.

If a complaint is not disposed of within the applicable periods set forth in the rules of the Committee on Standards of Official Conduct, the chairman and ranking minority member shall establish jointly an investigative subcommittee and forward the complaint, or any portion thereof, to that subcommittee for its consideration. However, if at any time during those periods either the chairman or ranking minority member places on the agenda the issue of whether to establish an investigative subcommittee, then an investigative subcommittee may be established only by an affirmative vote of a majority of the members of the committee.

EXISTING RULES

(2)(A)(i) No resolution, report, recommendation, or advisory opinion relating to the official conduct of a Member, officer, or employee of the House shall be made by the Committee on Standards of Official Conduct, and, except as provided by subdivision (ii), no investigation of such conduct shall be undertaken by such committee, unless approved by the affirmative vote of a majority of the members of the committee.

(ii)(I) Upon the receipt of information offered as a complaint that is in compliance with this rule and the committee rules, the chairman and ranking minority member may jointly appoint members to serve as an investigative subcommittee.

(II) The chairman and ranking minority member of the committee may jointly gather additional information concerning alleged conduct which is the basis of a complaint or of information offered as a complaint until they have established an investigative subcommittee or the chairman or ranking minority member has placed on the committee agenda the issue of whether to establish an investigative subcommittee.

(B) Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual Member, officer, or employee of the House of Representatives only—

(i) upon receipt of information offered as a complaint, in writing and under oath, made by a Member of the House and transmitted to the committee by such Member, or

(ii) upon receipt of information offered as a complaint, in writing and under oath, from an individual not a Member of the House provided that a Member of the House certifies in writing to the committee that he or she believes the information is submitted in good faith and warrants the review and consideration of the committee.

If a complaint is not disposed of within the applicable time periods set forth in the rules of the Committee on Standards of Official Conduct, then the chairman and ranking minority member shall jointly establish an investigative subcommittee and forward the complaint, or any portion thereof, to that subcommittee for its consideration. However, if, at any time during those periods, either the chairman or ranking minority member places on the agenda the issue of whether to establish an investigative subcommittee, then an investigative subcommittee may be established only by an affirmative vote of a majority of the members of the committee.

COMMENTARY

(3) The committee may not undertake an investigation of an alleged violation of a law, rule, regulation, or standard of conduct that was not in effect at the time of the alleged violation. The committee may not undertake an investigation of such an alleged violation that occurred before the third previous Congress unless the committee determines that the alleged violation is directly related to an alleged violation that occurred in a more recent Congress.

(4) A member of the committee shall be ineligible to participate as a member of the committee in a committee proceeding relating to the member's official conduct. Whenever a member of the committee is ineligible to act as a member of the committee under the preceding sentence, the Speaker shall designate a Member, Delegate, or Resident Commissioner from the same political party as the ineligible member to act in any proceeding of the committee relating to that conduct.

(5) A member of the committee may disqualify himself from participating in an investigation of the conduct of a Member, Delegate, Resident Commissioner, officer, or employee of the House upon the submission in writing and under oath of an affidavit of disqualification stating that the member cannot render an impartial and unbiased decision in the case in which the member seeks to be disqualified. If the committee approves and accepts such affidavit of disqualification, the chairman shall so notify the Speaker and request the Speaker to designate a Member, Delegate, or Resident Commissioner from the same political party as the disqualifying member to act in any proceeding of the committee relating to that case.

(6) Information or testimony received, or the contents of a complaint or the fact of its filing, may not be publicly disclosed by any committee or staff member unless specifically authorized in each instance by a vote of the full committee.

(7) The committee shall have the functions designated in titles I and V of the Ethics in Government Act of 1978, in sections 7342, 7351, and 7353 of title 5, United States Code, and in clause 11(g)(4) of rule X.

(c)(1) Notwithstanding clause 2(g)(1) of rule XI, each meeting of the Committee on Standards of Official Conduct or a subcommittee thereof shall occur in executive session unless the committee or subcommittee, by an affirmative vote of a majority of its members, opens the meeting to the public.

(C) No investigation shall be undertaken by the committee of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation; nor shall any investigation be undertaken by the committee of any alleged violation which occurred before the third previous Congress unless the committee determines that the alleged violation is directly related to any alleged violation which occurred in a more recent Congress.

(D) A member of the committee shall be ineligible to participate, as a member of the committee, in any committee proceeding relating to his or her official conduct. In any case in which a member of the committee is ineligible to act as a member of the committee under the preceding sentence, the Speaker of the House shall designate a Member of the House from the same political party as the ineligible member of the committee to act as a member of the committee in any committee proceeding relating to the official conduct of such ineligible member.

(E) A member of the committee may disqualify himself from participating in any investigation of the conduct of a Member, officer, or employee of the House upon the submission in writing and under oath of an affidavit of disqualification stating that he cannot render an impartial and unbiased decision in the case in which he seeks to disqualify himself. If the committee approves and accepts such affidavit of disqualification, the chairman shall so notify the Speaker and request the Speaker to designate a Member of the House from the same political party as the disqualifying member of the committee to act as a member of the committee in any committee proceeding relating to such investigation.

(F) No information or testimony received, or the contents of a complaint or the fact of its filing, shall be publicly disclosed by any committee or staff member unless specifically authorized in each instance by a vote of the full committee.

Derived from clause 1(p), rule X: . . . 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.

Derived from clause 4(e), rule X: (3)(A) Notwithstanding clause 2(g)(1) of rule XI, each meeting of the Committee on Standards of Official Conduct or any subcommittee thereof shall occur in executive session, unless the committee or subcommittee by an affirmative vote of a majority of its members opens the meeting to the public.

These functions of the Committee on Standards of Official Conduct were formerly contained in that committee's jurisdictional statement in rule X. A cross reference to the functions of the Committee to investigate unauthorized disclosures of intelligence information in proposed clause 11(g), rule X, is added for clarity.

PROPOSED NEW RULES

(2) Notwithstanding clause 2(g)(2) of rule XI, each hearing of an adjudicatory subcommittee or sanction hearing of the Committee on Standards of Official Conduct shall be held in open session unless the committee or subcommittee, in open session by an affirmative vote of a majority of its members, closes all or part of the remainder of the hearing on that day to the public.

(d) Before a member, officer, or employee of the Committee on Standards of Official Conduct, including members of a subcommittee of the committee selected under clause 5(a)(4) of rule X and shared staff, may have access to information that is confidential under the rules of the committee, the following oath (or affirmation) shall be executed:

> "I do solemnly swear (or affirm) that I will not disclose, to any person or entity outside the Committee on Standards of Official Conduct, any information received in the course of my service with the committee, except as authorized by the committee or in accordance with its rules."

Copies of the executed oath shall be retained by the Clerk as part of the records of the House. This paragraph establishes a standard of conduct within the meaning of paragraph (a)(2). Breaches of confidentiality shall be investigated by the Committee on Standards of Official Conduct and appropriate action shall be taken.

(e)(1) If a complaint or information offered as a complaint is deemed frivolous by an affirmative vote of a majority of the members of the Committee on Standards of Official Conduct, the committee may take such action as it, by an affirmative vote of a majority of its members, considers appropriate in the circumstances.

(2) Complaints filed before the One Hundred Fifth Congress may not be deemed frivolous by the Committee on Standards of Official Conduct.

Audio and visual coverage of committee proceedings

4. (a) The purpose of this clause is to provide a means, in conformity with acceptable standards of dignity, propriety, and decorum, by which committee hearings or committee meetings that are open to the public may be covered by audio and visual means—

EXISTING RULES

(B) Notwithstanding clause 2(g)(2) of rule XI, hearings of an adjudicatory subcommittee or sanction hearings held by the Committee on Standards of Official Conduct shall be held in open session unless the subcommittee or committee, in open session by an affirmative vote of a majority of its members, closes all or part of the remainder of the hearing on that day to the public.

(4) Before any member, officer, or employee of the Committee on Standards of Official Conduct, including members of any subcommittee of the committee selected pursuant to clause 6(a)(3) and shared staff, may have access to information that is confidential under the rules of the committee, the following oath (or affirmation) shall be executed:

> 'I do solemnly swear (or affirm) that I will not disclose, to any person or entity outside the Committee on Standards of Official Conduct, any information received in the course of my service with the committee, except as authorized by the committee 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. This subparagraph establishes a standard of conduct within the meaning of subparagraph (1)(B). Breaches of confidentiality shall be investigated by the Committee on Standards of Official Conduct and appropriate action shall be taken.

(5)(A) If a complaint or information offered as a complaint is deemed frivolous by an affirmative vote of a majority of the members of the Committee on Standards of Official Conduct, the committee may take such action as it, by an affirmative vote of a majority of its members, deems appropriate in the circumstances.

(B) Complaints filed before the One Hundred Fifth Congress may not be deemed frivolous by the Committee on Standards of Official Conduct.

Derived from clause 3, rule XI:

Broadcasting of Committee Hearings and Meetings

3. (a) It is the purpose of this clause to provide a means, in conformity with acceptable standards of dignity, propriety, and decorum, by which committee hearings, or committee meetings, which are open to the public may be covered, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage—

COMMENTARY

Proposed clause 4 adopts the phrase "audio and visual means" to include not only television broadcast, radio broadcast and still photography covered by the existing clause 3, rule XI, but also to continue its application to new technologies, such as transmittal on the internet.

(1) for the education, enlightenment, and information of the general public, on the basis of accurate and impartial news coverage, regarding the operations, procedures, and practices of the House as a legislative and representative body, and regarding the measures, public issues, and other matters before the House and its committees, the consideration thereof, and the action taken thereon; and

(2) for the development of the perspective and understanding of the general public with respect to the role and function of the House under the Constitution as an institution of the Federal Government.

(b) In addition, it is the intent of this clause that radio and television tapes and television film of any coverage under this clause may not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office.

(c) It is, further, the intent of this clause that the general conduct of each meeting (whether of a hearing or otherwise) covered under authority of this clause by audio or visual means, and the personal behavior of the committee members and staff, other Government officials and personnel, witnesses, television, radio, and press media personnel, and the general public at the hearing or other meeting, shall be in strict conformity with and observance of the acceptable standards of dignity, propriety, courtesy, and decorum traditionally observed by the House in its operations, and may not be such as to—

(1) distort the objects and purposes of the hearing or other meeting or the activities of committee members in connection with that hearing or meeting or in connection with the general work of the committee or of the House; or

(2) cast discredit or dishonor on the House, the committee, or a Member, Delegate, or Resident Commissioner or bring the House, the committee, or a Member, Delegate, or Resident Commissioner into disrepute.

(d) The coverage of committee hearings and meetings by audio and visual means shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of this clause.

(1) for the education, enlightenment, and information of the general public, on the basis of accurate and impartial news coverage, regarding the operations, procedures, and practices of the House as a legislative and representative body and regarding the measures, public issues, and other matters before the House and its committees, the consideration thereof, and the action taken thereon; and

(2) for the development of the perspective and understanding of the general public with respect to the role and function of the House under the Constitution of the United States as an organ of the Federal Government.

(b) In addition, it is the intent of this clause that radio and television tapes and television film of any coverage under this clause shall not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office.

(c) It is, further, the intent of this clause that the general conduct of each meeting (whether of a hearing or otherwise) covered, under authority of this clause, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, and the personal behavior of the committee members and staff, other Government officials and personnel, witnesses, television, radio, and press media personnel, and the general public at the hearing or other meeting shall be in strict conformity with and observance of the acceptable standards of dignity, propriety, courtesy, and decorum traditionally observed by the House in its operations and shall not be such as to—

(1) distort the objects and purposes of the hearing or other meeting or the activities of committee members in connection with that hearing or meeting or in connection with the general work of the committee or of the House; or

(2) cast discredit or dishonor on the House, the committee, or any Member or bring the House, the committee, or any Member into disrepute.

(d) The coverage of committee hearings and meetings by television broadcast, radio broadcast, or still photography shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of this clause.

PROPOSED NEW RULES

(e) Whenever a hearing or meeting conducted by a committee or subcommittee is open to the public, those proceedings shall be open to coverage by audio and visual means. 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).

(f) Each committee shall adopt written rules to govern its implementation of this clause. Such rules shall contain provisions to the following effect:

(1) If audio or visual coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(2) The allocation among the television media of the positions or the number of television cameras permitted by a committee or subcommittee chairman in a hearing or meeting room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(3) Television cameras shall be placed so as not to obstruct in any way the space between a witness giving evidence or testimony and any member of the committee or the visibility of that witness and that member to each other.

(4) Television cameras shall operate from fixed positions but may not be placed in positions that obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(5) Equipment necessary for coverage by the television and radio media may not be installed in, or removed from, the hearing or meeting room while the committee is in session.

(6)(A) Except as provided in subdivision (B), floodlights, spotlights, strobelights, and flashguns may not be used in providing any method of coverage of the hearing or meeting.

(B) The television media may install additional lighting in a hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in a hearing or meeting room to the lowest level necessary to provide adequate television coverage of a hearing or meeting at the current state of the art of television coverage.

EXISTING RULES

(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. 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).

(f) Each committee of the House shall adopt written rules to govern its implementation of this clause. Such rules shall include provisions to the following effect:

(1) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(2) The allocation among the television media of the positions of the number of television cameras permitted by a committee or subcommittee chairman in a hearing or meeting room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(3) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the committee or the visibility of that witness and that member to each other.

(4) Television cameras shall operate from fixed positions but shall not be placed in positions which obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(5) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the committee is in session.

(6) Floodlights, spotlights, strobelights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in the hearing or meeting room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the then current state of the art of television coverage.

COMMENTARY

(7) In the allocation of the number of still photographers permitted by a committee or subcommittee chairman in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If requests are made by more of the media than will be permitted by a committee or subcommittee chairman for coverage of a hearing or meeting by still photography, that coverage shall be permitted on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(8) Photographers may not position themselves between the witness table and the members of the committee at any time during the course of a hearing or meeting.

(9) Photographers may not place themselves in positions that obstruct unnecessarily the coverage of the hearing by the other media.

(10) Personnel providing coverage by the television and radio media shall be currently accredited to the Radio and Television Correspondents' Galleries.

(11) Personnel providing coverage by still photography shall be currently accredited to the Press Photographers' Gallery.

(12) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

(7) In the allocation of the number of still photographers permitted by a committee or subcommittee chairman in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If requests are made by more of the media than will be permitted by a committee or subcommittee chairman for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(8) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the members of the committee.

(9) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(10) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(11) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery.

(12) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

Pay of witnesses

5. Witnesses appearing before the House or any of its committees shall be paid the same per diem rate as established, authorized, and regulated by the Committee on House Administration for Members, Delegates, the Resident Commissioner, and employees of the House, plus actual expenses of travel to or from the place of examination. Such per diem may not be paid when a witness has been summoned at the place of examination.

Derived from: RULE XXXV

PAY OF WITNESSES

The rule for paying witnesses to appear before the House or any of its committees shall be as follows: For each day a witness shall attend, the same per diem rate as established, authorized, and regulated by the Committee on House Oversight for Members and employees of the House, and actual expenses of travel in coming to or going from the place of examination; but no per diem shall be paid when a witness has been summoned at the place of examination.

The current rule XXXV on pay of witnesses is transferred to rule XI since it is more appropriate as a committee procedural issue.

Unfinished business of the session

6. All business of the House at the end of one session shall be resumed at the commencement of the next session of the same Congress in the same manner as if no adjournment had taken place.

Derived from: RULE XXVI

UNFINISHED BUSINESS OF THE SESSION

All business before committees of the House at the end of one session shall be resumed at the commencement of the next session of the same Congress in the same manner as if no adjournment had taken place.

The proposed unfinished business of the session rule, currently rule XXVI, refers to all House business and would therefore also include committee business making it relevant to the new rule XI.

RULE XII.

RECEIPT AND REFERRAL OF MEASURES AND MATTERS.

Derived from: Rule XXXIX

MESSAGES

PROPOSED NEW RULES

Messages

1. Messages received from the Senate, or from the President, shall be entered on the Journal and published in the Congressional Record of the proceedings of that day.

Referral

2. (a) The Speaker shall refer each bill, resolution, or other matter that relates to a subject listed under a standing committee named in clause 1 of rule X in accordance with the provisions of this clause.

(b) The Speaker shall refer matters under paragraph (a) in such manner as to ensure to the maximum extent feasible that each committee that has jurisdiction under clause 1 of rule X over the subject matter of a provision thereof may consider such provision and report to the House thereon. Precedents, rulings, or procedures in effect before the Ninety-Fourth Congress shall be applied to referrals under this clause only to the extent that they will contribute to the achievement of the objectives of this clause.

(c) In carrying out paragraphs (a) and (b) with respect to the referral of a matter, the Speaker—

(1) shall designate a committee of primary jurisdiction;

(2) may refer the matter to one or more additional committees for consideration in sequence, either initially or after the matter has been reported by the committee of primary jurisdiction;

(3) may refer portions of the matter reflecting different subjects and jurisdictions to one or more additional committees;

(4) may refer the matter to a special, ad hoc committee appointed by the Speaker with the approval of the House, and including members of the committees of jurisdiction, for the specific purpose of considering that matter and reporting to the House thereon;

(5) may subject a referral to appropriate time limitations; and

(6) may make such other provision as may be considered appropriate.

EXISTING RULES

Messages received from the Senate and the President of the United States, giving notice of bills passed or approved, shall be entered in the Journal and published in the Record of that day's proceedings.

Derived from clause 5, rule X: Referral of Bills, Resolutions, and Other Matters to Committees

5. (a) Each bill, resolution, or other matter which relates to a subject listed under any standing committee named in clause 1 shall be referred by the Speaker in accordance with the provisions of this clause.

(b) Every referral of any matter under paragraph (a) shall be made in such manner as to assure to the maximum extent feasible that each committee which has jurisdiction under clause 1 over the subject matter of any provision thereof will have responsibility for considering such provision and reporting to the House with respect thereto. Any precedents, rulings, and procedures in effect prior to the Ninety-Fourth Congress shall be applied with respect to referrals under this clause only to the extent that they will contribute to the achievement of the objectives of this clause.

(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.

COMMENTARY

Rules XII–XXIII: Consideration of Legislation

In proposed rule XII, various provisions relating to receipt, introduction and referral of messages, bills, resolution, petitions, memorials and executive communications are transferred and consolidated, including the ban on introduction of commemorative measures now in rule XXII. Proposed clause 1 is clarified to reflect that the entirety of messages from the President and the Senate are entered on the Journal and not merely notice of bills passed. Current rule XII relating to the Resident Commissioner and Delegates is transferred to clause 3 of rule III.

Since the advent in 1974 of referrals to multiple committees, it has been the case that a committee receiving an initial referral of a bill that has also been referred to other committees only receives those portions of the bill that fall within its jurisdiction. Indeed, now the printed version of a multiple-referred bill states that the referral is "in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned." The recodification does not alter this situation. Also retained is the Speaker's broad authority under the precedents to impose time limitations on committees, including a limitation on the duration of the initial referral.

(d) A bill for the payment or adjudication of a private claim against the Government may not be referred to a committee other than the Committee on International Relations or the Committee on the Judiciary, except by unanimous consent.

Derived from clause 4, rule XXI: 4. No bill for the payment or adjudication of any private claim against the Government shall be referred, except by unanimous consent, to any other than the following committees, namely: To the Committee on International Relations or to the Committee on the Judiciary.

Petitions, memorials, and private bills

3. If a Member, Delegate, or Resident Commissioner has a petition, memorial, or private bill to present, he shall endorse his name, deliver it to the Clerk, and may specify the reference or disposition to be made thereof. Such petition, memorial, or private bill (except when judged by the Speaker to be obscene or insulting) shall be entered on the Journal with the name of the Member, Delegate, or Resident Commissioner presenting it and shall be printed in the Congressional Record.

Derived from: RULE XXII

OF PETITIONS, MEMORIALS, BILLS, AND RESOLUTIONS

1. Members having petitions or memorials or bills of a private nature to present may deliver them to the Clerk, endorsing their names and the reference or disposition to be made thereof; and said petitions and memorials and bills of a private nature, except such as, in the judgment of the Speaker, are of an obscene or insulting character, shall be entered on the Journal, with the names of the Members presenting them, and the Clerk shall furnish a transcript of such entry to the official reporters of debates for publication in the Record.

4. A private bill or private resolution (including an omnibus claim or pension bill), or amendment thereto, may not be received or considered in the House if it authorizes or directs—

(a) the payment of money for property damages, for personal injuries or death for which suit may be instituted under the Tort Claims Procedure provided in title 28, United States Code, or for a pension (other than to carry out a provision of law or treaty stipulation);

(b) the construction of a bridge across a navigable stream; or

(c) the correction of a military or naval record.

2. (a) No private bill or resolution (including so-called omnibus claims or pension bills), and no amendment to any bill or resolution, authorizing or directing (1) the payment of money for property damages, for personal injuries or death for which suit may be instituted under the Tort Claims Procedure as provided in title 28, United States Code, or for a pension (other than to carry out a provision of law or treaty stipulation); (2) the construction of a bridge across a navigable stream; or (3) the correction of a military or naval record, shall be received or considered in the House.

Prohibition on commemorations

5. (a) A bill or resolution, or an amendment thereto, may not be introduced or considered in the House if it establishes or expresses a commemoration.

(b) In this clause the term "commemoration" means a remembrance, celebration, or recognition for any purpose through the designation of a specified period of time.

(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.

Excluded matters

6. A petition, memorial, bill, or resolution excluded under this rule shall be returned to the Member, Delegate, or Resident Commissioner from whom it was received. A petition or private bill that has been inappropriately referred may, by direction of the committee having possession of it, be properly referred in the manner originally presented. An erroneous reference of a petition or private bill under this clause does not confer jurisdiction on a committee to consider or report it.

3. Any petition or memorial or bill or resolution excluded under this rule shall be returned to the Member from whom it was received; and petitions and private bills which have been inappropriately referred may, by the direction of the committee having possession of the same, be properly referred in the manner originally presented; and an erroneous reference of a petition or private bill under this clause shall not confer jurisdiction upon the committee to consider or report the same.

PROPOSED NEW RULES

Sponsorship

7. (a) All other bills, memorials, petitions, and resolutions, endorsed with the names of Members, Delegates, or the Resident Commissioner introducing them, may be delivered to the Speaker to be referred. The titles and references of all bills, memorials, petitions, resolutions, and other documents referred under this rule shall be entered on the Journal and printed in the Congressional Record. An erroneous reference may be corrected by the House in accordance with rule X on any day immediately after the Pledge of Allegiance to the Flag by unanimous consent or motion. Such a motion shall be privileged if offered by direction of a committee to which the bill has been erroneously referred or by direction of a committee claiming jurisdiction and shall be decided without debate.

(b)(1) The primary sponsor of a public bill or public resolution may name cosponsors. The name of a cosponsor added after the initial printing of a bill or resolution shall appear in the next printing of the bill or resolution on the written request of the primary sponsor. Such a request may be submitted to the Speaker at any time until the last committee authorized to consider and report the bill or resolution reports it to the House or is discharged from its consideration.

(2) The name of a cosponsor of a bill or resolution may be deleted by unanimous consent. The Speaker may entertain such a request only by the Member, Delegate, or Resident Commissioner whose name is to be deleted or by the primary sponsor of the bill or resolution, and only until the last committee authorized to consider and report the bill or resolution reports it to the House or is discharged from its consideration. The Speaker may not entertain a request to delete the name of the primary sponsor of a bill or resolution. A deletion shall be indicated by date in the next printing of the bill or resolution.

(3) The addition or deletion of the name of a cosponsor of a bill or resolution shall be entered on the Journal and printed in the Congressional Record of that day.

(4) A bill or resolution shall be reprinted on the written request of the primary sponsor. Such a request may be submitted to the Speaker only when 20 or more cosponsors have been added since the last printing of the bill or resolution.

EXISTING RULES

4. (a) All other bills, memorials, and resolutions may, in like manner, be delivered, endorsed with the names of Members introducing them, to the Speaker, to be by him referred, and the titles and references thereof and of all bills, resolutions, and documents referred under the rules shall be entered on the Journal and printed in the Record of the next day, and correction in case of error of reference may be made by the House, without debate, in accordance with rule X, on any day immediately after the reading of the Journal, by unanimous consent, or on motion of a committee claiming jurisdiction, or on the report of the committee to which the bill has been erroneously referred. Two or more Members may introduce jointly any bill, or resolution to which this paragraph applies.

(b)(1) The name of any Member shall be added as a sponsor of any bill or resolution to which paragraph (a) applies, and shall appear as a sponsor in the next printing of that bill or resolution: Provided, That a request signed by such Member is submitted by the first sponsor to the Speaker (in the same manner as provided in paragraph (a)) no later than the day on which the last committee authorized to consider and report such bill or resolution reports it to the House.

(2) The name of any Member listed as a sponsor of any such bill or resolution may be deleted by unanimous consent, but only at the request of such Member, and such deletion shall be indicated in the next printing of the bill or resolution (together with the date on which such name was deleted). Such consent may be granted no later than the day on which the last committee authorized to consider and report such bill or resolution reports it to the House: Provided, however, That the Speaker shall not entertain a request to delete the name of the first sponsor of any bill or resolution.

(3) The addition of the name of any Member, or the deletion of any name by unanimous consent, of a sponsor of any such bill or resolution shall be entered on the Journal and printed in the Record of that day.

(4) Any such bill or resolution shall be reprinted (A) if the Member whose name is listed as the first sponsor submits to the Speaker a written request that it be reprinted, and (B) if twenty or more Members have been added as sponsors of that bill or resolution since it was last printed.

COMMENTARY

A motion to correct the erroneous reference of a bill is privileged if offered by the direction of the committee receiving or claiming the bill, and is not debatable under the precedents. Due to changes in the order of business rule (proposed rule XIV), it is now in order immediately after the Pledge of Allegiance rather than after the Journal.

The authority of two or more members to introduce jointly any public bill (last sentence of existing clause 4(a)) is the source for the first sentence in proposed clause 4(b)(1).

The current co-sponsorship rule in clause 4(b), rule XXII, could be interpreted to permit only the Member erroneously added as a co-sponsor to seek unanimous consent to remove his name. The proposed rule would allow either that Member or the first sponsor to request unanimous consent, reflecting current practice. The cut-off for adding or deleting co-sponsors is clarified (when a bill is discharged from committee and is under consideration in the House or in the Committee of the Whole). For example, co-sponsors could be added to an unreported bill considered under suspension of the rules until the time the motion is agreed to.

(5) When a bill or resolution is introduced "by request," those words shall be entered on the Journal and printed in the Congressional Record.

Derived from clause 6, rule XXII: 6. When a bill, resolution, or memorial is introduced "by request", these words shall be entered upon the Journal and printed in the Record.

Executive communications

8. Estimates of appropriations and all other communications from the executive departments intended for the consideration of any committees of the House shall be addressed to the Speaker for referral as provided in clause 2 of rule XIV.

Derived from: RULE XL

EXECUTIVE COMMUNICATIONS

Estimates of appropriations and all other communications from the executive departments, intended for the consideration of any committees of the House, shall be addressed to the Speaker, and by him referred as provided by clause 2 of rule XXIV.

RULE XIII.

CALENDARS AND COMMITTEE REPORTS.

Derived from: RULE XIII

CALENDARS AND REPORTS OF COMMITTEES

Calendars

1. (a) All business reported by committees shall be referred to one of the following three calendars:

(1) A Calendar of the Committee of the Whole House on the state of the Union, to which shall be referred public bills and public resolutions raising revenue, involving a tax or charge on the people, directly or indirectly making appropriations of money or property or requiring such appropriations to be made, authorizing payments out of appropriations already made, releasing any liability to the United States for money or property, or referring a claim to the Court of Claims.

(2) A House Calendar, to which shall be referred all public bills and public resolutions not requiring referral to the Calendar of the Committee of the Whole House on the state of the Union.

(3) A Private Calendar as provided in clause 5 of rule XV, to which shall be referred all private bills and private resolutions.

1. There shall be three calendars to which all business reported from committees shall be referred, viz:

First. A Calendar of the Committee of the Whole House on the state of the Union, to which shall be referred bills raising revenue, general appropriation bills, and bills of a public character directly or indirectly appropriating money or property.

Second. A House Calendar, to which shall be referred all bills of a public character not raising revenue nor directly or indirectly appropriating money or property.

Third. A Calendar of the Committee of the Whole House, to which shall be referred all bills of a private character.

In proposed clause 1, rule XIII, the definition of Union Calendar bills has been modified to conform with existing provisions in clause 3, rule XXIII and clause 1, rule XIII, defining propositions which must be considered in Committee of the Whole. Note also cross references to rule XXV for the Corrections Calendar and the Calendar of Motions to Discharge Committees since both are more properly order of business on certain days issues than just calendar ones.

Proposed rule XIII has seven clauses and headings all involving the committee reporting process as follows:

Clause 1, "Calendars"—includes references to all calendars, with cross references to the Private Calendar, Corrections Calendar, and Calendar of Motions to Discharge Committees, which are being transferred into rule XV.

Clause 2, "Filing and printing of reports"—including matter transferred from rule XI regarding the responsibility of the chairman and the committee to file a report and the provisions of current clause 2(l)(5) of rule XI regarding accompanying views and automatic filing with the Clerk within two days.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
		Clause 3, "Content of reports"—including matter transferred from clause 2(l) of rule XI regarding printing as a single volume, rollcall votes in committee, oversight and CBO estimates, constitutional authority statements, and committee cost estimates (from current clause 7). Because violations of reporting requirements prevent consideration of the measure, subject to technical correction by filing a supplemental report under clause 3(a)(2), there is no need to state that sanction selectively (as in current clause 7 on committee cost estimates), "Ramseyer" requirements to show changes in existing law, changes in application of existing law in general appropriation bills (transferred from clause 3 of rule XXI), rescission and transfer headings in general appropriation bills and separate sections in reports (transferred from clause 1 of rule X), changes in standing rules "Ramseyered" when reported by the Rules Committee (transferred from clause 4(d) of rule XI), and "dynamic estimates" of tax legislation (transferred from clause 5(e) of current rule XIII). Clause 4, "Availability of reports"—transferred from current clause 2(l)(6) of rule XI and from rule XXI, on appropriations reports and hearings. Clause 5, "Privileged Reports, Generally"—transferred from clause 4(a) of rule XI. Clause 6, "Privileged Reports by the Committee on Rules"—transferred from clause 4(b) of rule XI and expanded to include current clause 2(.l)(7) of rule XI regarding a privileged motion to consider a bill made in order after seven days of House adoption of a special order. Clause 7 transferring provisions on resolutions of inquiry from clause 5 of rule XXII.
(b) There is established a Corrections Calendar as provided in clause 6 of rule XV. (c) There is established a Calendar of Motions to Discharge Committees as provided in clause 2 of rule XV.		
Filing and printing of reports 2. (a)(1) Except as provided in subparagraph (2), all reports of committees (other than those filed from the floor as privileged) shall be delivered to the Clerk for printing and reference to the proper calendar under the direction of the Speaker in accordance with clause 1. The title or subject of each report shall be entered on the Journal and printed in the Congressional Record. (2) A bill or resolution reported adversely shall be laid on the table unless a committee to which the bill or resolution was referred requests at the time of the report its referral to an appropriate calendar under clause 1 or unless, within three days thereafter, a Member, Delegate, or Resident Commissioner makes such a request.	2. All reports of committees, except as provided in clause 4(a) of rule XI, together with the views of the minority, shall be delivered to the Clerk for printing and reference to the proper calendar under the direction of the Speaker, in accordance with the foregoing clause, and the titles or subject thereof shall be entered on the Journal and printed in the Record: Provided, That bills reported adversely shall be laid on the table, unless the committee reporting a bill, at the time, or any Member within three days thereafter, shall request its reference to the calendar, when it shall be referred, as provided in clause 1 of this rule.	As indicated in proposed paragraph (c), all timely submitted supplemental, minority, or additional views are part of, and must be included in, the committee report. It is therefore unnecessary to include the reference to minority views in paragraph (a).

(b)(1) It shall be the duty of the chairman of each committee to report or cause to be reported promptly to the House a measure or matter approved by the committee and to take or cause to be taken steps necessary to bring the measure or matter to a vote. (2) In any event, the report of a committee on a measure that has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which a written request for the filing of the report, signed by a majority of the members of the committee, has been filed with the clerk of the committee. The clerk of the committee shall immediately notify the chairman of the filing of such a request. This subparagraph does not apply to a report of the Committee on Rules with respect to a rule, joint rule, or order of business of the House, or to the reporting of a resolution of inquiry addressed to the head of an executive department.	**Derived from clause 2(l)(1)(A), rule XI:** Committee procedures for reporting bills and resolutions (l)(1)(A) It shall be the duty of the chairman of each committee to report or cause to be reported promptly to the House any measure approved by the committee and to take or cause to be taken necessary steps to bring a matter to a vote. (B) In any event, the report of any committee on a measure which has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the committee a written request, signed by a majority of the members of the committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the chairman of the committee notice of the filing of that request. This subdivision does not apply to a report of the Committee on Rules with respect to the rules, joint rules, or order of business of the House or to the reporting of a resolution of inquiry addressed to the head of an executive department.	Proposed clause 2(b)(1) and (2), rule XIII transferred from existing clause 2(l)(1)(A) and (B), rule XI.
(c) All supplemental, minority, or additional views filed under clause 2(l) of rule XI by one or more members of a committee shall be included in, and shall be a part of, the report filed by the committee with respect to a measure or matter. When time guaranteed by clause 2(l) of rule XI has expired (or, if sooner, when all separate views have been received), the committee may arrange to file its report with the Clerk not later than one hour after the expiration of such time. This clause and provisions of clause 2(l) of rule XI do not preclude the immediate filing or printing of a committee report in the absence of a timely request for the opportunity to file supplemental, minority, or additional views as provided in clause 2(l) of rule XI.	**Derived from clause 2(l)(5), rule XI:** All such views so filed by one or more members of the committee shall be included within, and shall be a part of, the report filed by the committee with respect to that measure or matter. When time guaranteed by this subparagraph has expired (or, if sooner, when all separate views have been received), the committee may arrange to file its report with the Clerk not later than one hour after the expiration of such time . . . This subparagraph does not preclude— (i) the immediate filing or printing of a committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this subparagraph; . . .	The procedure for obtaining the two days to file additional, minority or supplemental views has been transferred to new clause 2(l), rule XI as a committee procedure. A cross reference is included in proposed clause 2(c), rule XIII under filing and printing of committee reports. The provisions of existing clause 2(l)(5) on printing of committee reports in a single volume and filing of supplemental reports have been transferred to proposed clause 3(a), rule XIII.
Content of reports 3. (a)(1) Except as provided in subparagraph (2), the report of a committee on a measure or matter shall be printed in a single volume that— (A) shall include all supplemental, minority, or additional views that have been submitted by the time of the filing of the report; and (B) shall bear on its cover a recital that any such supplemental, minority, or additional views (and any material submitted under paragraph (c)(3) or (4)) are included as part of the report.	**Derived from clause 2(l)(5), rule XI:** The report of the committee upon that measure or matter shall be printed in a single volume which— (A) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and (B) shall bear upon its cover a recital that any such supplemental, minority, or additional views (and any material submitted under subdivisions (C) and (D) of subparagraph (3)) are included as part of the report.	The proposed clause 3 consolidates in one clause the prescribed contents for committee reports now contained in rules X, XI, XIII and XXI.
(2) A committee may file a supplemental report for the correction of a technical error in its previous report on a measure or matter.	This subparagraph does not preclude— (ii) the filing by any such committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by that committee upon that measure or matter.	A committee may file a supplemental report to correct a technical error only in a previous report filed by that committee on that matter.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(b) With respect to each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report. The preceding sentence does not apply to votes taken in executive session by the Committee on Standards of Official Conduct.	**Derived from clause 2(l)(2)(B), rule XI:** (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. The preceding sentence shall not apply to votes taken in executive session by the Committee on Standards of Official Conduct.	
(c) The report of a committee on a measure that has been approved by the committee shall include, separately set out and clearly identified, the following: (1) Oversight findings and recommendations under clause 2(b)(1) of rule X. (2) The statement required by section 308(a) of the Congressional Budget Act of 1974, except that an estimate of new budget authority shall include, when practicable, a comparison of the total estimated funding level for the relevant programs to the appropriate levels under current law. (3) An estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 if timely submitted to the committee before the filing of the report. (4) A summary of oversight findings and recommendations by the Committee on Government Reform under clause 4(c)(2) of rule X if such findings and recommendations have been submitted to the reporting committee in time to allow it to consider such findings and recommendations during its deliberations on the measure.	**Derived from clause 2(l)(3), rule XI:** (3) The report of any committee on a measure which has been approved by the committee shall include (A) the oversight findings and recommendations required pursuant to clause 2(b)(1) of rule X separately set out and clearly identified; (B) the statement required by section 308(a)(1) of the Congressional Budget Act of 1974, separately set out and clearly identified, if the measure provides new budget authority (other than continuing appropriations), new entitlement authority as defined in section 3(9) of such Act, new credit authority, or an increase or decrease in revenues or tax expenditures, 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; (C) the estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of such Act, separately set out and clearly identified, whenever the Director (if timely submitted prior to the filing of the report) has submitted such estimate and comparison to the committee; and (D) a summary of the oversight findings and recommendations made by the Committee on Government Reform and Oversight under clause 4(c)(2) of rule X separately set out and clearly identified whenever such findings and recommendations have been submitted to the legislative committee in a timely fashion to allow an opportunity to consider such findings and recommendations during the committee's deliberations on the measure.	Section 308(a)(1) of the Congressional Budget Act no longer requires a committee report statement concerning new entitlement authority.
(d) Each report of a committee on a public bill or public joint resolution shall contain the following: (1) A statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.	**Derived from clause 2(l)(4), rule XI:** (4) Each report of a committee on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution. **Derived from clause 7, rule XIII:** 7. (a) The report accompanying each bill or joint resolution of a public character reported by any committee shall contain—	

(2)(A) An estimate by the committee of the costs that would be incurred in carrying out the bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following that fiscal year (or for the authorized duration of any program authorized by the bill or joint resolution if less than five years);

(B) A comparison of the estimate of costs described in subdivision (A) made by the committee with any estimate of such costs made by a Government agency and submitted to such committee; and

(C) When practicable, a comparison of the total estimated funding level for the relevant programs with the appropriate levels under current law.

(1) an estimate, made by such committee, of the costs which would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported, and in each of the five fiscal years following such fiscal year (or for the authorized duration of any program authorized by such bill or joint resolution, if less than five years);

(2) a comparison of the estimate of costs described in subparagraph (1) of this paragraph made by such committee with any estimate of such costs made by any Government agency and submitted to such committee; and

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

Omitted: (b) It shall not be in order to consider any such bill or joint resolution in the House if the report of the committee which reported that bill or joint resolution does not comply with paragraph (a) of this clause.

Proposed clause 3(d)(2), rule XIII on committee cost estimates is the same as existing clause 7(a), rule XIII, but deletes clause 7(b) of the existing rule which prohibits consideration of a reported bill or joint resolution unless the committee cost estimate is in the report, since all reporting requirements if not complied with render the bill subject to a point of order against its consideration. To include such a prohibition only in this instance and not where other reporting requirements are not met is to give the impression that such other failures do not give rise to a point of order against consideration. This merely conforms to existing precedents that points of order may be raised against consideration of a bill where the report fails to comply with any of the reporting requirements now consolidated in rule XIII, subject to filing of supplemental reports to correct technical errors in clause 3(a)(2) of this rule.

(3)(A) In subparagraph (2) the term "Government agency" includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or the government of the District of Columbia.

(B) Subparagraph (2) does not apply to the Committee on Appropriations, the Committee on House Administrations, the Committee on Rules, or the Committee on Standards of Official Conduct, and does not apply when a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been included in the report under paragraph (c)(3).

(c) For the purposes of subparagraph (2) of paragraph (a) of this clause, a Government agency includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or the government of the District of Columbia.

(d) The preceding provisions of this clause do not apply to the Committee on Appropriations, the Committee on House Oversight, the Committee on Rules, and the Committee on Standards of Official Conduct, and do not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and included in the report pursuant to clause 2(1)(3)(C) of rule XI.

(e)(1) Whenever a committee reports a bill or joint resolution proposing to repeal or amend a statute or part thereof, it shall include in its report or in an accompanying document—

(A) the text of a statute or part thereof that is proposed to be repealed; and

Derived from clause 3, rule XIII: 3. Whenever a committee reports a bill or a joint resolution repealing or amending any statute or part thereof it shall include in its report or in an accompanying document—

(1) The text of the statute or part thereof which is proposed to be repealed; and

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(B) a comparative print of any part of the bill or joint resolution proposing to amend the statute and of the statute or part thereof proposed to be amended, showing by appropriate typographical devices the omissions and insertions proposed. (2) If a committee reports a bill or joint resolution proposing to repeal or amend a statute or part thereof with a recommendation that the bill or joint resolution be amended, the comparative print required by subparagraph (1) shall reflect the changes in existing law proposed to be made by the bill or joint resolution as proposed to be amended.	(2) A comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italic, parallel columns, or other appropriate typographical devices the omissions and insertions proposed to be made: Provided, however, That if a committee reports such a bill or joint resolution with amendments or an amendment in the nature of a substitute for the entire bill, such report shall include a comparative print showing any changes in existing law proposed by the amendments or substitute instead of as in the bill as introduced.	
(f)(1) A report of the Committee on Appropriations on a general appropriation bill shall include— (A) a concise statement describing the effect of any provision of the accompanying bill that directly or indirectly changes the application of existing law; and (B) a list of all appropriations contained in the bill for expenditures not previously authorized by law (except classified intelligence or national security programs, projects, or activities).	**Derived from clause 3, rule XXI:** 3. A report from the Committee on Appropriations accompanying any general appropriation bill making an appropriation for any purpose shall contain a concise statement describing fully the effect of any provision of the accompanying bill which directly or indirectly changes the application of existing law, 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).	Proposed clause 3(f)(1), rule XIII regarding changes in existing law contained in general appropriation bills is transferred from existing clause 3, rule XXI, to consolidate reporting requirements for the Appropriations Committee. Proposed clause 3(f)(2) is transferred from existing clause 1(b), rule X as part of that consolidation.
(2) Whenever the Committee on Appropriations reports a bill or joint resolution including matter specified in clause 1(b)(2) or (3) of rule X, it shall include— (A) in the bill or joint resolution, separate headings for "Rescissions" and "Transfers of Unexpended Balances"; and (B) in the report of the committee, a separate section listing such rescissions and transfers.	**Derived from clause 1(b), rule X:** 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.	
(g) Whenever the Committee on Rules reports a resolution proposing to repeal or amend a standing rule of the House, it shall include in its report or in an accompanying document— (1) the text of any rule or part thereof that is proposed to be repealed; and (2) a comparative print of any part of the resolution proposing to amend the rule and of the rule or part thereof proposed to be amended, showing by appropriate typographical devices the omissions and insertions proposed.	**Derived from clause 4(d), rule XI:** (d) Whenever the Committee on Rules reports a resolution repealing or amending any of the Rules of the House of Representatives or part thereof it shall include in its report or in an accompanying document— (1) the text of any part of the Rules of the House of Representatives which is proposed to be repealed; and (2) a comparative print of any part of the resolution making such an amendment and any part of the Rules of the House of Representatives to be amended, showing by an appropriate typographical device the omissions and insertions proposed to be made.	The existing clause 4(d), rule XI, the "Ramseyer" requirement showing changes in standing rules when reported by Rules Committee is transferred to proposed clause 3(g), rule XIII as part of the consolidation of committee reporting requirements.

(h)(1) It shall not be in order to consider a bill or joint resolution reported by the Committee on Ways and Means that proposes to amend the Internal Revenue Code of 1986 unless—

(A) the report includes a tax complexity analysis prepared by the Joint Committee on Internal Revenue Taxation in accordance with section 4022(b) of the Internal Revenue Service Restructuring and Reform Act of 1998; or

(B) the chairman of the Committee on Ways and Means causes such a tax complexity analysis to be printed in the Congressional Record before consideration of the bill or joint resolution.

(2) A report from the Committee on Ways and Means on a bill or joint resolution designated by the Majority Leader, after consultation with the Minority Leader, as major tax legislation may include a dynamic estimate of the changes in Federal revenues expected to result from enactment of the legislation. The Joint Committee on Internal Revenue Taxation shall render a dynamic estimate of such legislation only in response to a timely request from the chairman of the Committee on Ways and Means, after consultation with the ranking minority member. A dynamic estimate under this paragraph may be used only for informational purposes.

(3) In this paragraph the term "dynamic estimate" means a projection based in any part on assumptions concerning probable effects of macroeconomic feedback. A dynamic estimate shall include a statement identifying all such assumptions.

Derived from clause 2(l) of rule XI: (8) The report of the Committee on Ways and Means on any bill or joint resolution containing any provision amending the Internal Revenue Code of 1986 shall include a Tax Complexity Analysis prepared by the Joint Committee on Taxation in accordance with section 4022(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 unless the Committee on Ways and Means causes to have such Analysis printed in the Congressional Record prior to the consideration of the bill or joint resolution.

Derived from clause 7(e), rule XIII: (e)(1) A report from the Committee on Ways and Means on a bill or joint resolution designated by the Majority Leader (after consultation with the Minority Leader) as major tax legislation may include a dynamic estimate of the changes in Federal revenues expected to result from enactment of the legislation. The Joint Committee on Taxation shall render a dynamic estimate of such legislation only in response to a timely request from the chairman of the Committee on Ways and Means (after consultation with the ranking minority member of the committee). A dynamic estimate pursuant to this paragraph may be used only for informational purposes.

(2) In this paragraph, "dynamic estimate" means a projection based in any part on assumptions concerning probable effects of macroeconomic feedback. A dynamic estimate shall include a statement identifying all such assumptions.

Proposed clause 3(h), rule XIII was added to the rules by the Internal Revenue Service Restructuring and Reform Act of 1998 (Public Law 105–206), to be effective after January 1, 1999.

A dynamic revenue estimate of a Ways and Means reported bill or joint resolution, now authorized in rule XIII, is transferred as a matter included in a committee report.

PROPOSED NEW RULES

Availability of reports

4. (a)(1) Except as specified in subparagraph (2), it shall not be in order to consider in the House a measure or matter reported by a committee until the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which each report of a committee on that measure or matter has been available to Members, Delegates, and the Resident Commissioner.

(2) Subparagraph (1) does not apply to—

(A) a resolution providing a rule, joint rule, or order of business reported by the Committee on Rules considered under clause 6;

(B) a resolution providing amounts from the applicable accounts described in clause 1(h)(1) of rule X reported by the Committee on House Administration considered under clause 6 of rule X;

(C) a resolution presenting a question of the privileges of the House reported by any committee;

(D) a measure for the declaration of war, or the declaration of a national emergency, by Congress; and

EXISTING RULES

Derived from clause 2(l)(6), rule XI: (6) A measure or matter reported by any committee (except the Committee on Rules in the case of a resolution making in order the consideration of a bill, resolution, or other order of business), shall not be considered in the House until the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which the report of that committee upon that measure or matter has been available to the Members of the House . . .

Derived from clause 2(l)(6), rule XI: . . . This subparagraph shall not apply to—

(A) any measure for the declaration of war, or the declaration of a national emergency, by the Congress; or

COMMENTARY

The proposed clause 4, rule XIII on availability of committee reports is transferred from existing clause 2(l)(6), rule XI with some simplification to eliminate duplicative statements of three-day requirements. The Appropriations Committee three-day rule currently contained in clause 7, rule XXI is redundant and the availability requirements for that Committee's reports are merged into the general three-day rule in this clause, with the added requirement that printed hearings on general appropriation bills also be available for three days. The exception from the three-day requirement for funding resolutions reported from House Oversight reflects the separate one-day availability rule there. The exception for privileged resolutions reported from other committees is refined to refer only to reported resolutions raising questions of the privileges of the House, e.g., contempt resolutions, impeachment resolutions and matters incidental thereto, and disciplinary resolutions reported by the Standards Committee which are not presently covered by the three-day rule. This proposed rule reflects present interpretation that privileged resolutions of inquiry, for example, are covered by the three-day rule, and that only questions of privilege which might need to be immediately considered are exempt from the three-day rule.

The portion of existing clause 2(l)(6), rule XI permitting same day consideration of resolutions reported from the Committee on Rules that only waive availability requirements for committee reports is transferred to proposed clause 6(a). The portion of existing clause 2(l)(6) requiring reasonable efforts by reporting committees to have printed hearings available prior to consideration of the reported measure is transferred to proposed clause 4(b).

The exception from the general three-day availability rule for resolutions reported from the Committee on Rules is derived from existing clause 4(b), rule XI (proposed clause 6, rule XIII). The exception for resolutions providing amounts from applicable accounts reported from the Committee on House Oversight is derived from clause 5, rule XI (proposed clause 6, rule X).

(E) a measure providing for the disapproval of a decision, determination, or action by a Government agency that would become, or continue to be, effective unless disapproved or otherwise invalidated by one or both Houses of Congress. In this subdivision the term "Government agency" includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or of the government of the District of Columbia.

(b) A committee that reports a measure or matter shall make every reasonable effort to have its hearings thereon (if any) printed and available for distribution to Members, Delegates, and the Resident Commissioner before the consideration of the measure or matter in the House.

(c) A general appropriation bill reported by the Committee on Appropriations may not be considered in the House until the third calendar day (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such a day) on which printed hearings of the Committee on Appropriations thereon have been available to Members, Delegates, and the Resident Commissioner.

Privileged reports, generally

5. (a) The following committees shall have leave to report at any time on the following matters, respectively:

(1) The Committee on Appropriations, on general appropriation bills and on joint resolutions continuing appropriations for a fiscal year after September 15 in the preceding fiscal year.

(2) The Committee on the Budget, on the matters required to be reported by such committee under titles III and IV of the Congressional Budget Act of 1974.

(3) The Committee on House Administration, on enrolled bills, on contested elections, on matters referred to it concerning printing for the use of the House or the two Houses, on expenditure of the applicable accounts of the House described in clause 1(h)(1) of rule X, and on matters relating to preservation and availability of noncurrent records of the House under rule VII.

(4) The Committee on Rules, on rules, joint rules, and the order of business.

(5) The Committee on Standards of Official Conduct, on resolutions recommending action by the House with respect to a Member, Delegate, Resident Commissioner, officer, or employee of the House as a result of an investigation by the committee relating to the official conduct of such Member, Delegate, Resident Commissioner, officer, or employee.

(B) any decision, determination, or action by a Government agency which would become or continue to be, effective unless disapproved or otherwise invalidated by one or both Houses of Congress. For the purposes of the preceding sentence, a Government agency includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or the government of the District of Columbia.

Derived from clause 2(l)(6), rule XI: . . . If hearings have been held on any such measure or matter so reported, the committee reporting the measure or matter shall make every reasonable effort to have such hearings printed and available for distribution to the Members of the House prior to the consideration of such measure or matter in the House.

Derived from clause 7, rule XXI: 7. No general appropriation bill shall be considered in the House until printed committee hearings and a committee report thereon have been available for the Members of the House for at least three calendar days (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day).

Derived from clause 4, rule XI:

Privileged Reports and Amendments

4. (a) The following committees shall have leave to report at any time on the matters herein stated, namely: The Committee on Appropriations-on general appropriation bills and on joint resolutions continuing appropriations for a fiscal year if reported after September 15 preceding the beginning of such fiscal year; the Committee on the Budget—on the matters required to be reported by such committee under Titles III and IV of the Congressional Budget Act of 1974; the Committee on House Oversight—on enrolled bills, contested elections, and all matters referred to it of printing for the use of the House or the two Houses, and on all matters of expenditure of the applicable accounts of the House described in clause 1(h)(1) of rule X, and on all matters relating to preservation and availability of noncurrent records of the House under rule XXXVI; the Committee on Rules—on rules, joint rules, and the order of business; and the Committee on Standards of Official Conduct—on resolutions recommending action by the House of Representatives with respect to an individual Member, officer, or employee of the House of Representatives as a result of any investigation by the committee relating to the official conduct of such Member, officer, or employee of the House of Representatives.

The portion of existing clause 7, rule XXI requiring three-day availability for committee reports on general appropriation bills is subsumed by the general three-day availability rule in proposed clause 4(a)(1). The portion of that existing rule requiring three-day availability for printed committee hearings on general appropriation bills remains as proposed clause 4(c).

PROPOSED NEW RULES

(b) A report filed from the floor as privileged under paragraph (a) may be called up as a privileged question by direction of the reporting committee, subject to any requirement concerning its availability to Members, Delegates, and the Resident Commissioner under clause 4 or concerning the timing of its consideration under clause 6.

Privileged reports by the Committee on Rules

6. (a) A report by the Committee on Rules on a rule, joint rule, or the order of business may not be called up for consideration on the same day it is presented to the House except—

(1) when so determined by a vote of two-thirds of the Members voting, a quorum being present;

(2) in the case of a resolution proposing only to waive a requirement of clause 4 or of clause 8 of rule XXII concerning the availability of reports; or

(3) during the last three days of a session of Congress.

(b) Pending the consideration of a report by the Committee on Rules on a rule, joint rule, or the order of business, the Speaker may entertain one motion that the House adjourn. After the result of such a motion is announced, the Speaker may not entertain any other dilatory motion until the report shall have been disposed of.

(c) The Committee on Rules may not report—

(1) a rule or order proposing that business under clause 7 of rule XV be set aside by a vote of less than two-thirds of the Members voting, a quorum being present;

(2) a rule or order that would prevent the motion to recommit a bill or joint resolution from being made as provided in clause 2(b) of rule XIX, 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.

EXISTING RULES

Derived from clause 4(b), rule XI: (b) It shall always be in order to call up for consideration a report from the Committee on Rules on a rule, joint rule, or the order of business (except it shall not be called up for consideration on the same day it is presented to the House, unless so determined by a vote of not less than two-thirds of the Members voting, but this provision shall not apply during the last three days of the session), and, pending the consideration thereof, the Speaker may entertain one motion that the House adjourn; but after the result is announced the Speaker shall not entertain any other dilatory motion until the report shall have been fully disposed of. The Committee on Rules shall not report any rule or order which provides that business under clause 7 of rule XXIV shall be set aside by a vote of less than two-thirds of the Members present; nor shall it report any rule or order which would prevent the motion to recommit from being made as provided in clause 4 of rule XVI, 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.

COMMENTARY

Proposed paragraph (b) embodies current practice that privileged reports may be called up as privileged questions subject to the relevant availability rule.

The authority of the Rules Committee to call up on the same day reported amendment reported in disagreement, currently in clause 2(a) and (b), rule XXVIII, is carried here as it relates to privileged reports of that committee. This recodification transfers these availability requirements to clause 8 of rule XXII.

Proposed paragraph (c)(1) utilizes the convention that the Rules Committee may not report a rule setting aside Calendar Wednesday business by a vote of less than two-thirds of the Members voting, a quorum being present.

(d) The Committee on Rules shall present to the House reports concerning rules, joint rules, and the order of business, within three legislative days of the time when they are ordered. If such a report is not considered immediately, it shall be referred to the calendar. If such a report on the calendar is not called up by the member of the committee who filed the report within seven legislative days, any member of the committee may call it up as a privileged question on the day after the calendar day on which the member announces to the House his intention to do so. The Speaker shall recognize a member of the committee who rises for that purpose.

Derived from clause 4(c), rule XI: (c) The Committee on Rules shall present to the House reports concerning rules, joint rules, and order of business, within three legislative days of the time when the bill or resolution involved is ordered reported by the committee. If any such rule or order is not considered immediately, it shall be referred to the calendar and, if not called up by the Member making the report within seven legislative days thereafter, any member of the Committee on Rules may call it up as a question of privilege (but only on the day after the calendar day on which such Member announces to the House his intention to do so) and the Speaker shall recognize any member of the Committee on Rules seeking recognition for that purpose.

(e) An adverse report by the Committee on Rules on a resolution proposing a special order of business for the consideration of a public bill or public joint resolution may be called up as a privileged question by a Member, Delegate, or Resident Commissioner on a day when it is in order to consider a motion to discharge committees under clause 2 of rule XV.

If the Committee on Rules makes an adverse report on any resolution pending before the committee, providing for an order of business for the consideration by the House of any public bill or joint resolution, on days when it shall be in order to call up motions to discharge committees it shall be in order for any Member of the House to call up for consideration by the House such adverse report, and it shall be in order to move the adoption by the House of such resolution adversely reported notwithstanding the adverse report of the Committee on Rules, and the Speaker shall recognize the Member seeking recognition for that purpose as a question of the highest privilege.

(f) If the House has adopted a resolution making in order a motion to consider a bill or resolution, and such a motion has not been offered within seven calendar days thereafter, such a motion shall be privileged if offered by direction of all reporting committees having initial jurisdiction of the bill or resolution.

Derived from clause 2(l)(7), rule XI: If, within seven calendar days after a measure has, by resolution, been made in order for consideration by the House, no motion has been offered that the House consider that measure, any member of the committee which reported that measure may be recognized in the discretion of the Speaker to offer a motion that the House shall consider that measure, if that committee has duly authorized that member to offer that motion.

Proposed paragraph (f) is infrequently utilized since most special orders permitting consideration in Committee of the Whole give the Speaker designation authority rather than requiring a motion. Thus this paragraph is similar to existing mechanisms like morning hour (proposed clauses 4 and 5, rule XIV) in that it is not currently utilized in modern practice but is not totally obsolete since it may still apply to measures to be considered in the House. The Speaker has the discretion to recognize for such a motion if properly authorized by all reporting committees of initial referral, similar to proposed clause 1, rule XXII on motions to go to conference.

(g) Whenever the Committee on Rules reports a resolution providing for the consideration of a 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.

Derived from clause 4(e), rule XI: (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.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
Resolutions of inquiry 7. A report on a resolution of inquiry addressed to the head of an executive department may be filed from the floor as privileged. If such a resolution is not reported to the House within 14 legislative days after its introduction, a motion to discharge a committee from its consideration shall be privileged.	**Derived from clause 5, rule XXII:** 5. All resolutions of inquiry addressed to the heads of executive departments shall be reported to the House within fourteen legislative days after presentation.	Existing clause 5, rule XXII regarding resolutions of inquiry, is transferred to proposed clause 7, rule XIII since it is more logical in the rule on privileged reports than under the rule on introduction and referral. The clause thus codifies its privileged status. The clause also retains the anomaly where one of two committees has reported, even adversely, only the reporting committee can call up the resolution, although the motion to discharge the other committee is privileged.
RULE XIV. **ORDER AND PRIORITY OF BUSINESS.**	**Derived from:** RULE XXIV ORDER OF BUSINESS	
1. The daily order of business (unless varied by the application of other rules and except for the disposition of matters of higher precedence) shall be as follows:	1. The daily order of business shall be as follows:	Proposed rule XIV begins the chronological series of rules governing business in the full House. Rule XIV constitutes a transfer of those portions of current rule XXIV relating to general order of business priorities and disposition of matters on the Speaker's table, and rule XV becomes the rule providing for business in order only on certain days. As the preface to the revised clause 1 suggests, the daily order of business can be and often is varied by the application of other rules and by the disposition of privileged motions disposing of matters of higher precedence. While the "morning hour" rule (clause 4) is currently not utilized in modern practice (other than morning hour debates) since the order of business is normally determined by special orders or privileged motions, nevertheless it remains available for the relatively few House Calendar bills in the event that the House cannot, through the Rules Committee or otherwise, determine its order of business. In clause 2, relating to disposition of business from the Speaker's table, paragraph (c) is modified to cross reference to provisions in clauses 1, 2 and 4 of rule XXII which will govern motions to dispose of Senate amendments on the Speaker's table and conference procedures. Paragraph (d) permits the motion to dispose of Senate passed bills similar to House Calendar bills only when authorized by all reporting committees of original referral (reflecting modern multiple referral practices). Clause 1 contains cross references to other clauses and reflects various precedents which establish the relative priorities among the business mentioned therein.
First. Prayer by the Chaplain. Second. Reading and approval of the Journal, unless postponed under clause 9(a) of Rule XX. Third. The Pledge of Allegiance to the Flag. Fourth. Correction of reference of public bills. Fifth. Disposal of business on the Speaker's table as provided in clause 2.	First. Prayer by the Chaplain. Second. Reading and approval of the Journal, unless postponed pursuant to the provisions of clause 5(b)(1) of the rule 1. Third. The Pledge of Allegiance to the Flag. Fourth. Correction of reference of public bills. Fifth. Disposal of business on the Speaker's table.	

Sixth. Unfinished business as provided in clause 3.

Seventh. The morning hour for the consideration of bills called up by committees as provided in clause 4.

Eighth. Motions that the House resolve into the Committee of the Whole House on the state of the Union subject to clause 5.

Ninth. Orders of the day.

2. Business on the Speaker's table shall be disposed of as follows:

(a) Messages from the President shall be referred to the appropriate committees without debate.

(b) Communications addressed to the House, including reports and communications from heads of departments and bills, resolutions, and messages from the Senate, may be referred to the appropriate committees in the same manner and with the same right of correction as public bills and public resolutions presented by Members, Delegates, or the Resident Commissioner.

(c) Motions to dispose of Senate amendments on the Speaker's table may be entertained as provided in clauses 1, 2, and 4 of rule XXII.

(d) Senate bills and resolutions substantially the same as House measures already favorably reported and not required to be considered in the Committee of the Whole House on the state of the Union may be disposed of by motion. Such a motion shall be privileged if offered by direction of all reporting committees having initial jurisdiction of the House measure.

3. Consideration of unfinished business in which the House may have been engaged at an adjournment, except business in the morning hour and proceedings postponed under clause 9 of rule XX, shall be resumed as soon as the business on the Speaker's table is finished, and at the same time each day thereafter until disposed of. The consideration of all other unfinished business shall be resumed whenever the class of business to which it belongs shall be in order under the rules.

4. After the unfinished business has been disposed of, the Speaker shall call each standing committee in regular order and then select committees. Each committee when named may call up for consideration a bill or resolution reported by it on a previous day and on the House Calendar. If the Speaker does not complete the call of the committees before the House passes to other business, the next call shall resume at the point it left off, giving preference to the last bill or resolution under consideration. A committee that has occupied the call for two days may not call up another bill or resolution until the other committees have been called in their turn.

Sixth. Unfinished business.

Seventh. The morning hour for the consideration of bills called up by committees.

Eighth. Motions to go into Committee of the Whole House on the state of the Union.

Ninth. Orders of the day.

2. Business on the Speaker's table shall be disposed of as follows:

Messages from the President shall be referred to the appropriate committees without debate. Reports and communications from heads of departments, and other communications addressed to the House, and bills, resolutions, and messages from the Senate may be referred to the appropriate committees in the same manner and with the same right of correction as public bills presented by Members; but House bills with Senate amendments which do not require consideration in a Committee of the Whole may be at once disposed of as the House may determine, as may also Senate bills substantially the same as House bills already favorably reported by a committee of the House, and not required to be considered in Committee of the Whole, be disposed of in the same manner on motion directed to be made by such committee.

3. The consideration of the unfinished business in which the House may be engaged at an adjournment, except business in the morning hour, shall be resumed as soon as the business on the Speaker's table is finished, and at the same time each day thereafter until disposed of, and the consideration of all other unfinished business shall be resumed whenever the class of business to which it belongs shall be in order under the rules.

4. After the unfinished business has been disposed of, the Speaker shall call each standing committee in regular order, and then select committees, and each committee when named may call up for consideration any bill reported by it on a previous day and on the House Calendar, and if the Speaker shall not complete the call of the committees before the House passes to other business, he shall resume the next call where he left off, giving preference to the last bill under consideration: Provided, That whenever any committee shall have occupied the morning hour on two days, it shall not be in order to call up any other bill until the other committees have been called in their turn.

Motions to dispose of Senate amendments on the Speaker's table, currently made in order under clause 2, are being transferred to rule XXII, Senate amendments, and are now being cross referenced in paragraph (c).

Paragraph (d) is modernized to reflect multiple committee referrals.

Clauses 4 and 5 on Morning Hour and motion to go into Committee of the Whole after one hour of morning hour business are not currently utilized in modern practice but are not totally obsolete.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
5. After consideration of bills or resolutions under clause 4 for one hour, it shall be in order, pending consideration thereof, to entertain a motion that the House resolve into the Committee of the Whole House on the state of the Union or, when authorized by a committee, that the House resolve into the Committee of the Whole House on the state of the Union to consider a particular bill. Such a motion shall be subject to only one amendment designating another bill. If such a motion is decided in the negative, another such motion may not be considered until the matter that was pending when such motion was offered is disposed of.	5. After one hour shall have been devoted to the consideration of bills called up by committees, it shall be in order, pending consideration or discussion thereof, to entertain a motion to go into Committee of the Whole House on the state of the Union, or, when authorized by a committee, to go into the Committee of the Whole House on the state of the Union to consider a particular bill, to which motion one amendment only, designating another bill, may be made; and if either motion be determined in the negative, it shall not be in order to make either motion again until the disposal of the matter under consideration or discussion. **Derived from:** RULE XXV	Existing rule XXV on priority of business is more appropriate as a clause in a rule on the order of business than as a separate rule, thus transferred here as a new clause 6, rule XIV.
6. All questions relating to the priority of business shall be decided by a majority without debate.	PRIORITY OF BUSINESS All questions relating to the priority of business shall be decided by a majority without debate.	
RULE XV. **BUSINESS IN ORDER ON SPECIAL DAYS.** ***Suspensions, Mondays and Tuesdays*** 1. (a) A rule may not be suspended except by a vote of two-thirds of the Members voting, a quorum being present. The Speaker may not entertain a motion that the House suspend the rules except on Mondays and Tuesdays and during the last six days of a session of Congress.	**Derived from:** RULE XXVII CHANGE OR SUSPENSION OF RULES 1. No rule shall be suspended except by a vote of two-thirds of the Members voting, a quorum being present; nor shall the Speaker entertain a motion to suspend the rules except on Mondays and Tuesdays, and during the last six days of a session.	Proposed rule XV combines all current rules relating to business in order on special days in chronological order as follows: (clause 1) suspension of the rules every Monday and Tuesday (currently in rule XXVII); (clause.2) motions on second and fourth Mondays to discharge committee and to call up adverse reports from Committee on Rules (currently in rule XXVII) (clause 3); (clause 4) consideration on second and fourth Mondays of District of Columbia business reported from Committee on Government Reform and Oversight (currently in rule XXIV); (clause 5) call of the Private Calendar on the first and third Tuesdays (currently in rule XXIV); (clause 6) call of the Corrections Calendar on the second and fourth Tuesdays (currently in rule XIII); (clause 7) Calendar Wednesday (currently in rule XXIV).
(b) Pending a motion that the House suspend the rules, the Speaker may entertain one motion that the House adjourn. After the result of such a motion is announced, the Speaker may not entertain any other motion until the vote is taken on the suspension.	2. When a motion to suspend the rules has been submitted to the House, it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for forty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition; . . . **[Remainder transferred to rule XIII]**	Paragraph (b) is derived from existing clause 8, rule XVI.
(c) A motion that the House suspend the rules is debatable for 40 minutes, one-half in favor of the motion and one-half in opposition thereto.	**Derived from clause 8, rule XVI:** 8. Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereon is announced he shall not entertain any other motion until the vote is taken on suspension.	

Discharge motions, second and fourth Mondays

2. (a) Motions to discharge committees shall be in order on the second and fourth Mondays of a month.

(b)(1) A Member may present to the Clerk a motion in writing to discharge—

(A) a committee from consideration of a public bill or public resolution that has been referred to it for 30 legislative days; or

(B) the Committee on Rules from consideration of a resolution that has been referred to it for seven legislative days and that proposes a special order of business for the consideration of a public bill or public resolution that has been reported by a standing committee or has been referred to a standing committee for 30 legislative days.

(2) Only one motion may be presented for a bill or resolution. A Member may not file a motion to discharge the Committee on Rules from consideration of a resolution providing for the consideration of more than one public bill or public resolution or admitting or effecting a nongermane amendment to a public bill or public resolution.

(c) A motion presented under paragraph (b) shall be placed in the custody of the Clerk, who shall arrange a convenient place for the signatures of Members. A signature may be withdrawn by a Member in writing at any time before a motion is entered on the Journal. The Clerk shall make signatures a matter of public record, causing the names of the Members who have signed a discharge motion during a week to be published in a portion of the Congressional Record designated for that purpose on the last legislative day of the week and making cumulative lists of such names available each day for public inspection in an appropriate office of the House. The Clerk shall devise a means for making such lists available to offices of the House and to the public in electronic form. When a majority of the total membership of the House shall have signed the motion, it shall be entered on the Journal, printed with the signatures thereto in the Record, and referred to the Calendar of Motions to Discharge Committees.

(d)(1) On the second and fourth Mondays of a month (except during the last six days of a session of Congress), immediately after the Pledge of Allegiance to the Flag, a motion to discharge that has been on the calendar for at least seven legislative days shall be privileged if called up by a Member whose signature appears thereon. When such a motion is called up, the House shall proceed to its consideration under this paragraph without intervening motion except one motion to adjourn. Privileged motions to discharge shall have precedence in the order of their entry on the Journal.

Derived from clause 3, rule XXVII: 3. A Member may present to the Clerk a motion in writing to discharge a committee from the consideration of a public bill or resolution which has been referred to it thirty days prior thereto (but only one motion may be presented for each bill or resolution). Under this rule it shall also be in order for a Member to file a motion to discharge the Committee on Rules from further consideration of any resolution providing a special rule for the consideration of a public bill or resolution reported by a standing committee, or a special rule for the consideration of a public bill or resolution which has remained in a standing committee thirty or more days without action: Provided, That a Member may not file a motion to discharge the Committee on Rules from consideration of a resolution providing for the consideration of more than one public bill or resolution, or admitting or effecting a nongermane amendment to a public bill or resolution: Provided further, That said resolution from which it is moved to discharge the Committee on Rules has been referred to that committee at least seven days prior to the filing of the motion to discharge. The motion shall be placed in the custody of the Clerk, who shall arrange some convenient place for the signature of Members. A signature may be withdrawn by a Member in writing at any time before the motion is entered on the Journal. Once a motion to discharge has been filed, the Clerk shall make the signatures a matter of public record. 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. When a majority of the total membership of the House shall have signed the motion, it shall be entered on the Journal, printed with the signatures thereto in the Congressional Record, and referred to the Calendar of Motions to Discharge Committees.

On the second and fourth Mondays of each month, except during the last six days of any session of Congress, immediately after the approval of the Journal, any Member who has signed a motion to discharge which has been on the calendar at least seven days prior thereto, and seeks recognition, shall be recognized for the purpose of calling up the motion, and the House shall proceed to its consideration in the manner herein provided without intervening motion except one motion to adjourn. Recognition for the motions shall be in the order in which they have been entered on the Journal.

"Legislative" days has been added consistent with precedents interpreting the thirty and seven day requirements to be legislative day and not calendar day requirements.

A committee is discharged from consideration of a measure only when it files its report or otherwise brings up it on the floor. Other types of committee activity, such as hearings, do not prevent the application of this rule.

PROPOSED NEW RULES

(2) When a motion to discharge is called up, the bill or resolution to which it relates shall be read by title only. The motion is debatable for 20 minutes, one-half in favor of the motion and one-half in opposition thereto.

(e)(1) If a motion prevails to discharge the Committee on Rules from consideration of a resolution, the House shall immediately consider the resolution, pending which the Speaker may entertain one motion that the House adjourn. After the result of such a motion to adjourn is announced, the Speaker may not entertain any other dilatory motion until the resolution has been disposed of. If the resolution is adopted, the House shall immediately proceed to its execution.

(2) If a motion prevails to discharge a standing committee from consideration of a public bill or public resolution, a motion that the House proceed to the immediate consideration of such bill or resolution shall be privileged if offered by a Member whose signature appeared on the motion to discharge. The motion to proceed is not debatable. If the motion to proceed is adopted, the bill or resolution shall be considered immediately under the general rules of the House. If unfinished before adjournment of the day on which it is called up, the bill or resolution shall remain the unfinished business until it is disposed of. If the motion to proceed is rejected, the bill or resolution shall be referred to the appropriate calendar, where it shall have the same status as if the committee from which it was discharged had duly reported it to the House.

(f)(1) When a motion to discharge originated under this clause has once been acted on by the House, it shall not be in order to entertain during the same session of Congress—

(A) a motion to discharge a committee from consideration of that bill or resolution or of any other bill or resolution that, by relating in substance to or dealing with the same subject matter, is substantially the same; or

(B) a motion to discharge the Committee on Rules from consideration of a resolution providing a special order of business for the consideration of that bill or resolution or of any other bill or resolution that, by relating in substance to or dealing with the same subject matter, is substantially the same.

EXISTING RULES

When any motion under this rule shall be called up, the bill or resolution shall be read by title only. After twenty minutes' debate, one-half in favor of the proposition and one-half in opposition thereto, the House shall proceed to vote on the motion to discharge. If the motion prevails to discharge the Committee on Rules from any resolution pending before the committee, the House shall immediately consider such resolution, the Speaker not entertaining any dilatory motion except one motion to adjourn, and, if such resolution is adopted, the House shall immediately proceed to its execution. If the motion prevails to discharge one of the standing committees of the House from any public bill or resolution pending before the committee, it shall then be in order for any Member who signed the motion to move that the House proceed to the immediate consideration of such bill or resolution (such motion not being debatable), and such motion is hereby made of high privilege; and if it shall be decided in the affirmative, the bill shall be immediately considered under the general rules of the House, and if unfinished before adjournment of the day on which it is called up it shall remain the unfinished business until it is fully disposed of. Should the House by vote decide against the immediate consideration of such bill or resolution, it shall be referred to its proper calendar and be entitled to the same rights and privileges that it would have had had the committee to which it was referred duly reported same to the House for its consideration: Provided, That when any perfected motion to discharge a committee from the consideration of any public bill or resolution has once been acted upon by the House it shall not be in order to entertain during the same session of Congress any other motion for the discharge from that committee of said measure, or from any other committee of any other bill or resolution substantially the same, relating in substance to or dealing with the same subject matter, or from the Committee on Rules of a resolution providing a special order of business for the consideration of any other such bill or resolution, in order that such action by the House on a motion to discharge shall be res adjudicata for the remainder of that session:

COMMENTARY

(2) A motion to discharge on the Calendar of Motions to Discharge Committees that is rendered out of order under subparagraph (1) shall be stricken from that calendar.

Provided further, That if before any one motion to discharge a committee has been acted upon by the House there are on the Calendar of Motions to Discharge Committees other motions to discharge committees from the consideration of bills or resolutions substantially the same, relating in substance to or dealing with the same subject matter, after the House shall have acted on one motion to discharge, the remaining said motions shall be stricken from the Calendar of Motions to Discharge Committees and not acted on during the remainder of that session of Congress.

Adverse report by the Committee on Rules, second and fourth Mondays

3. An adverse report by the Committee on Rules on a resolution proposing a special order of business for the consideration of a public bill or public joint resolution may be called up under clause 6(e) of rule XIII as a privileged question by a Member, Delegate, or Resident Commissioner on a day when it is in order to consider a motion to discharge committees under clause 2.

Derived from clause 4(c), rule XI: If the Committee on Rules makes an adverse report on any resolution pending before the committee, providing for an order of business for the consideration by the House of any public bill or joint resolution, on days when it shall be in order to call up motions to discharge committees it shall be in order for any Member of the House to call up for consideration by the House such adverse report, and it shall be in order to move the adoption by the House of such resolution adversely reported notwithstanding the adverse report of the Committee on Rules, and the Speaker shall recognize the Member seeking recognition for that purpose as a question of the highest privilege.

Proposed clause 3 is derived from existing clause 4(c), rule XI and is additional business in order on the second and fourth Mondays.

District of Columbia business, second and fourth Mondays

4. The second and fourth Mondays of a month shall be set apart for the consideration of such District of Columbia business as may be called up by the Committee on Government Reform and Oversight after the disposition of motions to discharge committees and after the disposal of such business on the Speaker's table as requires reference only.

Derived from clause 8, rule XXIV: 8. The second and fourth Mondays in each month, after the disposition of motions to discharge committees and after the disposal of such business on the Speaker's table as requires reference only, shall, when claimed by 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.

PROPOSED NEW RULES

Private Calendar, first and third Tuesdays

5. (a) On the first Tuesday of a month, the Speaker shall direct the Clerk to call the bills and resolutions on the Private Calendar after disposal of such business on the Speaker's table as requires reference only. If two or more Members, Delegates, or the Resident Commissioner object to the consideration of a bill or resolution so called, it shall be recommitted to the committee that reported it. No other business shall be in order before completion of the call of the Private Calendar on this day unless two-thirds of the Members voting, a quorum being present, agree to a motion that the House dispense with the call.

(b)(1) On the third Tuesday of a month, after the disposal of such business on the Speaker's table as requires reference only, the Speaker may direct the Clerk to call the bills and resolutions on the Private Calendar. Preference shall be given to omnibus bills containing the texts of bills or resolutions that have previously been objected to on a call of the Private Calendar. If two or more Members, Delegates, or the Resident Commissioner object to the consideration of a bill or resolution so called (other than an omnibus bill), it shall be recommitted to the committee that reported it. Two-thirds of the Members voting, a quorum being present, may adopt a motion that the House dispense with the call on this day.

EXISTING RULES

Derived from clause 6, rule XXIV: 6. On the first Tuesday of each month after disposal of such business on the Speaker's table as requires reference only, the Speaker shall direct the Clerk to call the bills and resolutions on the Private Calendar. Should objection be made by two or more Members to the consideration of any bill or resolution so called, it shall be recommitted to the committee which reported the bill or resolution, and no reservation of objection shall be entertained by the Speaker. Such bills and resolutions, if considered, shall be considered in the House as in the Committee of the Whole. No other business shall be in order on this day unless the House, by two-thirds vote on motion to dispense therewith, shall otherwise determine. On such motion debate shall be limited to five minutes for and five minutes against said motion.

On the third Tuesday of each month after the disposal of such business on the Speaker's table as requires reference only, the Speaker may direct the Clerk to call the bills and resolutions on the Private Calendar, preference to be given to omnibus bills containing bills or resolutions which have previously been objected to on a call of the Private Calendar. All bills and resolutions on the Private Calendar so called, if considered, shall be considered in the House as in the Committee of the Whole. Should objection be made by two or more Members to the consideration of any bill or resolution other than an omnibus bill, it shall be recommitted to the committee which reported the bill or resolution and no reservation of objection shall be entertained by the Speaker.

COMMENTARY

The Private Calendar rule is transferred from rule XXIV to proposed clause 5, rule XV as an order of business matter on special days. In clause 5(a), the words "before completion of the call of the Private Calendar" were added to clarify existing practice that the Private Calendar is to be given priority over other business on the first and third Tuesdays, but that other business can be conducted after the call of the Private Calendar or if the call of the calendar is dispensed with by two-thirds vote. In clause 5(b) language has been added to clarify that the call on a third Tuesday can also be dispensed with by a two-thirds vote. The ten minutes debate on a motion to dispense with the call is transferred to clause 5(c).

(2) Omnibus bills shall be read for amendment by paragraph. No amendment shall be in order except to strike or to reduce amounts of money or to provide limitations. An item or matter stricken from an omnibus bill may not thereafter during the same session of Congress be included in an omnibus bill. Upon passage such an omnibus bill shall be resolved into the several bills and resolutions of which it is composed. The several bills and resolutions, with any amendments adopted by the House, shall be engrossed, when necessary, and otherwise considered as passed severally by the House as distinct bills and resolutions.

(c) The Speaker may not entertain a reservation of the right to object to the consideration of a bill or resolution under this clause. A bill or resolution considered under this clause shall be considered in the House as in the Committee of the Whole. A motion to dispense with the call of the Private Calendar under this clause shall be privileged. Debate on such a motion shall be limited to five minutes in support and five minutes in opposition.

Omnibus bills shall be read for amendment by paragraph, and no amendment shall be in order except to strike out or to reduce amounts of money stated or to provide limitations. Any item or matter stricken from an omnibus bill shall not thereafter during the same session of Congress be included in any omnibus bill.

Upon passage of any such omnibus bill, said bill shall be resolved into the several bills and resolutions of which it is composed, and such original bills and resolutions, with any amendments adopted by the House, shall be engrossed, where necessary, and proceedings thereon had as if said bills and resolutions had been passed in the House severally.

In the consideration of any omnibus bill the proceedings as set forth above shall have the same force and effect as if each Senate and House bill or resolution therein contained or referred to were considered by the House as a separate and distinct bill or resolution.

Corrections Calendar, second and fourth Tuesdays

6. (a) After a bill has been favorably reported and placed on either the Union or House Calendar, the Speaker, after consultation with the Minority Leader, may direct the Clerk also to place the bill on the "Corrections Calendar." At any time on the second and fourth Tuesdays of a month, the Speaker may direct the Clerk to call a bill that has been on the Corrections Calendar for three legislative days.

(b) A bill called from the Corrections Calendar shall be considered in the House, is debatable for one hour equally divided and controlled by the chairman and ranking minority member of the primary committee of jurisdiction, and shall not be subject to amendment except those recommended by the primary committee of jurisdiction or offered by the chairman of the primary committee or a designee. The previous question shall be considered as ordered on the bill and any amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

(c) The approval of three-fifths of the Members voting, a quorum being present, shall be required to pass a bill called from the Corrections Calendar. The rejection of a bill so called, or the sustaining of a point of order against it or against its consideration, does not cause its removal from the Calendar to which it was originally referred.

Derived from clause 4, rule XIII:

4. (a) After a bill has been favorably reported and placed on either the Union or House Calendar, the Speaker may, after consultation with the Minority Leader, file with the Clerk a notice requesting that such bill also be placed upon a special calendar to be known as the "Corrections Calendar." At any time on the second and fourth Tuesdays of each month, the Speaker may direct the Clerk to call any bill that has been on the Corrections Calendar for three legislative days.

(b) A bill so called shall be considered in the House, shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the primary committee of jurisdiction reporting the bill, and shall not be subject to amendment except those amendments recommended by the primary committee of jurisdiction or those offered by the chairman of the primary committee or a designee. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

(c) A three-fifths vote of the Members voting shall be required to pass any bill called from the Corrections Calendar but the rejection of any such bill, or the sustaining of any point of order against it or its consideration, shall not cause it to be removed from the Calendar to which it was originally referred.

Existing clause 4, rule XIII providing for a call of the Corrections Calendar on the second and fourth Tuesdays is transferred to the new rule XV since it relates to business in order on special days.

PROPOSED NEW RULES

Calendar Call of Committees, Wednesdays

7. (a) On Wednesday of each week, business shall not be in order before completion of the call of the committees (except as provided by clause 4 of rule XIV) unless two-thirds of the Members voting, a quorum being present, agree to a motion that the House dispense with the call. Such a motion shall be privileged. Debate on such a motion shall be limited to five minutes in support and five minutes in opposition.

(b) A bill or resolution on either the House or the Union Calendar, except bills or resolutions that are privileged under the Rules of the House, may be called under this clause. A bill or resolution called up from the Union Calendar shall be considered in the Committee of the Whole House on the state of the Union without motion, subject to clause 3 of rule XVI. General debate on a measure considered under this clause shall be confined to the measure and may not exceed two hours equally divided between a proponent and an opponent.

(c) When a committee has occupied the call under this clause on one Wednesday, it shall not be in order on a succeeding Wednesday to consider unfinished business previously called up by that committee until the other committees have been called in their turn unless—

(1) the previous question has been ordered on such unfinished business; or

(2) the House adopts a motion to dispense with the call under paragraph (a).

(d) If any committee has not been called under this clause during a session of a Congress, then at the next session of that Congress the call shall resume where it left off at the end of the preceding session.

(e) This rule does not apply during the last two weeks of a session of Congress.

(f) The Speaker may not entertain a motion for a recess on a Wednesday except during the last two weeks of a session of Congress.

RULE XVI.

MOTIONS AND AMENDMENTS.

EXISTING RULES

Derived from clause 7, rule XXIV:

7. On Wednesday of each week no business shall be in order except as provided by clause 4 of this rule unless the House by a two-thirds vote on motion to dispense therewith shall otherwise determine. On such a motion there may be debate not to exceed five minutes for and against. On a call of committees under this rule bills may be called up from either the House or the Union Calendar, excepting bills which are privileged under the rules; but bills called up from the Union Calendar shall be considered in the Committee of the Whole House on the state of the Union. This rule shall not apply during the last 2 weeks of the session. It shall not be in order for the Speaker to entertain a motion for a recess on any Wednesday except during the last 2 weeks of the session: Provided, That not more that 2 hours of general debate shall be permitted on any measure called up on Calendar Wednesday, and all debate must be confined to the subject matter of the bill, the time to be equally divided between those for and against the bill: Provided further, That whenever any committee shall have occupied one Wednesday it shall not be in order, unless the House by a two-thirds vote shall otherwise determine, to consider any unfinished business previously called up by such committee, unless the previous question had been ordered thereon, upon any succeeding Wednesday until the other committees have been called in their turn under this rule: Provided, That when, during any one session of a Congress, all of the committees of the House are not called under the Calendar Wednesday rule, at the next session of that Congress, the call shall commence where it left off at the end of the preceding session.

Derived from rule XVI: RULE XVI

ON MOTIONS, THEIR PRECEDENCE, ETC.

COMMENTARY

Proposed clause 7, rule XV, the Calendar Wednesday rule, has been clarified to indicate that the House resolves into the Committee of the Whole to consider Union calendar bills called up on Calendar Wednesday without motion unless a Member raises the question of consideration (proposed clause 3 of rule XVI). No other business in order prior to completion of call of the committees on Calendar Wednesday reflects the current interpretation that other business can be conducted on Wednesdays after the committee have been called without a two-thirds vote being required. Cross references have also been revised and the super-majority voting requirements have been added for consistency.

Motions

1. Every motion entertained by the Speaker shall be reduced to writing on the demand of a Member, Delegate, or Resident Commissioner and, unless it is withdrawn the same day, shall be entered on the Journal with the name of the Member, Delegate, or Resident Commissioner offering it. A dilatory motion may not be entertained by the Speaker.

1. Every motion made to the House and entertained by the Speaker shall be reduced to writing on the demand of any Member, and shall be entered on the Journal with the name of the Member making it, unless it is withdrawn the same day.

Derived from clause 10, rule XVI: 10. No dilatory motion shall be entertained by the Speaker.

Proposed rule XVI is a consolidation of various current rules relating to procedural motions and questions in the House, and has been structured where possible to maintain current numberings of often cited rules such as the precedence of motions (clause 4) and germaneness (clause 7). Beginning with rule XVI through rule XXII, the recodification presents procedures in the House and in Committee of the Whole in a sequence generally reflecting the various stages of consideration, debate, amendment, recommittal, voting and House-Senate relations. In rule XVI, clauses 1 and 2 on motions and clause 3 on the question of consideration remain the same, except that existing clause 10 on dilatoriness of motions becomes the last sentence of clause 1. In clause 4, provisions concerning the motion to recommit have been transferred to rule XIX, consolidating all rules on the motion to recommit and its relation to the motion for the previous question under rule XIX, while retaining the ordinary motion to refer under clause 4 in the general precedence of motions. The current clause 5 on journalizing the time of adjournment has been moved to clause 2(c) rule II under duties of the Clerk. Current clause 6 on division of the question has been moved ahead to clause 5, combining the portion of existing clause 7 that deals with nondivisibility of the motion to strike and insert. The proposed clause 6 on amendments has been transferred from current rule XIX as all treatment of amendments in the House belongs in one rule. The germaneness rule remains as clause 7 since it is essential to maintain that citation throughout the Precedents. Proposed clause 8 on readings of bills has been transferred from current clause 1 of rule XXI since more logically related to the sequence of motions generally and includes the question of engrossment and third reading by title. In this clause, clarifications have been made to reflect current practice of first reading in full in the House, and second reading for amendment only in Committee of the Whole, with a cross reference to the proposed clause 5 of rule XVII governing consideration in Committee of the Whole.

Withdrawal

2. When a motion is entertained, the Speaker shall state it or cause it to be read aloud by the Clerk before it is debated. The motion then shall be in the possession of the House but may be withdrawn at any time before a decision or amendment thereon.

Derived from clause 2, rule XVI: 2. When a motion has been made, the Speaker shall state it or (if it be in writing) cause it to be read aloud by the Clerk before being debated, and it shall then be in possession of the House, but may be withdrawn at any time before a decision or amendment.

Question of consideration

3. When a motion or proposition is entertained, the question, "Will the House now consider it?" may not be put unless demanded by a Member, Delegate, or Resident Commissioner.

3. When any motion or proposition is made, the question, Will the House now consider it? shall not be put unless demanded by a Member.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
Precedence of motions 4. (a) When a question is under debate, only the following motions may be entertained (which shall have precedence in the following order): (1) To adjourn. (2) To lay on the table. (3) For the previous question. (4) To postpone to a day certain. (5) To refer. (6) To amend. (7) To postpone indefinitely. (b) A motion to adjourn, to lay on the table, or for the previous question shall be decided without debate. A motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, may not be allowed again on the same day at the same stage of the question. (c)(1) It shall be in order at any time for the Speaker, in his discretion, to entertain a motion— (A) that the Speaker be authorized to declare a recess; or (B) that when the House adjourns it stand adjourned to a day and time certain. (2) Either motion shall be of equal privilege with the motion to adjourn and shall be decided without debate.	4. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question (which motions shall be decided without debate), to postpone to a day certain, to refer, or to amend, or postpone indefinitely; which several motions shall have precedence in the foregoing order; and no motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, shall be again allowed on the same day at the same stage of the question . . . **[Portion transferred to rule XIX]** . . . It shall be in order at any time during a day for the Speaker, in his discretion, to entertain motions that (1) the Speaker be authorized to declare a recess; and (2) when the House adjourns it stand adjourned to a day and time certain. Either motion shall be of equal privilege with the motion to adjourn provided for in this clause and shall be determined without debate.	The Speaker may not entertain a motion for a recess during the call of committees on Calendar Wednesday (proposed clause 7(f) of rule XV). The requirement of existing clause 5, rule XVI that the Journal note the hour of adjournment is transferred to proposed clause 2(c), rule II.
Divisibility 5. (a) Except as provided in paragraph (b), a question shall be divided on the demand of a Member, Delegate, or Resident Commissioner before the question is put if it includes propositions so distinct in substance that, one being taken away, a substantive proposition remains. (b)(1) A motion or resolution to elect members to a standing committee of the House, or to a joint standing committee, is not divisible. (2) A resolution or order reported by the Committee on rules providing a special order of business is not divisible. (c) A motion to strike and insert is not divisible, but rejection of a motion to strike does not preclude another motion to amend.	**Derived from clause 6, rule XVI:** 6. On the demand of any Member, before the question is put, a question shall be divided if it includes propositions so distinct in substance that one being taken away a substantive proposition shall remain: Provided, That any motion or resolution to elect the members or any portion of the members of the standing committees of the House and the joint standing committees shall not be divisible, nor shall any resolution or order reported by the Committee on Rules, providing a special order of business be divisible. **Derived from clause 7, rule XVI:** 7. A motion to strike out and insert is indivisible, but a motion to strike out being lost shall neither preclude amendment nor motion to strike out and insert; . . . **[remainder in clause 7, rule XVI]** **Derived from rule XIX:** RULE XIX	Existing clause 7, rule XVI says "a motion to strike out being lost shall neither preclude amendment nor motion to strike out and insert". This is duplicative since a motion to strike out and insert *is* an amendment.

Amendments

6. When an amendable proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it also shall be in order to offer a further amendment by way of substitute for the original motion to amend, to which one amendment may be offered but which may not be voted on until the original amendment is perfected. An amendment may be withdrawn in the House at any time before a decision or amendment thereon. An amendment to the title of a bill or resolution shall not be in order until after its passage or adoption and shall be decided without debate.

OF AMENDMENTS

When a motion or proposition is under consideration a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute, to which one amendment may be offered, but which shall not be voted on until the original matter is perfected, but either may be withdrawn before amendment or decision is had thereon. Amendments to the title of a bill or resolution shall not be in order until after its passage, and shall be decided without debate.

Germaneness

7. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Derived from clause 7, rule XVI: . . . and no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Readings

8. Bills and joint resolutions are subject to readings as follows:

(a) A first reading is in full when the bill or joint resolution is first considered.

(b) A second reading occurs only when the bill or joint resolution is read for amendment in a Committee of the Whole House on the state of the Union under clause 5 of rule XVIII.

(c) A third reading precedes passage when the Speaker states the question: "Shall the bill [or joint resolution] be engrossed [when applicable] and read a third time?" If that question is decided in the affirmative, then the bill or joint resolution shall be read the final time by title and then the question shall be put on its passage.

Derived from clause 1, rule XXI: RULE XXI

ON BILLS

1. Bills and joint resolutions on their passage shall be read the first time by title and the second time in full, when, if the previous question is ordered, the Speaker shall state, the question to be: Shall the bill be engrossed and read a third time? and, if decided in the affirmative, it shall be read the third time by title, and the question shall then be put upon its passage.

The proposed clause 8 on readings has been clarified to reflect current practice in the House and in the Committee of the Whole for the actual readings of bill and joint resolutions. There might be only two readings of bills considered in the House-the first reading at the time consideration begins (in full unless dispensed with), and the final reading by title just prior to final passage upon engrossment. There are normally three readings of bills considered in the Committee of the Whole. The first is upon initial consideration in the Committee, the second upon reading for amendment after the completion of general debate, and the third by title after engrossment pending final passage in the House. Special rules from the Rules Committee often waive the first reading in full in Committee of the Whole and often vary the way the bill is read a second time for amendment. The clause then restates the general House rules absent a special variation from the Rules Committee or by unanimous consent.

RULE XVII

DECORUM AND DEBATE.

Derived from: RULE XIV

OF DECORUM AND DEBATE

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
Decorum 1. (a) A Member, Delegate, or Resident Commissioner who desires to speak or deliver a matter to the House shall rise and respectfully address himself to "Mr. Speaker" and, on being recognized, may address the House from any place on the floor. When invited by the Chair, a Member, Delegate, or Resident Commissioner may speak from the Clerk's desk. (b)(1) Remarks in debate shall be confined to the question under debate, avoiding personality. (2)(A) Except as provided in subdivision (B), debate may not include characterizations of Senate action or inaction, references to individual Members of the Senate, or quotations from Senate proceedings. (B) Debate may include references to actions taken by the Senate or by committees thereof that are a matter of public record; references to the pendency or sponsorship in the Senate of bills, resolutions, and amendments; factual descriptions relating to Senate action or inaction concerning a measure then under debate in the House; and quotations from Senate proceedings on a measure then under debate in the House that are relevant to the making of legislative history establishing the meaning of that measure.	1. When any Member desires to speak or deliver any matter to the House, he shall rise and respectfully address himself to "Mr. Speaker", and, on being recognized, may address the House from any place on the floor or from the Clerk's desk, and shall confine himself to the question under debate, avoiding personality. Debate may include references to actions taken by the Senate or by committees thereof which are a matter of public record, references to the pendency or sponsorship in the Senate of bills, resolutions, and amendments, factual descriptions relating to Senate action or inaction concerning a measure then under debate in the House, and quotations from Senate proceedings on a measure then under debate in the House and which are relevant to the making of legislative history establishing the meaning of that measure, but may not include characterizations of Senate action or inaction, other references to individual Members of the Senate, or other quotations from Senate proceedings.	Proposed rule XVII becomes a consolidation of various rules governing decorum and debate, including the provisions currently in rule XIV, the use of exhibits currently in rule XXX and secret sessions currently in rule XXIX. The Chair under his power of recognition should have the ability to control when members may speak from the Clerk's desk and thus the phrase "when invited by the Chair" is added in clause 1(a). Existing clause 6 of Rule XIV on the right to speak a second time is moved into clause 3 as paragraph (b), since relevant to the manager's or mover's right to close.
Recognition 2. When two or more Members, Delegates, or the Resident Commissioner rise at once, the Speaker shall name the Member, Delegate, or Resident Commissioner who is first to speak. A Member, Delegate, or Resident Commissioner may not occupy more than one hour in debate on a question in the House or in the Committee of the Whole House on the state of the Union except as otherwise provided in this rule.	2. When two or more Members rise at once, the Speaker shall name the Member who is first to speak; and no Member shall occupy more than one hour in debate on any question in the House or in committee, except as further provided in this rule.	Clause 2 is clarified to apply to general debate in the House and in the Committee of the Whole and eliminates the ambiguity concerning standing committees where only the five-minute rule applies.
Managing Debate 3. (a) The Member, Delegate, or Resident Commissioner who calls up a measure may open and close debate thereon. When general debate extends beyond one day, that Member, Delegate, or Resident Commissioner shall be entitled to one hour to close without regard to the time used in opening. (b) Except as provided in paragraph (a), a Member, Delegate, or Resident Commissioner may not speak more than once to the same question without leave of the House. (c) A manager of a measure who opposes an amendment thereto is entitled to close controlled debate thereon.	3. The Member reporting the measure under consideration from a committee may open and close, where general debate has been had thereon; and if it shall extend beyond one day, he shall be entitled to one hour to close, notwithstanding he may have used an hour in opening. **Derived from clause 6, rule XIV:** 6. No Member shall speak more than once to the same question without leave of the House, unless he be the mover, proposer, or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every Member choosing to speak shall have spoken.	The "leave of the House" referred to in clause 3(b) should be read broadly to include unanimous consent requests and special orders from the Rules Committee. This clause is clarified to enhance the normal ability of the committee manager to close debate. The right of the manager (majority or minority) of the measure representing the committee position to close controlled debate on an amendment is clarified also.

Call to order

4. (a) If a Member, Delegate, or Resident Commissioner, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall, or a Member, Delegate, or Resident Commissioner may, call to order the offending Member, Delegate, or Resident Commissioner, who shall immediately sit down unless permitted on motion of another Member, Delegate, or the Resident Commissioner to explain. If a Member, Delegate, or Resident Commissioner is called to order, the Member, Delegate, or Resident Commissioner making the call to order shall indicate the words excepted to, which shall be taken down in writing at the Clerk's desk and read aloud to the House.

(b) The Speaker shall decide the validity of a call to order. The House, if appealed to, shall decide the question without debate. If the decision is in favor of the Member, Delegate, or Resident Commissioner called to order, the Member, Delegate, or Resident Commissioner shall be at liberty to proceed, but not otherwise. If the case requires it, an offending Member, Delegate, or Resident Commissioner shall be liable to censure or such other punishment as the House may consider proper. A Member, Delegate, or Resident Commissioner may not be held to answer a call to order, and may not be subject to the censure of the House therefor, if further debate or other business has intervened.

Derived from clause 4, rule XIV: 4. If any Member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any Member may, call him to order; in which case he shall immediately sit down, unless permitted, on motion of another Member, to explain, and the House shall, if appealed to, decide on the case without debate; if the decision is in favor of the Member called to order, he shall be at liberty to proceed, but not otherwise; and, if the case requires it, he shall be liable to censure or such punishment as the House may deem proper.

5. If a Member is called to order for words spoken in debate, the Member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the House; but he shall not be held to answer, nor be subject to the censure of the House therefor, if further debate or other business has intervened.

Comportment

5. When the Speaker is putting a question or addressing the House, a Member, Delegate, or Resident Commissioner may not walk out of or across the Hall. When a Member, Delegate, or Resident Commissioner is speaking, a Member, Delegate, or Resident Commissioner may not pass between the person speaking and the Chair. During the session of the House, a Member, Delegate, or Resident Commissioner may not wear a hat or remain by the Clerk's desk during the call of the roll or the counting of ballots. A person may not smoke or use any personal, electronic office equipment, including cellular phones and computers, on the floor of the House. The Sergeant-at-Arms is charged with the strict enforcement of this clause.

7. While the Speaker is putting a question or addressing the House no Member shall walk out of or across the hall, nor, when a Member is speaking, pass between him and the Chair; and during the session of the House no Member shall wear his hat, or remain by the Clerk's desk during the call of the roll or the counting of ballots or smoke upon the floor of the House; and the Sergeant-at-Arms is charged with the strict enforcement of this clause. Neither shall any person be allowed to smoke or to use any personal, electronic office equipment (including cellular phones and computers) upon the floor of the House at any time.

Exhibits

6. When the use of an exhibit in debate is objected to by a Member, Delegate, or Resident Commissioner, its use shall be decided without debate by a vote of the House.

Derived from rule XXX: RULE XXX

USE OF EXHIBITS

When the use of any exhibit in debate is objected to by any Member, it shall be determined without debate by a vote of the House.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
Galleries 7. During a session of the House, it shall not be in order for a Member, Delegate, or Resident Commissioner to introduce to or to bring to the attention of the House an occupant in the galleries of the House. The Speaker may not entertain a request for the suspension of this rule by unanimous consent or otherwise.	8. It shall not be in order for any Member to introduce to or to bring to the attention of the House during its sessions any occupant in the galleries of the House; nor may the Speaker entertain a request for the suspension of this rule by unanimous consent or otherwise.	Proposed clauses 7 and 8 are transferred from existing clauses 8 and 9 of rule XIV.
Congressional Record 8. (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, Delegate, or Resident Commissioner making the remarks. (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 3(a)(2) of rule XI.	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.	
Secret sessions 9. When confidential communications are received from the President, or when the Speaker or a Member, Delegate, or Resident Commissioner informs the House that he has communications that he believes ought to be kept secret for the present, the House shall be cleared of all persons except the Members, Delegates, Resident Commissioner, and officers of the House for the reading of such communications, and debates and proceedings thereon, unless otherwise ordered by the House.	**Derived from rule XXIX:** RULE XXIX SECRET SESSION Whenever confidential communications are received from the President of the United States, or whenever the Speaker or any Member shall inform the House that he has communications which he believes ought to be kept secret for the present, the House shall be cleared of all persons except the Members and officers thereof, and so continue during the reading of such communications, the debates and proceedings thereon, unless otherwise ordered by the House.	
RULE XVIII. **THE COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION.**	**Derived from:** RULE XXIII OF COMMITTEES OF THE WHOLE HOUSE	
Resolving into the Committee of the Whole 1. Whenever the House resolves into the Committee of the Whole House on the state of the Union, the Speaker shall leave the chair after appointing a Chairman to preside. In case of disturbance or disorderly conduct in the galleries or lobby, the Chairman may cause the same to be cleared.	1. (a) In all cases, in forming a Committee of the Whole House, the Speaker shall leave his chair after appointing a Member as Chairman to preside, who shall, in case of disturbance or disorderly conduct in the galleries or lobby, have power to cause the same to be cleared.	Proposed rule XVIII is basically transferred from current rule XXIII, since Committee of the Whole procedures come chronologically prior to motions for the previous question, recommittal, final passage and reconsideration which become rule XIX. The rule is reorganized to clarify the first reading of bills in full (clause 5(a). Obsolete provisions such as consideration of revenue bills and rivers and harbors bills, no longer privileged, are stricken (existing clause 4). This rule maintains provisions relating to voting and quorum procedures unique to Committee of the Whole.

2. (a) Except as provided in paragraph (b) and in clause 7 of rule XV, the House resolves into the Committee of the Whole House on the state of the Union by motion. When such a motion is entertained, the Speaker shall put the question without debate: "Shall the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of this matter?", naming it.

(b) After the House has adopted a resolution reported by the Committee on Rules providing a special order of business for the consideration of a measure in the Committee of the Whole House on the state of the Union, the Speaker may at any time, when no question is pending before the House, declare the House resolved into the Committee of the Whole for the consideration of that measure without intervening motion, unless the special order of business provides otherwise.

(b) After the House has adopted a special order of business resolution reported by the Committee on Rules providing for the consideration of a measure in the Committee of the Whole House on the state of the Union, the Speaker may at any time within his discretion, when no question is pending before the House, declare the House resolved into the Committee of the Whole House on the state of the Union for the consideration of that measure without intervening motion, unless the resolution in question provides otherwise.

Proposed clause 2(a) codifies the form of proceeding on a motion to resolve into the Committee of the Whole except where a special order from the Rules Committee authorizes the Speaker to declare the House resolved into Committee of the Whole or under Calendar Wednesday business where the House resolves into Committee of the Whole to consider Union Calendar bills without motion.

Measures requiring initial consideration in the Committee of the Whole

3. All bills, resolutions, or Senate amendments (as provided in clause 3 of rule XXII) involving a tax or charge on the people, raising revenue, directly or indirectly making appropriations of money or property or requiring such appropriations to be made, authorizing payments out of appropriations already made, releasing any liability to the United States for money or property, or referring a claim to the Court of Claims, shall be first considered in the Committee of the Whole House on the state of the Union. A bill, resolution, or Senate amendment that fails to comply with this clause is subject to a point of order against its consideration.

Derived from clause 3, rule XXIII: 3. All motions or propositions involving a tax or charge upon the people, all proceedings touching appropriations of money, or bills making appropriations of money or property, or requiring such appropriation to be made, or authorizing payments out of appropriations already made, or releasing any liability to the United States for money or property, or referring any claim to the Court of Claims, shall be first considered in a Committee of the Whole, and a point of order under this rule shall be good at any time before the consideration of a bill has commenced.

Proposed clause 3 cross references clause 3 of rule XXII regarding Senate amendments requiring consideration in Committee of the Whole. This also conforms to definition of Union Calendar bills in proposed clause 1, rule XIII defining propositions which must be considered in Committee of the Whole. Ordinarily a bill requiring consideration in Committee will be so considered under the terms of a special order of business from the Rules Committee. Alternatively, the need for Committee of the Whole may be altered by consideration in the House by unanimous consent or by suspension of the rules.

Order of business

4. (a) Subject to subparagraph (b) business on the calendar of the Committee of the Whole House on the state of the Union may be taken up in regular order, or in such order as the Committee may determine, unless the measure to be considered was determined by the House at the time of resolving into the Committee of the Whole.

(b) Motions to resolve into the Committee of the Whole for consideration of bills and joint resolutions making general appropriations have precedence under this clause.

4. In Committees of the Whole House business on their calendars may be taken up in regular order, or in such order as the committee may determine, unless the bill to be considered was determined by the House at the time of going into committee, but bills for raising revenue, general appropriation bills, and bills for the improvement of rivers and harbors shall have precedence.

The last portion of the existing clause 4, rule XXIII giving priority to motions to go into Committee of the Whole on revenue, general appropriation bills and rivers and harbors bills is deleted since revenue bills and rivers and harbors bills are no longer privileged to be reported at any time, that privilege having been removed by the Committee Reform Amendments of 1974. General appropriation bills are given privilege under proposed clause 5, rule XIII. Hence the motion to resolve into the Committee of the Whole for the purpose of considering general appropriation bills provided in existing clause 9, rule XVI is unnecessary.

PROPOSED NEW RULES

Reading for amendment

5. (a) Before general debate commences on a measure in the Committee of the Whole House on the state of the Union, it shall be read in full. When general debate is concluded or closed by order of the House, the measure under consideration shall be read for amendment. A Member, Delegate, or Resident Commissioner who offers an amendment shall be allowed five minutes to explain it, after which the Member, Delegate, or Resident Commissioner who shall first obtain the floor shall be allowed five minutes to speak in opposition to it. There shall be no further debate thereon, but the same privilege of debate shall be allowed in favor of and against any amendment that may be offered to an amendment. An amendment, or an amendment to an amendment, may be withdrawn by its proponent only by the unanimous consent of the Committee of the Whole.

(b) When a Member, Delegate, or Resident Commissioner offers an amendment in the Committee of the Whole House on the state of the Union, the Clerk shall promptly transmit five copies of the amendment to the majority committee table and five copies to the minority committee table. The Clerk also shall deliver at least one copy of the amendment to the majority cloakroom and at least one copy to the minority cloakroom.

EXISTING RULES

5. (a) When general debate is closed by order of the House, any Member shall be allowed five minutes to explain any amendment he may offer, after which the Member who shall first obtain the floor shall be allowed to speak five minutes in opposition to it, and there shall be no further debate thereon, but the same privilege of debate shall be allowed in favor of and against any amendment that may be offered to an amendment; and neither an amendment nor an amendment to an amendment shall be withdrawn by the mover thereof unless by the unanimous consent of the committee. Upon the offering of any amendment by a Member, when the House is meeting in the Committee of the Whole, the Clerk shall promptly transmit to the majority committee table five copies of the amendment and five copies to the minority committee table. Further, the Clerk shall deliver at least one copy of the amendment to the majority cloak room and at least one copy to the minority cloak room.

COMMENTARY

Proposed clause 5 is clarified to describe first and second readings of bills in the Committee of the Whole. Proposed clause 8, rule XVI also reflects current practice on readings in the House.

Quorum and voting

6. (a) A quorum of a Committee of the Whole House on the state of the Union is 100 Members. The first time that a Committee of the Whole finds itself without a quorum during a day, the Chairman shall invoke the procedure for a quorum call set forth in clause 2 of rule XX, unless he elects to invoke an alternate procedure set forth in clause 3 or clause 4(a) of rule XX. If a quorum appears, the Committee of the Whole shall continue its business. If a quorum does not appear, the Committee of the Whole shall rise, and the Chairman shall report the names of absentees to the House.

(b)(1) The Chairman may refuse to entertain a point of order that a quorum is not present during general debate.

(2) After a quorum has once been established on a day, the Chairman may entertain a point of order that a quorum is not present only when the Committee of the Whole House on the state of the Union is operating under the five-minute rule and the Chairman has put the pending proposition to a vote.

(3) Upon sustaining a point of order that a quorum is not present, the Chairman may announce that, following a regular quorum call under paragraph (a), the minimum time for electronic voting on the pending question shall be five minutes.

(c) When ordering a quorum call in the Committee of the Whole House on the state of the Union, the Chairman may announce an intention to declare that a quorum is constituted at any time during the quorum call when he determines that a quorum has appeared. If the Chairman interrupts the quorum call by declaring that a quorum is constituted, proceedings under the quorum call shall be considered as vacated, and the Committee of the Whole shall continue its sitting and resume its business.

(d) A quorum is not required in the Committee of the Whole House on the state of the Union for adoption of a motion that the Committee rise.

(e) In the Committee of the Whole House on the state of the Union, the Chairman shall order a recorded vote on a request supported by at least 25 Members.

(f) In the Committee of the Whole House on the state of the Union, the Chairman may reduce to five minutes the minimum time for electronic voting without any intervening business or debate on any or all pending amendments after a recorded vote has been taken on the first pending amendment.

Derived from clause 2, rule XXIII: 2. (a) A quorum of a Committee of the Whole shall consist of one hundred Members. The first time that a Committee of the Whole finds itself without a quorum during any day, the Chairman shall invoke the procedure for the call of the roll under clause 5 of rule XV, unless, in his discretion, he orders a call of the Committee to be taken by the procedure set forth in clause 1 or clause 2(b) of rule XV: Provided, That the Chairman may in his discretion refuse to entertain a point of order that a quorum is not present during general debate only. If on such call, a quorum shall appear, the Committee shall continue its business; but if a quorum does not appear, the Committee shall rise and the Chairman shall report the names of the absentees to the House. After the roll has been once called to establish a quorum during such day, the Chairman may not entertain a point of order that a quorum is not present unless the Committee is operating under the five-minute rule and the Chairman has put the pending motion or proposition to a vote; and if the Chairman sustains a point of order that a quorum is not present after putting the question on such a motion or proposition, he may announce that following a regular quorum call conducted pursuant to the previous provisions of this clause, he will reduce to not less than five minutes the period of time within which a recorded vote on the pending question may be taken if such a vote is ordered. If, at any time during the conduct of any quorum call in a Committee of the Whole, the Chairman determines that a quorum is present, he may, in his discretion and subject to his prior announcement, declare that a quorum is constituted. Proceedings under the call shall then be considered as vacated, and the Committee shall not rise but shall continue its sitting and resume its business.

(b) In the Committee of the Whole, the Chair shall order a recorded vote on request supported by at least twenty-five Members.

(c) In the Committee of the Whole, the Chairman may, in his discretion, reduce to not less than five minutes the period of time within which a rollcall vote by electronic device may be taken without any intervening business or debate on any or all pending amendments after the vote has been taken on the first pending amendment.

Proposed clause 6 clarifies that if the Chairman of the Committee of the Whole utilizes a notice quorum call the first time in the Committee of the Whole and a quorum appears, such quorum call counts and a subsequent point of order cannot be made unless the Chair is putting the question to a vote. If a quorum is established on a recorded vote, that also counts as the first establishment of a quorum.

Proposed clause 6(d) is transferred from the existing clause 6(b), rule XV as more logically included in the Committee of the Whole rule than in the voting rule.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
Dispensing with the reading of an amendment 7. It shall be in order in the Committee of the Whole House on the state of the Union to move that the Committee of the Whole dispense with the reading of an amendment that has been printed in the bill or resolution as reported by a committee, or an amendment that a Member, Delegate, or Resident Commissioner has caused to be printed in the Congressional Record. Such a motion shall be decided without debate.	**Derived from clause 5(b), rule XXIII:** (b) It shall be in order to move in the Committee of the Whole to dispense with the reading of an amendment if the amendment has been printed in the bill as reported from a committee, or if any Member shall have caused the amendment to be printed in the Congressional Record, and to be submitted to the Clerk, or to any responsible staff member designated by the Chairman, of the reporting committee or committees, at least one day prior to floor consideration, and said motion shall be decided without debate.	The "responsible staff member" provisions in the existing rule have never been used and are deleted as unworkable.
Closing debate 8. (a) Subject to paragraph (b) at any time after the Committee of the Whole House on the state of the Union has begun five-minute debate on amendments to any portion of a bill or resolution, it shall be in order to move that the Committee of the Whole close all debate on that portion of the bill or resolution or on the pending amendments only. Such a motion shall be decided without debate. The adoption of such a motion does not preclude further amendment, to be decided without debate. (b) If the Committee of the Whole House on the state of the Union closes debate on any portion of a bill or resolution before there has been debate on an amendment that a Member, Delegate, or Resident Commissioner has caused to be printed in the Congressional Record at least one day before its consideration, the Member, Delegate, or Resident Commissioner who caused the amendment to be printed in the Record shall be allowed five minutes to explain it, after which the Member, Delegate, or Resident Commissioner who shall first obtain the floor shall be allowed five minutes to speak in opposition to it. There shall be no further debate thereon. (c) Material submitted for printing in the Congressional Record under this rule shall indicate the full text of the proposed amendment, the name of the Member, Delegate, or Resident Commissioner proposing it, the number of the bill or resolution to which it will be offered, and the point in the bill or resolution or amendment thereto where the amendment is intended to be offered. The amendment shall appear in a portion of the Record designated for that purpose. Amendments to a specified measure submitted for printing in that portion of the Record shall be numbered in the order printed.	**Derived from clause 6, rule XXIII:** 6. The committee may, by the vote of a majority of the members present, at any time after the five minutes' debate has begun upon proposed amendments to any section or paragraph of a bill, close all debate upon such section or paragraph or, at its election, upon the pending amendments only (which motion shall be decided without debate); but this shall not preclude further amendment, to be decided without debate. However, if debate is closed on any section or paragraph under this clause before there has been debate on any amendment which any Member shall have caused to be printed in the Congressional Record at least one day prior to floor consideration of such amendment, the Member who caused such amendment to be printed in the Record shall be given five minutes in which to explain such amendment, after which the first person to obtain the floor shall be given five minutes in opposition to it, and there shall be no further debate thereon; but such time for debate shall not be allowed when the offering of such amendment is dilatory. Material placed in the Record pursuant to this provision shall indicate the full text of the proposed amendment, the name of the proponent Member, the number of the bill to which it will be offered and the point in the bill or amendment thereto where the amendment is intended to be offered, and shall appear in a portion of the Record designated for that purpose. All amendments to a specified measure submitted for printing in that portion of the Record shall be given numerical designations in the order printed.	The term "portion" in proposed clause 8 means the pending section, title, or other subdivision of the measure, as the case may be. The five minutes for debate on a printed amendment would be unavailable for a dilatory amendment because the Chair would not recognize a member for the offering of such an amendment under the general prohibition against entertaining dilatory motions in proposed clause 1, rule XVI. Therefore, the rule need not address debatability of dilatory amendments.

Striking the enacting clause

9. A motion that the Committee of the Whole House on the state of the Union rise and report a bill or resolution to the House with the recommendation that the enacting or resolving clause be stricken shall have precedence of a motion to amend, and, if carried in the House, shall constitute a rejection of the bill or resolution. Whenever a bill or resolution is reported from the Committee of the Whole with such adverse recommendation and the recommendation is rejected by the House, the bill or resolution shall stand recommitted to the Committee of the Whole without further action by the House. Before the question of concurrence is submitted, it shall be in order to move that the House refer the bill or resolution to a committee, with or without instructions. If a bill or resolution is so referred, then when it is again reported to the House it shall be referred to the Committee of the Whole without debate.

Derived from clause 7, rule XXIII: 7. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection. Whenever a bill is reported from a Committee of the Whole with an adverse recommendation and such recommendation is disagreed to by the House, the bill shall stand recommitted to the said committee without further action by the House, but before the question of concurrence is submitted it is in order to entertain a motion to refer the bill to any committee, with or without instructions, and when the same is again reported to the House it shall be referred to the Committee of the Whole without debate.

Proposed clause 9 states the exact wording of the preferential motion that "the Committee rise and report the bill to the House with recommendation that the enacting clause or resolving clause be stricken out" replaces the current description of the "motion to strike out the enacting clause", since the motion is only relevant in Committee of the Whole, has been construed to be applicable to resolutions and should be stated in its precise form.

Concurrent resolution on the budget

10. (a) At the conclusion of general debate in the Committee of the Whole House on the state of the Union on a concurrent resolution on the budget under section 305(a) of the Congressional Budget Act of 1974, the concurrent resolution shall be considered as read for amendment.

(b) It shall not be in order in the House or in the Committee of the Whole House on the state of the Union to consider an amendment to a concurrent resolution on the budget, or an amendment thereto, unless the concurrent resolution, as amended by such amendment or amendments—

(1) would be mathematically consistent except as limited by paragraph (c); and

(2) would contain all the matter set forth in paragraphs (1) through (5) of section 301(a) of the Congressional Budget Act of 1974.

(c)(1) Except as specified in subparagraph (2), it shall not be in order in the House or in the Committee of the Whole House on the state of the Union to consider an amendment to a concurrent resolution on the budget, or an amendment thereto, that proposes to change the amount of the appropriate level of the public debt set forth in the concurrent resolution, as reported.

(2) Amendments to achieve mathematical consistency under section 305(a)(5) of the Congressional Budget Act of 1974, if offered by direction of the Committee on the Budget, may propose to adjust the amount of the appropriate level of the public debt set forth in the concurrent resolution, as reported, to reflect changes made in other figures contained in the concurrent resolution.

8. At the conclusion of general debate in a Committee of the Whole on any concurrent resolution on the budget pursuant to section 305(a) of the Congressional Budget Act of 1974, the concurrent resolution shall be considered as having been read for amendment. It shall not be in order in the House or in a Committee of the Whole to consider an amendment to a concurrent resolution on the budget, or any amendment to an amendment thereto, unless the concurrent resolution as amended by such amendment or amendments: (a) would be mathematically consistent (except to the extent that the amendment involved is limited by the third sentence of this clause); and (b) would contain all the matter set forth in paragraphs (1) through (5) of section 301(a) of the Congressional Budget Act of 1974. It shall not be in order in the House or in a Committee of the Whole to consider an amendment to a concurrent resolution on the budget, or any amendment to an amendment thereto, which changes the amount of the appropriate level of the public debt set forth in the concurrent resolution as reported; except that the amendments to achieve mathematical consistency which are permitted under section 305(a)(6) of the Congressional Budget Act of 1974 may include an amendment, offered by or at the direction of the Committee on the Budget, to adjust the amount of such level to reflect any changes made in the other figures contained in the resolution.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
Unfunded mandates 11. (a) In the Committee of the Whole House on the state of the Union, an amendment proposing only to strike an unfunded mandate from the portion of the bill then open to amendment, if otherwise in order, may be precluded from consideration only by specific terms of a special order of the House.	**Derived from clause 5(c), rule XXIII:** (c)(1) In the Committee of the Whole, an amendment proposing only to strike an unfunded mandate from the portion of the bill then open to amendment, if otherwise in order, may be precluded from consideration only by specific terms of a special order of the House.	
(b) In this clause the term "unfunded mandate" means a Federal intergovernmental mandate the direct costs of which exceed the threshold otherwise specified for a reported bill or joint resolution in section 424(a)(1) of the Congressional Budget Act of 1974.	(2) In this paragraph, "unfunded mandate" means a Federal intergovernmental mandate the direct costs of which exceed the threshold otherwise specified for a reported bill or joint resolution in section 424(a)(1) of the Congressional Budget Act of 1974.	
Applicability of Rules of the House 12. The Rules of the House are the rules of the Committee of the Whole House on the state of the Union so far as applicable.	**Derived from clause 9, rule XXIII:** 9. The rules of proceeding in the House shall be observed in Committees of the Whole House so far as they may be applicable.	
RULE XIX. **MOTIONS FOLLOWING THE AMENDMENT STAGE.**	**Derived from:** RULE XVII	
Previous question 1. (a) There shall be a motion for the previous question, which, being ordered, shall have the effect of cutting off all debate and bringing the House to a direct vote on the immediate question or questions on which it has been ordered. Whenever the previous question has been ordered on an otherwise debatable question on which there has been no debate, it shall be in order to debate that question for 40 minutes, equally divided and controlled by a proponent of the question and an opponent. The previous question may be moved and ordered on a single question, on a series of questions allowable under the rules, or on an amendment or amendments, or may embrace all authorized motions or amendments and include the bill or resolution to its passage, adoption, or rejection.	PREVIOUS QUESTION 1. There shall be a motion for the previous question, which, being ordered by a majority of Members voting, if a quorum be present, shall have the effect to cut off all debate and bring the House to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its passage or rejection. **Derived from clause 2, rule XXVII:** . . . and the same right of debate shall be allowed whenever the previous question has been ordered on any proposition on which there has been no debate.	In proposed rule XIX, all provisions governing the motion for the previous question and the motion to recommit and for the motion to reconsider are transferred from current clause 4, rule XVI, from clause 1, rule XVII, and from rule XVIII respectively into one rule which generally governs House practice at final passage stage after Committee of the Whole consideration. Also, the provision requiring 40 minutes of debate where the previous question is ordered without debate is transferred from current clause 2 of rule XXVII to clause 1 of this rule. The provision currently in clause 2 of rule XVII prohibiting calls of the House following the ordering of the previous question unless the Speaker actually counts the absence of a quorum has been moved to clause 7(c) of rule XX as more appropriately a quorum matter. In clause 3, the motion to reconsider may only be made by a Member voting "on the prevailing side" rather than "in the majority" since a tie vote or one-third plus one on a constitutional amendment, though not in the majority would be on the prevailing side.
(b) Incidental questions of order arising during the pendency of a motion for the previous question shall be decided, whether on appeal or otherwise, without debate.	**Derived from clause 3, rule XVII:** 3. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.	

Recommit

2. (a) After the previous question has been ordered on passage or adoption of a measure, or pending a motion to that end, it shall be in order to move that the House recommit (or commit, as the case may be) the measure, with or without instructions, to a standing or select committee. For such a motion to recommit, the Speaker shall give preference in recognition to a Member, Delegate, or Resident Commissioner who is opposed to the measure.

(b) Except as provided in paragraph (c), if a motion that the House recommit a bill or joint resolution on which the previous question has been ordered to passage includes instructions, it shall be debatable for 10 minutes equally divided between the proponent and an opponent.

(c) On demand of the floor manager for the majority, it shall be in order to debate the motion for one hour equally divided and controlled by the proponent and an opponent.

Derived from clause 1, rule XVII: It shall be in order, pending the motion for, or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.

Derived from clause 4, rule XVI: After the previous question shall have been ordered on the passage of a bill or joint resolution one motion to recommit shall be in order, and the Speaker shall give preference in recognition for such purpose to a Member who is opposed to the bill or joint resolution. However, with respect to any motion to recommit with instructions after the previous question shall have been ordered, it always shall be in order to debate such motion for ten minutes before the vote is taken on that motion, except that on demand of the floor manager for the majority it shall be in order to debate such motion for one hour. One half of any debate on such motions shall be given to debate by the mover of the motion and one half to debate in opposition to the motion.

The "one" motion to recommit specified in existing clause 4, rule XVI has been interpreted to mean that a proper motion to recommit remains available if prior motions are ruled out of order. The proposed rule eliminates "one" and the ambiguity. The source for the proper motion to recommit is based on existing rule XVII.

Reconsideration

3. When a motion has been carried or lost, it shall be in order on the same or succeeding day for a Member on the prevailing side of the question to enter a motion for the reconsideration thereof. The entry of such a motion shall take precedence over all other questions except the consideration of a conference report or a motion to adjourn, and may not be withdrawn after such succeeding day without the consent of the House. Once entered, a motion may be called up for consideration by any Member. During the last six days of a session of Congress, such a motion shall be disposed of when entered.

4. A bill, petition, memorial, or resolution referred to a committee, or reported therefrom for printing and recommitment, may not be brought back to the House on a motion to reconsider.

Derived from: RULE XVIII

RECONSIDERATION

1. When a motion has been made and carried or lost, it shall be in order for any member of the majority, on the same or succeeding day, to move for the reconsideration thereof, and such motion shall take precedence of all other questions except the consideration of a conference report or a motion to adjourn, and shall not be withdrawn after the said succeeding day without the consent of the House, and thereafter any Member may call it up for consideration: Provided, That such motion, if made during the last six days of a session, shall be disposed of when made.

2. No bill, petition, memorial, or resolution referred to a committee, or reported therefrom for printing and recommitment, shall be brought back into the House on a motion to reconsider; and all bills, petitions, memorials, or resolutions reported from a committee shall be accompanied by reports in writing, which shall be printed.

Entering the motion to reconsider and consideration of the motion are separate propositions. One Member may enter the motion and another Member may call up the motion. The motion must be made or entered within the two-day period allowed by the rule, but once entered remains pending indefinitely.

The last portion of existing clause 2, rule XVIII regarding the printing of reported bills has been eliminated since proposed clause 2, rule XIII already requires the printing of committee reports.

RULE XX.

VOTING AND QUORUM CALLS.

PROPOSED NEW RULES

1. (a) The House shall divide after the Speaker has put a question to a vote by voice as provided in clause 6 of rule I if the Speaker is in doubt or division is demanded. Those in favor of the question shall first rise from their seats to be counted, and then those opposed.

(b) If a Member, Delegate, or Resident Commissioner requests a recorded vote, and that request is supported by at least one-fifth of a quorum, the vote shall be taken by electronic device unless the Speaker invokes another procedure for recording votes provided in this rule. A recorded vote taken in the House under this paragraph shall be considered a vote by the yeas and nays.

(c) In case of a tie vote, a question shall be lost.

2. (a) Unless the Speaker directs otherwise, the Clerk shall conduct a record vote or quorum call by electronic device. In such a case the Clerk shall enter on the Journal and publish in the Congressional Record, in alphabetical order in each category, the names of Members recorded as voting in the affirmative, the names of Members recorded as voting in the negative, and the names of Members answering present as if they had been called in the manner provided in clause 3. Except as otherwise permitted under clause 9 or 10 of this rule or under clause 6 of rule XVIII, the minimum time for a record vote or quorum call by electronic device shall be 15 minutes.

EXISTING RULES

Derived from clause 5(a), rule I: . . . if he doubts, or a division is called for, the House shall divide; those in the affirmative of the question shall first rise from their seats, and then those in the negative. If any Member requests a recorded vote and that request is supported by at least one-fifth of a quorum, such vote shall be taken by electronic device, unless the Speaker in his discretion orders clerks to tell the names of those voting on each side of the question, and such names shall be recorded by electronic device or by clerks, as the case may be, and shall be entered in the Journal, together with the names of those not voting. A recorded vote taken pursuant to this paragraph shall be considered a vote by the yeas and nays. Members shall have not less than fifteen minutes to be counted from the ordering of the recorded vote or the ordering of clerks to tell the vote.

Derived from clause 5(a), rule XV: 5. (a) Unless, in his discretion, the Speaker orders the calling of the names of Members in the manner provided for under the preceding provisions of this rule, upon any roll call or quorum call the names of such Members voting or present shall be recorded by electronic device. In any such case, the Clerk shall enter in the Journal and publish in the Congressional Record, in alphabetical order in each category, a list of names of those Members recorded as voting in the affirmative, of those Members recorded as voting in the negative, and of those Members answering present, as the case may be, as if their names had been called in the manner provided for under such preceding provisions. Members shall have not less than fifteen minutes from the ordering of the roll call or quorum call to have their vote or presence recorded.

COMMENTARY

In proposed rule XX, all quorum and voting procedures have been consolidated from existing rule I and rule XV except those unique to the Committee of the Whole. Existing provisions in clause 5 of rule I concerning the Speaker's duties as to procedures for division and recorded votes are moved to clause 1. "Rollcall votes" are now described generally as "record votes", and are defined in clauses 2, 3 and 4 to include the normal electronic vote, and also votes by backup procedures of rollcall or by recorded tellers. Authority to postpone votes and to order five minute votes is also transferred to new clauses 9 and 10. In clause 7 (currently clause 6(e) of rule XV), the Speaker is foreclosed from entertaining a point of order unless a proposition has been put to a vote. This being the case, those provisions currently in clause 6 (a), (c), and (d) of rule XV which foreclose points of no quorum at certain designated times during the legislative process (e.g., before the prayer, during oath of office, reception of messages) are already obsolete and are therefore stricken, since overtaken by the more general prohibition in clause 6(e).

In proposed clause 1, rule XX, the cross reference to the Speaker's putting the question to voice vote as provided in clause 6, rule I shows the relationship between Speaker's role under that rule and the voting rule. The provision in existing clause 5, rule I that a question loses on a tie vote is carried here as it is more appropriately a voting issue. The minimum of fifteen minutes for a recorded vote in existing clause 5(a), rule I is transferred to proposed clause 2(a).

(b) When the electronic voting system is inoperable or is not used, the Speaker or Chairman may direct the Clerk to conduct a record vote or quorum call as provided in clause 3 or 4.

3. The Speaker may direct the Clerk to conduct a record vote or quorum call by call of the roll. In such a case the Clerk shall call the names of Members, alphabetically by surname. When two or more have the same surname, the name of the State (and, if necessary to distinguish among Members from the same State, the given names of the Members) shall be added. After the roll has been called once, the Clerk shall call the names of those not recorded, alphabetically by surname. Members appearing after the second call, but before the result is announced, may vote or announce a pair.

4. (a) The Speaker may direct a record vote or quorum call to be conducted by tellers. In such a case the tellers named by the Speaker shall record the names of the Members voting on each side of the question or record their presence, as the case may be, which the Clerk shall enter on the Journal and publish in the Congressional Record. Absentees shall be noted, but the doors may not be closed except when ordered by the Speaker. The minimum time for a record vote or quorum call by tellers shall be 15 minutes.

(b) On the demand of a Member, or at the suggestion of the Speaker, the names of Members sufficient to make a quorum in the Hall of the House who do not vote shall be noted by the Clerk, entered on the Journal, reported to the Speaker with the names of the Members voting, and be counted and announced in determining the presence of a quorum to do business.

5. (a) In the absence of a quorum, a majority comprising at least 15 Members, which may include the Speaker, may compel the attendance of absent Members.

(b) Subject to clause 7(b) a majority of those present may order the Sergeant-at-Arms to send officers appointed by him to arrest those Members for whom no sufficient excuse is made and shall secure and retain their attendance. The House shall determine on what condition they shall be discharged. Unless the House otherwise directs, the Members who voluntarily appear shall be admitted immediately to the Hall of the House and shall report their names to the Clerk to be entered on the Journal as present.

Derived from clause 1, rule XV: 1. Subject to clause 5 of this rule, upon every roll call the names of the Members shall be called alphabetically by surname, except when two or more have the same surname, in which case the name of the State shall be added; and if there be two such Members from the same State, the whole name shall be called, and after the roll has been once called, the Clerk shall call in their alphabetical order the names of those not voting. Members appearing after the second call, but before the result is announced, may vote or announce a pair.

Derived from clause 2(b), rule XV: (b) Subject to clause 5 of this rule, when a call of the House in the absence of a quorum is ordered, the Speaker shall name one or more clerks to tell the Members who are present. The names of those present shall be recorded by such clerks, and shall be entered in the Journal and the absentees noted, but the doors shall not be closed except when so ordered by the Speaker. Members shall have not less than fifteen minutes from the ordering of a call of the House to have their presence recorded.

Derived from clause 3, rule XV: 3. On the demand of any Member, or at the suggestion of the Speaker, the names of Members sufficient to make a quorum in the Hall of the House who do not vote shall be noted by the Clerk and recorded in the Journal, and reported to the Speaker with the names of the Members voting, and be counted and announced in determining the presence of a quorum to do business.

Derived from clause 2(a), rule XV: 2. (a) In the absence of a quorum, fifteen Members, including the Speaker, if there is one, shall be authorized to compel the attendance of absent Members; and those for whom no sufficient excuse is made may, by order of a majority of those present, subject to clause 6(e)(2) of this rule be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured and retained; and the House shall determine upon what condition they shall be discharged. Members who voluntarily appear shall, unless the House otherwise direct, be immediately admitted to the Hall of the House, and they shall report their names to the Clerk to be entered upon the Journal as present.

Proposed clause 2(b) consolidates alternative back-up quorum or voting procedures (either by roll-call authorized by existing clause 1, rule XV or clerk-tellers authorized by existing clause 2(b), rule XV) to make clear that the Speaker has discretion as to which backup procedure to utilize.

PROPOSED NEW RULES

6. (a) When a quorum fails to vote on a question, a quorum is not present, and objection is made for that cause (unless the House shall adjourn)—

(1) there shall be a call of the House;

(2) the Sergeant-at-Arms shall proceed forthwith to bring in absent Members; and

(3) the yeas and nays on the pending question shall at the same time be considered as ordered.

(b) The Clerk shall record Members by the yeas and nays on the pending question, using such procedure as the Speaker may invoke under clause 2, 3, or 4. Each Member arrested under this clause shall be brought by the Sergeant-at-Arms before the House, whereupon he shall be noted as present, discharged from arrest, and given an opportunity to vote; and his vote shall be recorded. If those voting on the question and those who are present and decline to vote together make a majority of the House, the Speaker shall declare that a quorum is constituted, and the pending question shall be decided as the requisite majority of those voting shall have determined. Thereupon further proceedings under the call shall be considered as dispensed with.

(c) At any time after Members have had the requisite opportunity to respond by the yeas and nays, but before a result has been announced, the Speaker may entertain a motion that the House adjourn if seconded by a majority of those present, to be ascertained by actual count by the Speaker. If the House adjourns on such a motion, all proceedings under this clause shall be considered as vacated.

EXISTING RULES

Derived from clause 4, rule XV: 4. Subject to clause 5 of this rule, whenever a quorum fails to vote on any question, and a quorum is not present and objection is made for that cause, unless the House shall adjourn there shall be a call of the House, and the Sergeant-at-Arms shall forthwith proceed to bring in absent Members, and the yeas and nays on the pending question shall at the same time be considered as ordered. The Clerk shall call the roll, and each Member as he answers to his name may vote on the pending question, and, after the roll call is completed, each Member arrested shall be brought by the Sergeant-at-Arms before the House, whereupon he shall be noted as present, discharged from arrest and given an opportunity to vote and his vote shall be recorded. If those voting on the question and those who are present and decline to vote shall together make a majority of the House, the Speaker shall declare that a quorum is constituted, and the pending question shall be decided as the majority of those voting shall appear. And thereupon further proceedings under the call shall be considered as dispensed with. At any time after the roll call has been completed, the Speaker may entertain a motion to adjourn, if seconded by a majority of those present, to be ascertained by actual count by the Speaker; and if the House adjourns, all proceedings under this section shall be vacated.

COMMENTARY

7. (a) The Speaker may not entertain a point of order that a quorum is not present unless a question has been put to a vote.

(b) Subject to paragraph (c) the Speaker may recognize a Member, Delegate, or Resident Commissioner to move a call of the House at any time. When a quorum is established pursuant to a call of the House, further proceedings under the call shall be considered as dispensed with unless the Speaker recognizes for a motion to compel attendance of Members under clause 5(b).

(c) A call of the House shall not be in order after the previous question is ordered unless the Speaker determines by actual count that a quorum is not present.

Derived from clause 6, rule XV: 6. (a) It shall not be in order to make or entertain a point of order that a quorum is not present:

(1) before or during the offering of prayer;

(2) during the administration of the oath of office to the Speaker or Speaker pro tempore or a Member, Delegate, or Resident Commissioner;

(3) during the reception of any message from the President of the United States or the United States Senate; and

(4) during the offering, consideration, and disposition of any motion incidental to a call of the House.

(b) A quorum shall not be required in Committee of the Whole for agreement to a motion that the Committee rise.

(c) After the presence of a quorum is once ascertained on any day on which the House is meeting, a point of order of no quorum may not be made or entertained—

(1) during the reading of the Journal;

(2) during the period after a Committee of the Whole has risen after completing its consideration of a bill or resolution and before the Chairman of the Committee has reported the bill or resolution back to the House; and

(3) during any period of a legislative day when the Speaker is recognizing Members (including a Delegate or Resident Commissioner) to address the House under special orders, with no measure or matter then under consideration for disposition by the House.

(d) When the presence of a quorum is ascertained, a further point of order that a quorum is not present may not thereafter be made or entertained until additional business intervenes. For purposes of this paragraph, the term "business" does not include any matter, proceeding, or period referred to in paragraph (a), (b), or (c) of this clause for which a quorum is not required or a point of order of no quorum may not be made or entertained.

(e)(1) Except as provided by subparagraph (2), it shall not be in order to make or entertain a point of order that a quorum is not present unless the Speaker has put the pending motion or proposition to a vote.

(2) Notwithstanding subparagraph (1), it shall always be in order for a Member to move a call of the House when recognized for that purpose by the Speaker, and when a quorum has been established pursuant to a call of the House, further proceedings under the call shall be considered as dispensed with unless the Speaker, in his discretion, recognizes for a motion under clause (2)(a) of this rule or for a motion to dispense with further proceedings under the call.

The provisions of existing clause 6(a), (c), and (d), rule XV are made unnecessary since the proposed clause 7, rule XV (from existing clause 6(e)) controls all these situations and they need not be spelled out separately. Since the Speaker cannot entertain points of no quorum unless he is putting the question to a vote in the House, other prohibitions as to specific times at which point of no quorum cannot be entertained are confusing and unnecessary. The statement in existing clause 6(b), rule XV that a quorum is not required to agree to a motion that the Committee of the Whole rise is transferred to proposed clause 6(d), rule XVIII which governs proceedings in Committee of the Whole.

Proposed clause 7(c), rule XV, prohibiting a call of the House after the previous question is ordered unless the Speaker actually counts the absence of a quorum, is derived from existing clause 2, rule XVII. It is more logical in the voting and quorum rule than in the previous question rule and immediately follows existing provisions that the Speaker has discretion as to when to entertain motions for a call of the House.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
	Derived from clause 2, rule XVII: 2. A call of the House shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the Speaker that a quorum is not present.	
	Derived from clause 2, rule VIII: 2. Pairs shall be announced by the Clerk immediately before the announcement by the Chair of the result of the vote, by the House or Committee of the Whole from a written list furnished him, and signed by the Member making the statement to the Clerk, which list shall be published in the Record as a part of the proceedings, immediately following the names of those not voting. However, pairs shall be announced but once during the same legislative day.	Proposed clause 8, rule XV, announcement of pairs by the Clerk, is moved from clause 2, rule VIII, duties of Members. The last sentence providing that pairs shall be announced only once during a legislative day has been deleted as unnecessary since pairs are not announced at all in modern practice.
Postponement of proceedings		
8. (a)(1) When a recorded vote is ordered, or the yeas and nays are ordered, or a vote is objected to under clause 6 on any of the questions specified in subparagraph (2), the Speaker may postpone further proceedings on that question to a designated place in the legislative schedule on that legislative day (in the case of the question of agreeing to the Speaker's approval of the Journal) or within two legislative days (in the case of any other question).	**Derived from clause 5, rule I:** (b)(1) On any legislative day whenever a recorded vote is ordered or the yeas and nays are ordered, or a vote is objected to under clause 4 of rule XV on any of the following questions, the Speaker may, in his discretion, postpone further proceedings on each such question to a designated time or place in the legislative schedule on that legislative day in the case of the question of agreeing to the Speaker's approval of the Journal, or within two legislative days, in the case of the other questions listed herein:	Proposed clause 9, rule XV is moved from clause 5, rule I since the Speaker's authority to postpone certain votes logically belongs in the voting rule.
(2) The questions described in the subparagraph (1) are as follows:		
(A) The question of passing a bill or joint resolution.	(A) the question of adopting a resolution;	
(B) The question of adopting a resolution or concurrent resolution.	(B) the question of passing a bill;	
(C) The question of agreeing to a motion to instruct managers on the part of the House under clause 7(c) of rule XXII (except that proceedings may not resume on such a question if the managers have filed a report in the House).	(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.	(D) the question of agreeing to a conference report;	
(E) The question of agreeing to a motion to recommit a bill considered under clause 6 of rule XV.	(E) the question of agreeing to a motion to recommit a bill considered pursuant to clause 4 of rule XIII;	
(F) The question of ordering the previous question on a question described in subdivision (A), (B), (C), (D), or (E).	(F) the question of ordering the previous question on a question described in subdivision (A), (B), (C), (D), or (E);	
(G) The question of agreeing to an amendment to a bill considered under clause 6 of rule XV.	(G) the question of agreeing to an amendment to a bill considered pursuant to clause 4 of rule XIII; and	
(H) The question of agreeing to a motion to suspend the rules.	(H) the question of agreeing to a motion to suspend the rules.	
(b) At the time designated by the Speaker for further proceedings on questions postponed under paragraph (a), the Speaker shall resume proceedings on each postponed question in the order in which it was considered.	(2) At the time designated by the Speaker for further consideration of proceedings postponed under subparagraph (1), the Speaker shall put each question on which further proceedings were postponed, in the order in which that question was considered.	

(c) The Speaker may reduce to five minutes the minimum time for electronic voting on a question postponed under this clause, or on a question incidental thereto, that follows another electronic vote without intervening business, so long as the minimum time for electronic voting on the first in any series of questions is 15 minutes.

(d) If the House adjourns on a legislative day designated for further proceedings on questions postponed under this clause without disposing of such questions, then on the next legislative day the unfinished business is the disposition of such questions in the order in which they were considered.

(3) At any time after the vote has been taken on the first question on which the Speaker has postponed further proceedings under this paragraph, the Speaker may, in his discretion, reduce to not less than five minutes the period of time within which a rollcall vote by electronic device on the question may be taken without any intervening business on any or all of the additional questions on which the Speaker has postponed further proceedings under this paragraph.

(4) If the House adjourns before all of the questions on which further proceedings were postponed under this paragraph have been put and determined, then, on the next following legislative day the unfinished business shall be the disposition of all such questions, previously undisposed of, in the order in which the questions were considered.

Five-minute votes

9. The Speaker may reduce to five minutes the minimum time for electronic voting—

(a) after a record vote on a motion for the previous question, on any underlying question that follows without intervening business;

(b) after a record vote on an amendment reported from the Committee of the Whole House on the state of the Union, on any subsequent amendment to that bill or resolution reported from the Committee of the Whole, or on a question incidental thereto;

(c) after a record vote on a motion to recommit a bill, resolution, or conference report, on the question of passage or adoption, as the case may be, of such bill, resolution, or conference report, if the question of passage or adoption follows without intervening business the vote on the motion to recommit; or

(d) as provided in clause 6(b)(3) of rule XVIII, clause 6(f) of rule XVIII, or clause 8 of this rule.

Derived from clause 5, rule XV: (b) The Speaker may, in his discretion, reduce to not less than five minutes the time within which a rollcall vote by electronic device may be taken—

(1) after a rollcall vote has been ordered on a motion for the previous question, on any underlying question that follows without intervening business;

(2) after a rollcall vote has been ordered on an amendment reported from the Committee of the Whole House on the state of the Union, on any subsequent amendment to that bill or resolution reported from the Committee of the Whole; or

(3) after a rollcall vote has been ordered on a motion to recommit a bill, resolution, or conference report thereon, on the question of passage or adoption, as the case may be, of such bill, resolution, or conference report thereon, if the question of passage or adoption follows without intervening business the vote on the motion to recommit; or

Proposed clause 10(d) catalogs the other instances of five-minute electronic voting so that the clause references all six authorities.

Automatic yeas and nays

10. The yeas and nays shall be considered as ordered when the Speaker puts the question on passage of a bill or joint resolution, or on adoption of a conference report, making general appropriations, or increasing Federal income tax rates (within the meaning of clause 5 of rule XXI), or on final adoption of a concurrent resolution on the budget or conference report thereon.

Derived from clause 7, rule XV: 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.

Derived from: RULE XXXVIII

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
Ballot votes 11. In a case of ballot for election, a majority of the votes shall be necessary to an election. When there is not such a majority on the first ballot, the process shall be repeated until a majority is obtained. In all balloting blanks shall be rejected, may not be counted in the enumeration of votes, and may not be reported by the tellers.	BALLOT In all cases of ballot a majority of the votes given shall be necessary to an election, and where there shall not be such a majority on the first ballot the ballots shall be repeated until a majority be obtained; and in all balloting blanks shall be rejected and not taken into the count in enumeration of votes or reported by the tellers.	
RULE XXI. **RESTRICTIONS ON CERTAIN BILLS.**		
Reservation of certain points of order 1. At the time a general appropriation bill is reported, all points of order against provisions therein shall be considered as reserved.	**Derived from clause 8, rule XXI:** 8. At the time any appropriation bill is reported, all points of order shall be considered as reserved.	Clauses 1 and 2 of proposed rule XXI apply to "general" appropriation bills or amendments thereto. Examples of general appropriation bills include the 13 regular appropriation bills and most supplemental appropriation bills. Bills or joint resolutions continuing appropriations are not general bills and thus these clauses do not apply.

General appropriation bills and amendments

2. (a)(1) An appropriation may not be reported in a general appropriation bill, and may not be in order as an amendment thereto, for an expenditure not previously authorized by law, except to continue appropriations for public works and objects that are already in progress.

Derived from clause 2(a), rule XXI: 2. (a) No appropriation shall be reported in a general appropriation bill, or shall be in order as an amendment thereto, for any expenditure not previously authorized by law, except to continue appropriations for public works and objects which are already in progress.

Rule XXI, currently headed "Bills", is a disjointed composite of unrelated rules relating to readings of bills, consideration of certain types of bills, and permissibility of provisions therein and amendments thereto. The new heading of rule XXI, "Restrictions on Certain Bills" still reflects its diverse nature in order to capture all remaining provisions prior to dealing with House-Senate relations in rule XXII. The rule is restructured to maintain citations to existing clauses (especially clause 2) carried in the Precedents to the greatest extent possible. Since readings of bills currently in clause 1 has been transferred to rule XVI, existing clause 8 of rule XXI on reservation of points of order on general appropriation bills has become clause 1 to fill that void. A new clause 3 has been added on "Roads" embodying the prohibition on inclusion of specific provisions in bills, currently contained in the Transportation Committee's jurisdictional statement in rule X. The other prohibition in rule X against one specific road offered to a bill containing another specific road, is removed as obsolete, since the Transportation and Infrastructure Committee doesn't report specific road bills in modern practice. (The germaneness rule also suggests that a point of order would lie against an amendment on a specific road offered to a bill containing only another specific road.) Current clause 5(a) on appropriations in legislative bills has reverted to clause 4—the citation until 1975—in order to have a separate clause 5 on tax and tariff bills.

Existing clause 6, rule XXI on reappropriations is transferred into proposed clause 2(a)(2) since it also deals with general appropriation bills and amendments thereto. It is logical to have one clause dealing with general appropriation bills and assures that a point of order lies only against an item in the bill and not against consideration of the entire bill. The "works in progress" exception in the existing clause 6 is modified to conform to the similar "works in progress" exception in the existing clause 2(a) to reflect precedents interpreting the clause.

(2) A reappropriation of unexpended balances of appropriations may not be reported in a general appropriation bill, and may not be in order as an amendment thereto, except to continue appropriations for public works and objects that are already in progress. This subparagraph does not apply to transfers of unexpended balances within the department or agency for which they were originally appropriated that are reported by the Committee on Appropriations.

Derived from clause 6, rule XXI: 6. No general appropriation bill or amendment thereto shall be received or considered if it contains a provision reappropriating unexpended balances of appropriations; except that this provision shall not apply to appropriations in continuation of appropriations for public works on which work has commenced, and shall not apply to transfers of unexpended balances within the department or agency for which they were originally appropriated, reported by the Committee on Appropriations.

PROPOSED NEW RULES

(b) A provision changing existing law may not be reported in a general appropriation bill, including a provision making the availability of funds contingent on the receipt or possession of information not required by existing law for the period of the appropriation, except germane provisions that retrench expenditures by the reduction of amounts of money covered by the bill (which may include those recommended to the Committee on Appropriations by direction of a legislative committee having jurisdiction over the subject matter) and except rescissions of appropriations contained in appropriation Acts.

(c) An amendment to a general appropriation bill shall not be in order if changing existing law, including an amendment making the availability of funds contingent on the receipt or possession of information not required by existing law for the period of the appropriation. Except as provided in paragraph (d), an amendment proposing a limitation not specifically contained or authorized in existing law for the period of the limitation shall not be in order during consideration of a general appropriation bill.

(d) After a general appropriation bill has been read for amendment, a motion that the Committee of the Whole House on the state of the Union rise and report the bill to the House with such amendments as may have been adopted shall, if offered by the Majority Leader or a designee, have precedence over motions to amend the bill. If such a motion to rise and report is rejected or not offered, amendments proposing limitations not specifically contained or authorized in existing law for the period of the limitation or proposing germane amendments that retrench expenditures by reductions of amounts of money covered by the bill may be considered.

(e) A provision other than an appropriation designated an emergency under section 251(b)(2) or section 252(e) of the Balanced Budget and Emergency Deficit Control Act, a rescission of budget authority, or a reduction in direct spending or an amount for a designated emergency may not be reported in an appropriation bill or joint resolution containing an emergency designation under section 251(b)(2) or section 252(e) of such Act and may not be in order as an amendment thereto.

EXISTING RULES

Derived from clause 2, rule XXI: (b) No provision changing existing law shall be reported in a general appropriation bill, including a provision making the availability of funds contingent on the receipt or possession of information not required by existing law for the period of the appropriation, except germane provisions that retrench expenditures by the reduction of amounts of money covered by the bill, which may include those recommended to the Committee on Appropriations by direction of a legislative committee having jurisdiction over the subject matter thereof, and except rescissions of appropriations contained in appropriation Acts.

(c) No amendment to a general appropriation bill shall be in order if changing existing law, including an amendment making the availability of funds contingent on the receipt or possession of information not required by existing law for the period of the appropriation. Except as provided in paragraph (d), no amendment shall be in order during consideration of a general appropriation bill proposing a limitation not specifically contained or authorized in existing law for the period of the limitation.

(d) After a general appropriation bill has been read for amendment, motions that the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted shall, if offered by the Majority Leader or a designee, have precedence over motions to further amend the bill. If any such motion is rejected, amendments proposing limitations not specifically contained or authorized in existing law for the period of the limitation or proposing germane amendments which retrench expenditures by reduction of amounts of money covered by the bill may be considered; but after the vote on any such amendment, the privileged motion made in order under this paragraph may be renewed.

(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.

COMMENTARY

Proposed clause 2(d), rule XXI indicates that if the motion to rise is not offered in Committee of the Whole following reading for amendment in its entirety, then a proper limitation amendment may be offered. The present form of the rule only permits limitation amendments if the motion to rise is "rejected".

(f) During the reading of an appropriation bill for amendment in the Committee of the Whole House on the state of the Union, 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 under this paragraph, such amendments may amend portions of the bill not yet read for amendment (following disposition of any points of order against such portions) and is not subject to a demand for division of the question in the House or in the Committee of the Whole.

(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.

Transportation obligation limitations

3. It shall not be in order to consider a bill, joint resolution, amendment, or conference report that would cause obligation limitations to be below the level for any fiscal year set forth in section 8103 of the Transportation Equity Act for the 21st Century, as adjusted, for the highway category or the mass transit category, as applicable.

Derived from clause 1(q), rule X: . . . 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.

Proposed clause 3, rule XXI is currently contained in clause 1(q)(10), rule X, the Transportation and Infrastructure Committee's jurisdictional statement. It logically belongs in a rule prohibiting consideration of certain bills. This recodification draft also eliminates the present restriction in Transportation's jurisdictional rule against any bill in relation to a specific road embracing a provision in relation to any other specific road.

Appropriations on legislative bills

4. A bill or joint resolution carrying an appropriation may not be reported by a committee not having jurisdiction to report appropriations, and an amendment proposing an appropriation shall not be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A point of order against an appropriation in such a bill, joint resolution, or amendment thereto may be raised at any time during pendency of that measure for amendment.

Derived from clause 5, rule XXI: (a) No bill or joint resolution carrying appropriations shall be reported by any committee not having jurisdiction to report appropriations, nor shall an amendment proposing an appropriation be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A question of order on an appropriation in any such bill, joint resolution, or amendment thereto may be raised at any time.

The prohibition against appropriating on a legislative bill, currently in clause 5(a), rule XXI, reverts to clause 4, where it existed prior to 1975, in this draft.

The "at any time" provisions of proposed clause 4 and 5(a) is clarified to reflect precedents from 1946 and 1975 interpreting this phrase.

Tax and tariff measures and amendments

5. (a) A bill or joint resolution carrying a tax or tariff measure may not be reported by a committee not having jurisdiction to report tax or tariff measures, and an amendment in the House or proposed by the Senate carrying a tax or tariff measure shall not be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A point of order against a tax or tariff measure in such a bill, joint resolution, or amendment thereto may be raised at any time during pendency of that measure for amendment.

(b) No bill or joint resolution carrying a tax or tariff measure shall be reported by any committee not having jurisdiction to report tax and tariff measures, nor shall an amendment in the House or proposed by the Senate carrying a tax or tariff measure be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A question of order on a tax or tariff measure in any such bill, joint resolution, or amendment thereto may be raised at any time.

PROPOSED NEW RULES

Passage of tax rate increases

(b) A bill or joint resolution, amendment, or conference report carrying a Federal income tax rate increase may not be considered as passed or agreed to unless so determined by a vote of not less than three-fifths of the Members voting, a quorum being present. In this paragraph the term "Federal income tax rate increase" means any amendment to subsection (a), (b), (c), (d), or (e) of section 1, or to section 11(b) or 55(b), of the Internal Revenue Code of 1986, that imposes a new percentage as a rate of tax and thereby increases the amount of tax imposed by any such section.

Consideration of retroactive tax rate increases

(c) It shall not be in order to consider a bill, joint resolution, amendment, or conference report carrying a retroactive Federal income tax rate increase. In this paragraph—

(1) the term "Federal income tax rate increase" means any amendment to subsection (a), (b), (c), (d), or (e) of section 1, or to section 11(b) or 55(b), of the Internal Revenue Code of 1986, that imposes a new percentage as a rate of tax and thereby increases the amount of tax imposed by any such section; and

(2) a Federal income tax rate increase is retroactive if it applies to a period beginning before the enactment of the provision.

RULE XXII.

HOUSE AND SENATE RELATIONS.

EXISTING RULES

(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. For purposes of the preceding sentence, the term "Federal income tax rate increase" means any amendment to subsection (a), (b), (c), (d), or (e) of section 1, or to section 11(b) or 55(b), of the Internal Revenue Code of 1986, that imposes a new percentage as a rate of tax and thereby increases the amount of tax imposed by any such section.

(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 the preceding sentence—

(1) the term "Federal income tax rate increase" means any amendment to subsection (a), (b), (c), (d), or (e) of section 1, or to section 11(b) or 55(b), of the Internal Revenue Code of 1986, that imposes a new percentage as a rate of tax and thereby increases the amount of tax imposed by any such section; and

(2) a Federal income tax rate increase is retroactive if it applies to a period beginning prior to the enactment of the provision.

Derived from clause 9, rule XXI: 9. It shall not be in order to consider any bill or joint resolution, or any amendment thereto or conference report thereon, that would cause obligation limitations to be below the level for any fiscal year set forth in section 8103 of the Transportation Equity Act for the 21st Century, as adjusted, for the highway category or the mass transit category, as applicable.

COMMENTARY

Senate amendments

1. A motion to disagree to Senate amendments to a House bill or resolution and to request or agree to a conference with the Senate, or a motion to insist on House amendments to a Senate bill or resolution and to request or agree to a conference with the Senate, shall be privileged in the discretion of the Speaker if offered by direction of the primary committee and of all reporting committees that had initial referral of the bill or resolution.

Derived from clause 1, rule XX: . . . That a motion to disagree with the amendments of the Senate to a House bill or resolution and request or agree to a conference with the Senate, or a motion to insist on the House amendments to a Senate bill or resolution and request or agree to a conference with the Senate, shall always be in order if the Speaker, in his discretion, recognizes for that purpose and if the motion is made by direction of the committee having jurisdiction of the subject matter of the bill or resolution.

Proposed rule XXII consolidates all provisions currently in rule XX and rule XXVIII relating to Senate amendments, conference reports, and amendments reported from conference in disagreement. Clause 1 is clarified to indicate that the motion to go to conference must be authorized by all reporting committees of initial referral. Clauses 2 and 4 clarify the distinction between privilege in the House of motions to dispose of Senate amendment before and after the stage of disagreement has been reached. Clause 3 has been clarified to make clear that the rules on scope of conference apply to all amendments in disagreement committed to conference, not merely to amendments in the nature of a substitute. Existing clauses 4 and 5 of rule XXVIII contain three separate but similar provisions concerning nongermane Senate provisions in bills or amendments committed to conference and either resolved in conference or reported back in disagreement for disposition by separate vote. Rather than repeat virtually the same procedures with respect to points of order and motions to reject the nongermane matter specified in the point of order, the consolidated clause 10 combines all those provisions in one procedure applicable to any of the three situations.

2. A motion to dispose of House bills with Senate amendments not requiring consideration in the Committee of the Whole House on the state of the Union shall be privileged.

Derived from clause 2, rule XXIV: . . . but House bills with Senate amendments which do not require consideration in a Committee of the Whole may be at once disposed of as the House may determine . . .

3. Except as permitted by clause 1, before the stage of disagreement, a Senate amendment to a House bill or resolution shall be subject to the point of order that it must first be considered in the Committee of the Whole House on the state of the Union if, originating in the House, it would be subject to such a point under clause 3 of rule XVIII.

Derived from clause 1, rule XX: Any amendment of the Senate to any House bill shall be subject to the point of order that it shall first be considered in the Committee of the Whole House on the state of the Union, if, originating in the House, it would be subject to that point: Provided, however, That . . .

4. When the stage of disagreement has been reached on a bill or resolution with House or Senate amendments, a motion to dispose of any amendment shall be privileged.

Proposed clause 4 is added since practice has always dictated handling amendments in disagreement as privileged.

5. (a) Managers on the part of the House may not agree to a Senate amendment described in paragraph (b) unless specific authority to agree to the amendment first is given by the House by a separate vote with respect thereto. If specific authority is not granted, the Senate amendment shall be reported in disagreement by the conference committee back to the two Houses for disposition by separate motion.

(b) The managers on the part of the House may not agree to a Senate amendment described in paragraph (a) that—

(1) would violate clause 2 (a)(1) or (c) of rule XXI if originating in the House; or

(2) proposes an appropriation on a bill other than a general appropriation bill.

Derived from clause 2, rule XX: 2. No amendment of the Senate to a general appropriation bill which would be in violation of the provisions of clause 2 of rule XXI, if said amendment had originated in the House, nor any amendment of the Senate providing for an appropriation upon any bill other than a general appropriation bill, shall be agreed to by the managers on the part of the House unless specific authority to agree to such amendment shall be first given by the House by a separate vote on every such amendment.

The last portion of the language in clause 5 has been added to codify existing practice.

PROPOSED NEW RULES

6. A Senate amendment carrying a tax or tariff measure in violation of clause 5(a) of rule XXI may not be agreed to.

Conference reports; amendments reported in disagreement

7. (a) The presentation of a conference report shall be in order at any time except during a reading of the Journal or the conduct of a record vote, a vote by division, or a quorum call.

(b)(1) Subject to subparagraph (2) the time allotted for debate on a motion to instruct managers on the part of the House shall be equally divided between the majority and minority parties.

(2) If the proponent of a motion to instruct managers on the part of the House and the Member, Delegate, or Resident Commissioner of the other party identified under subparagraph (1) both support the motion, one-third of the time for debate thereon shall be allotted to a Member, Delegate, or Resident Commissioner who opposes the motion on demand of that Member, Delegate, or Resident Commissioner.

(c)(1) A motion to instruct managers on the part of the House, or a motion to discharge all managers on the part of the House and to appoint new conferees, shall be privileged—

(A) after a conference committee has been appointed for 20 calendar days without making a report; and

(B) on the first legislative day after the calendar day on which the Member, Delegate, or Resident Commissioner offering the motion announces to the House his intention to do so and the form of the motion.

(2) The Speaker may designate a time in the legislative schedule on that legislative day for consideration of a motion described in subparagraph (1).

(3) During the last six days of a session of Congress, the period of time specified in subparagraph (1)(A) shall be 36 hours.

(d) Each conference report to the House shall be printed as a report of the House. Each such report shall be accompanied by a joint explanatory statement prepared jointly by the managers on the part of the House and the managers on the part of the Senate. The joint explanatory statement shall be sufficiently detailed and explicit to inform the House of the effects of the report on the matters committed to conference.

EXISTING RULES

Derived from: RULE XXVIII

CONFERENCE REPORTS

1. (a) The presentation of reports of committees of conference shall always be in order, except when the Journal is being read, while the roll is being called, or the House is dividing on any proposition.

(b) The time allotted for debate on any motion to instruct House conferees shall be equally divided between the majority and minority parties, except that if the proponent of the motion and the Member from the other party are both supporters of the motion, one-third of such debate time shall be allotted to a Member who is opposed to said motion.

(c) After House conferees on any bill or resolution in conference between the House and Senate shall have been appointed for twenty calendar days and shall have failed to make a report, it is hereby declared to be a motion of the highest privilege to move to discharge said House conferees and to appoint new conferees, or to instruct said House conferees (but in either case only at a time or place designated by the Speaker in the legislative schedule of the day after the calendar day on which the Member offering the motion announces to the House his intention to do so and the form of the motion); and, further, during the last six days of any session of Congress, it shall be a privileged motion to move to discharge, appoint, or instruct, House conferees after House conferees shall have been appointed thirty-six hours without having made a report.

(d) Each report made by a committee of conference to the House shall be printed as a report of the House. As so printed, such report shall be accompanied by an explanatory statement prepared jointly by the conferees on the part of the House and the conferees on the part of the Senate. Such statement shall be sufficiently detailed and explicit to inform the House as to the effect which the amendments or propositions contained in such report will have upon the measure to which those amendments or propositions relate.

COMMENTARY

Currently clause 5(b), rule XXI precludes agreeing to Senate amendments carrying tax or tariff measures.

A committee of conference only exists after *both* Houses have appointed their conferees.

8. (a)(1) Except as specified in subparagraph (2), it shall not be in order to consider a conference report until—

(A) the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which the conference report and the accompanying joint explanatory statement have been available to Members, Delegates, and the Resident Commissioner in the Congressional Record; and

(B) copies of the conference report and the accompanying joint explanatory statement have been available to Members, Delegates, and the Resident Commissioner for at least two hours.

(2) Subparagraph (1)(A) does not apply during the last six days of a session of Congress.

2. (a) It shall not be in order to consider the report of a committee of conference until the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) after such report and the accompanying statement shall have been filed in the House, and such consideration then shall be in order only if such report and accompanying statement shall have been printed in the daily edition of the Congressional Record for the day on which such report and statement shall have been filed; but the preceding provisions of this sentence do not apply during the last six days of the session. Nor shall it be in order to consider any conference report unless copies of the report and accompanying statement have been available to Members for at least two hours before the beginning of such consideration: Provided, however, That it shall always be in order to call up for consideration, notwithstanding the provisions of clause 4(b) of rule XI, a report from the Committee on Rules only making in order the consideration of a conference report notwithstanding this restriction. The time allotted for debate in the consideration of any such report shall be equally divided between the majority party and the minority party, except that if the floor manager for the majority and the floor manager for the minority are both supporters of the conference report, one third of such debate time shall be allotted to a Member who is opposed to said conference report.

The authority of the Rules Committee to call up on the same day reported a resolution only waiving availability requirements for a conference report or amendment reported in disagreement, currently in existing clause 2(a) and (b), rule XXVIII, is retained in clause 8(e) of this rule and in clause 6(a)(2), rule XIII since it relates to privileged reports of that committee. The division of debate time for a conference report or amendment reported in disagreement is transferred to clause 8(d) of this rule.

PROPOSED NEW RULES

(b)(1) Except as specified in subparagraph (2), it shall not be in order to consider a motion to dispose of a Senate amendment reported in disagreement by a conference committee until—

(A) the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which the report in disagreement and any accompanying statement have been available to Members, Delegates, and the Resident Commissioner in the Congressional Record; and

(B) copies of the report in disagreement and any accompanying statement, together with the text of the Senate amendment, have been available to Members, Delegates, and the Resident Commissioner for at least two hours.

(2) Subparagraph (1)(A) does not apply during the last six days of a session of Congress.

(3) During consideration of a Senate amendment reported in disagreement by a conference committee on a general appropriation bill, a motion to insist on disagreement to the Senate amendment shall be preferential to any other motion to dispose of that amendment if the original motion offered by the floor manager proposes to change existing law and the motion to insist is offered before debate on the original motion by the chairman of the committee having jurisdiction of the subject matter of the amendment or a designee. Such a preferential motion shall be separately debatable for one hour equally divided between its proponent and the proponent of the original motion. The previous question shall be considered as ordered on the preferential motion to its adoption without intervening motion.

EXISTING RULES

(b)(1) It shall not be in order to consider any amendment (including an amendment in the nature of a substitute) proposed by the Senate to any measure reported in disagreement between the two Houses by a report of a committee of conference that the committee has been unable to agree, until the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) after such report and accompanying statement shall have been filed in the House, and such consideration then shall be in order only if such report and accompanying statement shall have been printed in the daily edition of the Congressional Record for the day on which such report and statement shall have been filed; but the preceding provisions of this sentence do not apply during the last six days of the session. Nor shall it be in order to consider any such amendment unless copies of the report and accompanying statement, together with the text of such amendment, have been available to Members for at least two hours before the beginning of such consideration: Provided, however, That it shall always be in order to call up for consideration, notwithstanding the provisions of clause 4(b) of rule XI, a report from the Committee on Rules only making in order the consideration of such an amendment notwithstanding this restriction. The time allotted for debate on any such amendment shall be equally divided between the majority party and the minority party, except that if the floor manager for the majority and the floor manager for the minority are both supporters of the original motion offered by the floor manager for the majority to dispose of the amendment, one third of such debate time shall be allotted to a Member who is opposed to said motion.

(2) During consideration of such an amendment to a general appropriation bill, if the original motion offered by the floor manager proposes to change existing law, then pending such original motion and before debate thereon one motion to insist on disagreement to the amendment proposed by the Senate shall be preferential to any other motion to dispose of that amendment if offered by the chairman of a committee having jurisdiction of the subject matter of the amendment or by a designee. Such a preferential motion shall be separately debatable for one hour equally divided between its proponent and the proponent of the original motion. The previous question shall be considered as ordered on such a preferential motion to its adoption without intervening motion.

COMMENTARY

(c) A conference report or a Senate amendment reported in disagreement by a conference committee that has been available as provided in paragraph (a) or (b) shall be considered as read when called up.

(d)(1) Subject to subparagraph (2), the time allotted for debate on a conference report or on a motion to dispose of a Senate amendment reported in disagreement by a conference committee shall be equally divided between the majority and minority parties.

(2) If the floor manager for the majority and the floor manager for the minority both support the conference report or motion, one-third of the time for debate thereon shall be allotted to a Member, Delegate, or Resident Commissioner who opposes the conference report or motion on demand of that Member, Delegate, or Resident Commissioner.

(e) Under clause 6(a)(2) of rule XIII, a resolution proposing only to waive a requirement of this clause concerning the availability of reports to Members, Delegates, and the Resident Commissioner may be considered by the House on the same day it is reported by the Committee on Rules.

9. Whenever a disagreement to an amendment has been committed to a conference committee, the managers on the part of the House may propose a substitute that is a germane modification of the matter in disagreement. The introduction of any language presenting specific additional matter not committed to the conference committee by either House does not constitute a germane modification of the matter in disagreement. Moreover, a conference report may not include matter not committed to the conference committee by either House and may not include a modification of specific matter committed to the conference committee by either or both Houses if that modification is beyond the scope of that specific matter as committed to the conference committee.

(c) Any conference report and Senate amendment in disagreement which has been available as provided in paragraphs (a) and (b) of this clause shall be considered as having been read when called up for consideration.

Paragraphs (d) and (e) are derived from existing clause 2(a) and (b), rule XXVIII.

3. Whenever a disagreement to an amendment in the nature of a substitute has been committed to a conference committee it shall be in order for the Managers on the part of the House to propose a substitute which is a germane modification of the matter in disagreement, but the introduction of any language in that substitute presenting a specific additional topic, question, issue, or proposition not committed to the conference committee by either House shall not constitute a germane modification of the matter in disagreement. Moreover, their report shall not include matter not committed to the conference committee by either House, nor shall their report include a modification of any specific topic, question, issue, or proposition committed to the conference committee by either or both Houses if that modification is beyond the scope of that specific topic, question, issue, or proposition as so committed to the conference committee.

Clause 5 of this proposed rule also limits conferees' authority to agree to Senate amendments containing legislation or unauthorized appropriations in general appropriation bills or appropriations in legislative bills.

PROPOSED NEW RULES

10. (a)(1) A Member, Delegate, or Resident Commissioner may raise a point of order against nongermane matter, as specified in subparagraph (2), before the commencement of debate on—

(A) a conference report;

(B) a motion that the House recede from its disagreement to a Senate amendment reported in disagreement by a conference committee and concur therein, with or without amendment; or

(C) a motion that the House recede from its disagreement to a Senate amendment on which the stage of disagreement has been reached and concur therein, with or without amendment.

(2) A point of order against nongermane matter is one asserting that a proposition described in subparagraph (1) contains specified matter that would violate clause 7 of rule XVI if it were offered in the House as an amendment to the underlying measure in the form it was passed by the House.

(b) If a point of order under paragraph (a) is sustained, a motion that the House reject the nongermane matter identified by the point of order shall be privileged. Such a motion is debatable for 40 minutes, one-half in favor of the motion and one-half in opposition thereto.

(c) After disposition of a point of order under paragraph (a) or a motion to reject under paragraph (b), any further points of order under paragraph (a) not covered by a previous point of order, and any consequent motions to reject under paragraph (b), shall be likewise disposed of.

EXISTING RULES

4. (a) With respect to any report of a committee of conference called up before the House containing any matter which would be in violation of the provisions of clause 7 of rule XVI if such matter had been offered as an amendment in the House, and which—

(1) is contained in any Senate amendment to that measure (including a Senate amendment in the nature of substitute for the text of that measure as passed by the House) accepted by the House conferees or agreed to by the conference committee with modification; or

(2) is contained in any substitute agreed to by the conference committee;

it shall be in order, at any time after the reading of the report has been completed or dispensed with and before the reading of the statement, or immediately upon consideration of a conference report if clause 2(c) of this rule applies, to make a point of order that such nongermane matter, as described above, which shall be specified in the point of order, is contained in the report. For the purposes of this clause, matter which—

(A) is contained in any substitute agreed to by the conference committee;

(B) is not proposed by the House to be included in the measure concerned as passed by the House; and

(C) would be in violation of clause 7 of rule XVI if such matter had been offered in the House as an amendment to the provisions of that measure as so proposed in the form passed by the House; shall be considered in violation of such clause 7.

(b) If such point of order is sustained, it then shall be in order for the Chair to entertain a motion, which is of high privilege, that the House reject the nongermane matter covered by the point of order. It shall be in order to debate such motion for forty minutes, one-half of such time to be given to debate in favor of, and one-half in opposition to, the motion.

(c) Notwithstanding the final disposition of any point of order made under paragraph (a), or of any motion to reject made pursuant to a point of order under paragraph (b), of this clause, it shall be in order to make further points of order on the ground stated in such paragraph (a), and motions to reject pursuant thereto under such paragraph (b), with respect to other nongermane matter in the report of the committee of conference not covered by any previous point of order which has been sustained.

COMMENTARY

Existing clauses 4 and 5 of rule XXVIII contain three separate but similar provisions concerning nongermane Senate provisions in bills or amendments committed to conference and either resolved in conference or reported back in disagreement for disposition by separate vote. Rather than repeat virtually the same procedures with respect to points of order and motions to reject the nongermane matter specified in the point of order, the new clause 10 represents an effort to consolidate all those provisions in one procedure applicable to any of the three situations. This new clause makes no substantive change in the way points of order are made and motions to reject considered whether nongermane matter is contained in a conference report, in a motion to recede and concur in a Senate amendment, or in a motion to recede and concur with an amendment In the event that a motion to reject in any of those situations prevails, the new clause restates the pending question or the available alternative motion as currently stated. The test is whether the matter would have been ruled nongermane if offered to the House-passed measure.

(d)(1) If a motion to reject under paragraph (b) is adopted, then after disposition of all points of order under paragraph (a) and any consequent motions to reject under paragraph (b), the conference report or motion, as the case may be, shall be considered as rejected and the matter remaining in disagreement shall be disposed of under subparagraph (2) or (3), as the case may be.

(2) After the House has adopted one or more motions to reject nongermane matter contained in a conference report under the preceding provisions of this clause—

(A) if the conference report accompanied a House measure amended by the Senate, the pending question shall be whether the House shall recede and concur in the Senate amendment with an amendment consisting of so much of the conference report as was not rejected; and

(B) if the conference report accompanied a Senate measure amended by the House, the pending question shall be whether the House shall insist further on the House amendment.

(3) After the House has adopted one or more motions to reject nongermane matter contained in a motion that the House recede and concur in a Senate amendment, with or without amendment, the following motions shall be privileged and shall have precedence in the order stated:

(A) A motion that the House recede and concur in the Senate amendment with an amendment in writing then available on the floor.

(B) A motion that the House insist on its disagreement to the Senate amendment and request a further conference with the Senate.

(C) A motion that the House insist on its disagreement to the Senate amendment.

(e) If, on a division of the question on a motion described in paragraph (a)(1)(B) or (C), the House agrees to recede, then a Member, Delegate, or Resident Commissioner may raise a point of order against nongermane matter, as specified in paragraph (a)(2), before the commencement of debate on concurring in the Senate amendment, with or without amendment. A point of order under this paragraph shall be disposed of according to the preceding provisions of this clause in the same manner as a point of order under paragraph (a).

(d) If any such motion to reject has been adopted, after final disposition of all points of order and motions to reject under the preceding provisions of this clause, the conference report shall be considered as rejected and the question then pending before the House shall be—

(1) whether to recede and concur in the Senate amendment with an amendment which shall consist of that portion of the conference report not rejected; or

(2) if the last sentence of paragraph (a) of this clause applies, whether to insist further on the House amendment.

If all such motions to reject are defeated, then, after the allocation of time for debate on the conference report as provided in clause 2(a) of this rule, it shall be in order to move the previous question on the adoption of the conference report.

5. (a)(1) With respect to any amendment (including an amendment in the nature of a substitute) which—

(A) is proposed by the Senate to any measure and thereafter—

(i) is reported in disagreement between the two Houses by a committee of conference; or

(ii) is before the House, the stage of disagreement having been reached; and

(B) contains any matter which would be in violation of the provisions of clause 7 of rule XVI if such matter had been offered as an amendment in the House;

it shall be in order, immediately after a motion is offered that the House recede from its disagreement to such amendment proposed by the Senate and concur therein and before debate is commenced on such motion, to make a point of order that such nongermane matter, as described above, which shall be specified in the point of order, is contained in such amendment proposed by the Senate.

(2) If such point of order is sustained, it then shall be in order for the Chair to entertain a motion, which is of high privilege, that the House reject the nongermane matter covered by the point of order. It shall be in order to debate such motion for forty minutes, one-half of such time to be given to debate in favor of, and one-half in opposition to, the motion.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
	(3) Notwithstanding the final disposition of any point of order made under subparagraph (1), or of any motion to reject made pursuant to a point of order under subparagraph (2), of this paragraph, it shall be in order to make further points of order on the ground stated in such subparagraph (1), and motions to reject pursuant thereto under such subparagraph (2), with respect to other nongermane matter in the amendment proposed by the Senate not covered by any previous point of order which has been sustained. (4) If any such motion to reject has been adopted, after final disposition of all points of order and motions to reject under the preceding provisions of this clause, the motion to recede and concur shall be considered as rejected, and further motions— (A) to recede and concur in the Senate amendment with an amendment, where appropriate (but the offering of which is not in order unless copies of the language of the Senate amendment, as proposed to be amended by such motion, are then available on the floor when such motion is offered and is under consideration); (B) to insist upon disagreement to the Senate amendment and request a further conference with the Senate; and (C) to insist upon disagreement to the Senate amendment; shall remain of high privilege for consideration by the House. If all such motions to reject are defeated, then, after the allocation of time for debate on the motion to recede and concur as provided in clause 2(b) of this rule, it shall be in order to move the previous question on such motion. (b)(1) With respect to any such amendment proposed by the Senate as described in paragraph (a) of this clause, it shall not be in order to offer any motion that the House recede from its disagreement to such Senate amendment and concur therein with an amendment, unless copies of the language of the Senate amendment, as proposed to be amended by such motion, are then available on the floor when such motion is offered and is under consideration. (2) Immediately after any such motion is offered and is in order and before debate is commenced on such motion, it shall be in order to make a point of order that nongermane matter, as described in subparagraph (1) of paragraph (a) of this clause, which shall be specified in the point of order, is contained in the language of the Senate amendment, as proposed to be amended by such motion, copies of which are then available on the floor.	

(3) If such point of order is sustained, it then shall be in order for the Chair to entertain a motion, which is of high privilege, that the House reject the nongermane matter covered by the point of order. It shall be in order to debate such motion for forty minutes, one-half of such time to be given to debate in favor of, and one-half in opposition to, the motion.

(4) Notwithstanding the final disposition of any point of order under subparagraph (2), or of any motion to reject made pursuant to a point of order under subparagraph (3), of this paragraph, it shall be in order to make further points of order on the ground stated in subparagraph (1) of paragraph (a) of this clause, and motions to reject pursuant thereto under subparagraph (3) of this paragraph, with respect to other nongermane matter in the language of the Senate amendment, as proposed to be amended by the motion described in subparagraph (1) of this paragraph, not covered by any previous point of order which has been sustained.

(5) If any such motion to reject has been adopted, after final disposition of all points of order and motions to reject under the preceding provisions of this paragraph, the motion to recede and concur in the Senate amendment with an amendment shall be considered as rejected, and further motions—

(A) to recede and concur in the Senate amendment with an amendment, where appropriate (but the offering of which is not in order unless copies of the language of the Senate amendment, as proposed to be amended by such motion, are then available on the floor when such motion is offered and is under consideration);

(B) to insist upon disagreement to the Senate amendment and request a further conference with the Senate; and

(C) to insist upon disagreement to the Senate amendment;

shall remain of high privilege for consideration by the House. If all such motions to reject are defeated, then, after the allocation of time for debate on the motion to recede and concur in the Senate amendment with an amendment as provided in clause 2(b) of this rule, it shall be in order to move the previous question on such motion.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
	(c) If, on a division of a motion that the House recede and concur, with or without amendment, from its disagreement to any such Senate amendment as described in paragraph (a)(1) of this clause, the House agrees to recede, then, before debate is commenced on concurring in such Senate amendment, or on concurring therein with an amendment it shall be in order to make and dispose of points of order and motions to reject with respect to such Senate amendment in accordance with applicable provisions of this clause and to effect final determination of these matters in accordance with such provisions.	
11. It shall not be in order to consider a conference report to accompany a bill or joint resolution that proposes to amend the Internal Revenue Code of 1986 unless—	**From clause 7 of rule XXVIII:** 7. It shall not be in order to consider the report of a committee of conference which contains any provision amending the Internal Revenue Code of 1986 unless—	
(a) the joint explanatory statement of the managers includes a tax complexity analysis prepared by the Joint Committee on Internal Revenue Taxation in accordance with section 4022(b) of the Internal Revenue Service Restructuring and Reform Act of 1998; or	(a) the accompanying joint explanatory statement contains a Tax Complexity Analysis prepared by the Joint Committee on Taxation in accordance with section 4022(b) of the Internal Revenue Service Restructuring and Reform Act of 1998; or	Proposed clause 11, rule XXII was added to the rules by the Internal Revenue Service Restructuring and Reform Act of 1998 (Public Law 105-206), to be effective after January 1, 1999.
(b) the chairman of the Committee on Ways and Means causes such a tax complexity analysis to be printed in the Congressional Record before consideration of the conference report.	(b) such Analysis is printed in the Congressional Record prior to the consideration of the report.	
12. (a)(1) Subject to subparagraph (2), a meeting of each conference committee shall be open to the public.	**Derived from clause 6, rule XXVIII:** 6. (a) Each conference committee meeting between the House and Senate shall be open to the public except when the House, in open session, has determined by a rollcall vote of a majority of those Members voting that all or part of the meeting shall be closed to the public.	Once authorized by the House to close a conference committee hearing, the conferees may choose to close only a portion.
(2) In open session of the House, a motion that managers on the part of the House be permitted to close to the public a meeting or meetings of their conference committee shall be privileged, shall be decided without debate, and shall be decided by a record vote.	(b)(1) After the reading of the report and before the reading of the joint statement, or immediately upon consideration of a conference report if clause 2(c) of this rule applies, a point of order may be made that the committee of conference making the report to the House has failed to comply with paragraph (a) of this clause.	
(b) A point of order that a conference committee failed to comply with paragraph (a) may be raised immediately after the conference report is read or considered as read. If such a point of order is sustained, the conference report shall be considered as rejected, the House shall be considered to have insisted on its amendments or on disagreement to the Senate amendments, as the case may be, and to have requested a further conference with the Senate, and the Speaker may appoint new conferees without intervening motion.	(2) If such point of order is sustained, the conference report shall be considered as rejected, the House shall be considered to have insisted upon its amendment(s) or upon disagreement to the amendment(s) of the Senate, as the case may be, and to have requested a further conference with the Senate, and the Speaker shall be authorized to appoint new conferees without intervening motion.	
RULE XXIII.	**Derived from:** RULE XLIX	
STATUTORY LIMIT ON PUBLIC DEBT.	ESTABLISHMENT OF STATUTORY LIMIT ON THE PUBLIC DEBT	

1. Upon adoption by Congress of a concurrent resolution on the budget under section 301 or 304 of the Congressional Budget Act of 1974 that sets forth, as the appropriate level of the public debt for the period to which the concurrent resolution relates, an amount that is different from the amount of the statutory limit on the public debt that otherwise would be in effect for that period, the Clerk shall prepare an engrossment of a joint resolution increasing or decreasing, as the case may be, the statutory limit on the public debt in the form prescribed in clause 2. Upon engrossment of the joint resolution, the vote by which the concurrent resolution on the budget was finally agreed to in the House shall also be considered as a vote on passage of the joint resolution in the House, and the joint resolution shall be considered as passed by the House and duly certified and examined. The engrossed copy shall be signed by the Clerk and transmitted to the Senate for further legislative action.

2. The matter after the resolving clause in a joint resolution described in clause 1 shall be as follows: "That subsection (b) of section 3101 of title 31, United States Code, is amended by striking out the dollar limitation contained in such subsection and inserting in lieu thereof '$_____'.", with the blank being filled with a dollar limitation equal to the appropriate level of the public debt set forth pursuant to section 301(a)(5) of the Congressional Budget Act of 1974 in the relevant concurrent resolution described in clause 1. If an adopted concurrent resolution under clause 1 sets forth different appropriate levels of the public debt for separate periods, only one engrossed joint resolution shall be prepared under clause 1; and the blank referred to in the preceding sentence shall be filled with the limitation that is to apply for each period.

1. Upon the adoption by the Congress (under section 301 or 304 of the Congressional Budget Act of 1974) of any concurrent resolution on the budget setting forth as the appropriate level of the public debt for the period to which such concurrent resolution relates an amount which is different from the amount of the statutory limit on the public debt that would otherwise be in effect for such period, the enrolling clerk of the House of Representatives shall prepare an engrossment of a joint resolution, in the form prescribed in clause 2, increasing or decreasing the statutory limit on the public debt. The vote by which the conference report on the concurrent resolution on the budget was agreed to in the House (or by which the concurrent resolution itself was adopted in the House, if there is no conference report) shall be deemed to have been a vote in favor of such joint resolution upon final passage in the House of Representatives. Upon the engrossment of such joint resolution it shall be deemed to have passed the House of Representatives and been duly certified and examined; the engrossed copy shall be signed by the Clerk and transmitted to the Senate for further legislative action; and (upon final passage by both Houses) the joint resolution shall be signed by the presiding officers of both Houses and presented to the President for his signature (and otherwise treated for all purposes) in the manner provided for bills and joint resolutions generally.

2. The matter after the resolving clause in any joint resolution described in clause 1 shall be as follows: "That subsection (b) of section 3101 of title 31, United States Code, is amended by striking out the dollar limitation contained in such subsection and inserting in lieu thereof '$_____'.", with the blank being filled in with a limitation equal to the appropriate level of the public debt as set forth, pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, in the concurrent resolution on the budget (whether such resolution was adopted under section 301, 304, or 310 of such Act). Only one joint resolution shall be prepared under clause 1 upon the adoption of any concurrent resolution on the budget; and, if the concurrent resolution set forth a different appropriate level of the public debt (pursuant to such section 301(a)(5)) for each of two separate periods, the blank referred to in the preceding sentence shall be filled in with both the limitation which is to apply for the later of the two periods (specifying the date on which that limitation is to take effect) and the limitation which is to apply for the earlier of such periods.

Existing rule XLIX becomes rule XXIII relating to the establishment of statutory limit on the public debt and carries without substantive change the procedures for automatic engrossment of a joint resolution adjusting the public debt limit upon final adoption of a concurrent resolution on the budget. The phrase "finally agreed to in the House" in proposed clause 1 means the vote by which the House adopts the conference report, or if there is no conference report, on the concurrent resolution itself. The last sentence of existing clause 1 is deleted as unnecessary as the transmittal of the engrossment and enrollment of this joint resolution are handled just like any other legislative measure.

PROPOSED NEW RULES

3. (a) The report of the Committee on the Budget on a concurrent resolution described in clause 1 and the joint explanatory statement of the managers on a conference report to accompany such a concurrent resolution each shall contain a clear statement of the effect the eventual enactment of a joint resolution engrossed under this rule would have on the statutory limit on the public debt.

(b) It shall not be in order for the House to consider a concurrent resolution described in clause 1, or a conference report thereon, unless the report of the Committee on the Budget or the joint explanatory statement of the managers complies with paragraph (a).

4. Nothing in this rule shall be construed as limiting or otherwise affecting—

(a) the power of the House or the Senate to consider and pass bills or joint resolutions, without regard to the procedures under clause 1, that would change the statutory limit on the public debt; or

(b) the rights of Members, Delegates, the Resident Commissioner, or committees with respect to the introduction, consideration, and reporting of such bills or joint resolutions.

5. In this rule the term "statutory limit on the public debt" means the maximum face amount of obligations issued under authority of chapter 31 of title 31, United States Code, and obligations guaranteed as to principal and interest by the United States (except such guaranteed obligations as may be held by the Secretary of the Treasury), as determined under section 3101(b) of such title after the application of section 3101(a) of such title, that may be outstanding at any one time.

RULE XXIV.

CODE OF OFFICIAL CONDUCT.

EXISTING RULES

3. The report of the Committee on the Budget of the House of Representatives accompanying any concurrent resolution on the budget under section 301(d) of the Congressional Budget Act of 1974, as well as the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget, shall contain a clear statement of the effect under this rule that the adoption by both the House and the Senate of such concurrent resolution in the form in which it is being reported (and the adoption of the joint resolution thereupon prepared and enrolled under clause 1) would have upon the statutory limit on the public debt. It shall not be in order in the House of Representatives at any time to consider or adopt any concurrent resolution on the budget (or agree to any conference report thereon) if at that time the report accompanying such concurrent resolution (or the joint statement accompanying such conference report) does not comply with the requirements of this clause.

4. Nothing in this rule shall be construed as limiting or otherwise affecting the power of the House of Representatives or the Senate to consider and pass a bill which (without regard to the procedures under clause 1) changes the statutory limit on the public debt most recently established under this rule or otherwise; and the rights of Members and committees of the House with respect to the introduction, consideration, and reporting of any such bill shall be determined as though this rule had not been adopted.

5. As used in this rule, the term "statutory limit on the public debt" means the maximum face amount of obligations issued under authority of chapter 31 of title 31, United States Code and obligations guaranteed as to principal and interest by the United States (except such guaranteed obligations as may be held by the Secretary of the Treasury), determined under section 3101(b) of title 31 after the application of section 3101(a) of title 31 which may be outstanding at any one time.

Derived from: RULE XLIII

CODE OF OFFICIAL CONDUCT

COMMENTARY

There is hereby established by and for the House the following code of conduct, to be known as the "Code of Official Conduct":

1. A Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect creditably on the House.

2. A Member, Delegate, Resident Commissioner, officer, or employee of the House shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.

3. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not receive compensation and may not permit compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in Congress.

4. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept gifts except as provided by clause 5 of rule XXVI.

5. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept an honorarium for a speech, a writing for publication, or other similar activity, except as otherwise provided under rule XXVI.

6. A Member, Delegate, or Resident Commissioner—

(a) shall keep his campaign funds separate from his personal funds;

(b) may not convert campaign funds to personal use in excess of an amount representing reimbursement for legitimate and verifiable campaign expenditures; and

(c) may not expend funds from his campaign account that are not attributable to bona fide campaign or political purposes.

7. A Member, Delegate, or Resident Commissioner shall treat as campaign contributions all proceeds from testimonial dinners or other fund-raising events.

There is hereby established by and for the House of Representatives the following code of conduct, to be known as the "Code of Official Conduct":

1. A Member, officer, or employee of the House of Representatives shall conduct himself at all times in a manner which shall reflect creditably on the House of Representatives.

2. A Member, officer, or employee of the House of Representatives shall adhere to the spirit and the letter of the Rules of the House of Representatives and to the rules of duly constituted committees thereof.

3. A Member, officer, or employee of the House of Representatives shall receive no compensation nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in the Congress.

4. A Member, officer, or employee of the House of Representatives shall not accept gifts except as provided by the provisions of rule LI (Gift Rule).

5. A Member, officer, or employee of the House of Representatives shall accept no honorarium for a speech, writing for publication, or other similar activity.

6. A Member of the House of Representatives shall keep his campaign funds separate from his personal funds. A Member shall convert no campaign funds to personal use in excess of reimbursement for legitimate and verifiable campaign expenditures and shall expend no funds from his campaign account not attributable to bona fide campaign or political purposes.

7. A Member of the House of Representatives shall treat as campaign contributions all proceeds from testimonial dinners or other fund raising events.

Rules XXIV–XXVII—Conduct of Members, Officers and Employees

Proposed rules XXIV through XXVII consolidate all rules relating to the official conduct of Members, officers and employees in a sequential order, beginning with the Code of Conduct which is existing rule XLIII. Provisions relating to procedures of the Committee on Standards of Official Conduct are transferred from clause 4(e) of rule X into new clause 3 of rule XI as more appropriately a matter of committee procedure.

PROPOSED NEW RULES

8. (a) A Member, Delegate, Resident Commissioner, or officer of the House may not retain an employee who does not perform duties for the offices of the employing authority commensurate with the compensation he receives.

(b) In the case of a committee employee who works under the direct supervision of a member of the committee other than a chairman, the chairman may require that such member affirm in writing that the employee has complied with clause 8(a) (subject to clause 7 of rule X) as evidence of compliance by the chairman with this clause and with clause 7 of rule X.

9. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not discharge and may not refuse to hire an individual, or otherwise discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment, because of the race, color, religion, sex (including marital or parental status), disability, age, or national origin of such individual, but may take into consideration the domicile or political affiliation of such individual.

10. A Member, Delegate, or Resident Commissioner who has been convicted by a court of record for the commission of a crime for which a sentence of two or more years' imprisonment may be imposed should refrain from participation in the business of each committee of which he is a member, and a Member should refrain from voting on any question at a meeting of the House or of the Committee of the Whole House on the state of the Union, unless or until judicial or executive proceedings result in reinstatement of the presumption of his innocence or until he is reelected to the House after the date of such conviction.

11. A Member, Delegate, or Resident Commissioner may not authorize or otherwise allow an individual, group, or organization not under the direction and control of the House to use the words "Congress of the United States," "House of Representatives," or "Official Business," or any combination of words thereof, on any letterhead or envelope.

12. (a) Except as provided in paragraph (b), an employee of the House who is required to file a report under rule XXVII may not participate personally and substantially as an employee of the House in a contact with an agency of the executive or judicial branches of Government with respect to nonlegislative matters affecting any nongovernmental person in which the employee has a significant financial interest.

EXISTING RULES

8. A Member or officer of the House of Representatives shall retain no one under his payroll authority who does not perform official duties commensurate with the compensation received in the offices of the employing authority. In the case of committee employees who work under the direct supervision of a Member other than a chairman, the chairman may require that such Member affirm in writing that the employees have complied with the preceding sentence (subject to clause 6 of rule XI) as evidence of the chairman's compliance with this clause and with clause 6 of rule XI.

9. A Member, officer, or employee of the House of Representatives shall not discharge or refuse to hire any individual, or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex (including marital or parental status), handicap, age, or national origin, but may take into consideration the domicile or political affiliation of such individual.

10. A Member of the House of Representatives who has been convicted by a court of record for the commission of a crime for which a sentence of two or more years' imprisonment may be imposed should refrain from participation in the business of each committee of which he is a member and should refrain from voting on any question at a meeting of the House, or of the Committee of the Whole House, unless or until judicial or executive proceedings result in reinstatement of the presumption of his innocence or until he is reelected to the House after the date of such conviction.

11. A Member of the House of Representatives shall not authorize or otherwise allow a non-House individual, group, or organization to use the words "Congress of the United States", "House of Representatives", or "Official Business", or any combination of words thereof, on any letterhead or envelope.

12. (a) Except as provided by paragraph (b), any employee of the House of Representatives who is required to file a report pursuant to rule XLIV shall refrain from participating personally and substantially as an employee of the House of Representatives in any contact with any agency of the executive or judicial branch of Government with respect to nonlegislative matters affecting any nongovernmental person in which the employee has a significant financial interest.

COMMENTARY

(b) Paragraph (a) does not apply if an employee first advises his employing authority of a significant financial interest described in paragraph (a) and obtains from his employing authority a written waiver stating that the participation of the employee in the activity described in paragraph (a) is necessary. A copy of each such waiver shall be filed with the Committee on Standards of Official Conduct.

13. Before a Member, Delegate, Resident Commissioner, officer, or employee of the House 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 the House of Representatives or in accordance with its Rules."

Copies of the executed oath (or affirmation) shall be retained by the Clerk as part of the records of the House.

14(a). In this Code of Official Conduct, the term "officer or employee of the House" means an individual whose compensation is disbursed by the Chief Administrative Officer.

(b) An individual whose services are compensated by the House pursuant to a consultant contract shall be considered an employee of the House for purposes of clauses 1, 2, 3, 4, 8, 9, and 13 of this rule.

(b) Paragraph (a) shall not apply if an employee first advises his employing authority of his significant financial interest and obtains from his employing authority a written waiver stating that the participation of the employee is necessary. A copy of each such waiver shall be filed with the Committee on Standards of Official Conduct.

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 the 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.

As used in this Code of Official Conduct of the House of Representatives—(a) the terms "Member" and "Member of the House of Representatives" include the Resident Commissioner from Puerto Rico and each Delegate to the House; and (b) the term "officer or employee of the House of Representatives" means any individual whose compensation is disbursed by the Clerk of the House of Representatives.

RULE XXV.

LIMITATIONS ON USE OF OFFICIAL FUNDS.

Limitations on use of official and unofficial accounts

1. A Member, Delegate, or Resident Commissioner may not maintain, or have maintained for his use, an unofficial office account. Funds may not be paid into an unofficial office account.

Derived from: RULE XLV

PROHIBITION OF UNOFFICIAL OFFICE ACCOUNTS

1. No Member may maintain or have maintained for his use an unofficial office account.

2. After the date of adoption of this rule, no funds may be paid into any unofficial office account.

Proposed rule XXV transfers existing rules XLV and XLVI relating to limitations on use of official and unofficial accounts, limitations on the use of the frank, and existing clause 2(n)(5) and 5(e) of rule XI and clause 8 of rule I on prohibitions on use of funds by Members not elected to a succeeding Congress, into one rule on limitations of use of official funds.

2. Notwithstanding any other provision of this rule, if an amount from the Official Expenses Allowance of a Member, Delegate, or Resident Commissioner is paid into the House Recording Studio revolving fund for telecommunications satellite services, the Member, Delegate, or Resident Commissioner may accept reimbursement from nonpolitical entities in that amount for transmission to the Clerk for credit to the Official Expenses Allowance.

3. Notwithstanding any other provision of this rule, if an amount from the Official Expenses Allowance of a Member is paid into the House Recording Studio revolving fund for telecommunications satellite services, the Member may accept reimbursement from non-political entities in that amount for transmission to the Clerk of the House of Representatives for credit to the Official Expenses Allowance.

PROPOSED NEW RULES

3. In this rule the term "unofficial office account" means an account or repository in which funds are received for the purpose of defraying otherwise unreimbursed expenses allowable under section 162(a) of the Internal Revenue Code of 1986 as ordinary and necessary in the operation of a congressional office, and includes a newsletter fund referred to in section 527(g) of the Internal Revenue Code of 1986.

Limitations on use of the frank

4. A Member, Delegate, or Resident Commissioner shall mail franked mail under section 3210(d) of title 39, United States Code at the most economical rate of postage practicable.

5. Before making a mass mailing, a Member, Delegate, or Resident Commissioner shall submit a sample or description of the mail matter involved to the House Commission on Congressional Mailing Standards for an advisory opinion as to whether the proposed mailing is in compliance with applicable provisions of law, rule, or regulation.

6. A mass mailing that is otherwise frankable by a Member, Delegate, or Resident Commissioner under the provisions of section 3210(e) of title 39, United States Code, is not frankable unless the cost of preparing and printing it is defrayed exclusively from funds made available in an appropriation Act.

7. A Member, Delegate, or Resident Commissioner may not send a mass mailing outside the congressional district from which he was elected.

8. In the case of a Member, Delegate, or Resident Commissioner, a mass mailing is not frankable under section 3210 of title 39, United States Code, when it is postmarked less than 60 days before the date of a primary or general election (whether regular, special, or runoff) in which he is a candidate for public office. If the mail matter is of a type that is not customarily postmarked, the date on which it would have been postmarked, if it were of a type customarily postmarked, applies.

EXISTING RULES

4. For purposes of this rule—

(a) the term "unofficial office account" means an account or repository into which funds are received for the purpose of defraying otherwise unreimbursed expenses allowable under section 162(a) of the Internal Revenue Code of 1954 as ordinary and necessary in the operation of a congressional office, and includes any newsletter fund referred to in section 527(g) of the Internal Revenue Code of 1954; and

(b) the term "Member" means any Member of, Delegate to, or Resident Commissioner in, the House of Representatives.

Derived from: RULE XLVI

LIMITATIONS ON THE USE OF THE FRANK

1. Any franked mail which is mailed by a Member under section 3210(d) of title 39, United States Code, shall be mailed at the equivalent rate of postage which assures that such mail will be sent by the most economical means practicable.

2. A Member shall, before making any mass mailing, submit a sample or description of the mail matter involved to the House Commission on Congressional Mailing Standards for an advisory opinion as to whether such proposed mailing is in compliance with applicable provisions of law, rule, or regulation.

3. Any mass mailing which otherwise is frankable by a Member under the provisions of section 3210(e) of title 39, United States Code, shall not be frankable unless the cost of preparing and printing such mass mailing is defrayed exclusively from funds made available in any appropriations Act.

4. A Member may not send any mass mailing outside the congressional district from which the Member was elected.

5. In the case of any Representative in the House of Representatives, other than a Representative at Large, who is a candidate for any statewide public office, any mass mailing shall not be frankable under section 3210 of title 39, United States Code, when the same is delivered to any address which is not located in the area constituting the congressional district from which any such individual was elected.

6. In the case of any Member, any mass mailing shall not be frankable under section 3210 of title 39, United States Code, when the same is postmarked less than sixty days immediately before the date of any primary or general election (whether regular, special, or runoff) in which such Member is a candidate for public office. If mail matter is of a type which is not customarily postmarked, the date on which such matter would have been postmarked if it were of a type customarily postmarked shall apply.

COMMENTARY

Existing clause 5 of rule XLVI is unnecessary given the breadth of existing clause 4 (proposed clause 7, rule XXV). The recodification therefore deletes the clause.

9. In this rule the term "mass mailing" means, with respect to a session of Congress, a mailing of newsletters or other pieces of mail with substantially identical content (whether such pieces of mail are deposited singly or in bulk, or at the same time or different times), totaling more than 500 pieces of mail in that session, except that such term does not include a mailing—

(a) of matter in direct response to a communication from a person to whom the matter is mailed;

(b) from a Member, Delegate, or Resident Commissioner to other Members, Delegates, the Resident Commissioner, or Senators, or to Federal, State, or local government officials; or

(c) of a news release to the communications media.

7. For purposes of this rule-(a) the term "mass mailing" means, with respect to a session in Congress, any mailing of newsletters or other pieces of mail with substantially identical content (whether such mail is deposited singly or in bulk, or at the same time or different times), totaling more than 500 pieces in that session, except that such term does not include any mailing—

(1) of matter in direct response to a communication from a person to whom the matter is mailed;

(2) from a Member to other Members of Congress, or to Federal, State, or local government officials; or

(3) of a news release to the communications media.

(b) The term "Member" means any Member of the House of Representatives, a Delegate to the House of Representatives, or the Resident Commissioner in the House of Representatives.

(c) The term "Members of Congress" means Senators and Representatives in, and Delegates and Resident Commissioners to, the Congress.

Prohibition on use of funds by Members not elected to succeeding Congress

10. Funds from the applicable accounts described in clause 1(i)(1) of rule X, including funds from committee expense resolutions, and funds in any local currencies owned by the United States may not be made available for travel by a Member, Delegate, Resident Commissioner, or Senator after the date of a general election in which he was not elected to the succeeding Congress or, in the case of a Member, Delegate, or Resident Commissioner who is not a candidate in a general election, after the earlier of the date of such general election or the adjournment sine die of the last regular session of the Congress.

Derived from clause 8, rule I: However, expenses may not be paid from the applicable accounts of the House described in clause 1(h)(1) of rule X for travel of a Member after the date of the general election of Members in which the Member has not been elected to the succeeding Congress, or in the case of a Member who is not a candidate in such general election, the earlier of the date of such general election or the adjournment sine die of the last regular session of the Congress.

This proposed clause combines prohibitions on funds for travel currently in clause 8, rule I, clause 2(n)(5), rule XI and clause 5(e), rule XI.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
	Derived from clause 2(n)(5), rule XI: (5) No local currencies owned by the United States may be made available under this paragraph for the use outside of the United States for defraying the expenses of a member of any committee after— (A) the date of the general election of Members in which the Member has not been elected to the succeeding Congress; or (B) in the case of a Member who is not a candidate in such general election, the earlier of the date of such general election or the adjournment sine die of the last regular session of the Congress. **Derived from clause 5(e), rule XI:** (e) No primary expense resolution or additional expense resolution of a committee may provide for the payment or reimbursement of expenses incurred by any member of the committee for travel by the member after the date of the general election of Members in which the Member is not elected to the succeeding Congress, or in the case of a Member who is not a candidate in such general election, the earlier of the date of such general election or the adjournment sine die of the last regular session of the Congress.	
RULE XXVI. **LIMITATIONS ON OUTSIDE EARNED INCOME AND ACCEPTANCE OF GIFTS.**	**Derived from:** RULE XLVII LIMITATIONS ON OUTSIDE EMPLOYMENT AND EARNED INCOME	
Outside earned income; honoraria 1. (a) Except as provided by paragraph (b), a Member, Delegate, Resident Commissioner, officer, or employee of the House may not—	1. (a)(1) Except as provided by subparagraph (2), in calendar year 1991 or thereafter, a Member or an officer or employee of the House may not—	Proposed rule XXVI combines existing rule XLVII on limitations on outside earned income, and rule LI on acceptance of gifts, and also includes existing rule XLI regarding officers and employees of the House who are agents for claims against the government as new clause 11. These provisions commonly address existing rules relating to potential conflicts of interest. Obsolete provisions in the existing rule, such as its application to years after 1991 in the provisions limiting outside employment and income, have been deleted.
(1) have outside earned income attributable to a calendar year that exceeds 15 percent of the annual rate of basic pay for level II of the Executive Schedule under section 5313 of title 5, United States Code, as of January 1 of that calendar year; or	(A) have outside earned income attributable to such calendar year which exceeds 15 percent of the annual rate of basic pay for level II of the Executive Schedule under section 5313 of title 5, United States Code, as of January 1 of such calendar year; or	
(2) receive any honorarium, except an officer or employee of the House who is paid at a rate less than 120 percent of the minimum rate of basic pay for GS–15 of the General Schedule may receive an honorarium unless the subject matter is directly related to the official duties of the individual, the payment is made because of the status of the individual with the House, or the person offering the honorarium has interests that may be substantially affected by the performance or nonperformance of the official duties of the individual.	(B) receive any honorarium.	

(b) In the case of an individual who becomes a Member, Delegate, Resident Commissioner, officer, or employee of the House, such individual may not have outside earned income attributable to the portion of a calendar year that occurs after such individual becomes a Member, Delegate, Resident Commissioner, officer, or employee that exceeds 15 percent of the annual rate of basic pay for level II of the Executive Schedule under section 5313 of title 5, United States Code, as of January 1 of that calendar year multiplied by a fraction, the numerator of which is the number of days the individual is a Member, Delegate, Resident Commissioner, officer, or employee during that calendar year and the denominator of which is 365.

(c) A payment in lieu of an honorarium that is made to a charitable organization on behalf of a Member, Delegate, Resident Commissioner, officer, or employee of the House may not be received by that Member, Delegate, Resident Commissioner, officer, or employee. Such a payment may not exceed $2,000 or be made to a charitable organization from which the Member, Delegate, Resident Commissioner, officer, or employee or a parent, sibling, spouse, child, or dependent relative of the Member, Delegate, Resident Commissioner, officer, or employee, derives a financial benefit.

(2) In the case of any individual who becomes a Member or an officer or employee of the House during calendar year 1991 or thereafter, such individual may not have outside earned income attributable to the portion of that calendar year which occurs after such individual becomes a Member, officer or employee which exceeds 15 percent of the annual rate of basic pay for level II of the Executive Schedule under section 5313 of title 5, United States Code, as of January 1 of such calendar year multiplied by a fraction the numerator of which is the number of days such individual is a Member, officer, or employee during such calendar year and the denominator of which is 365.

(3) In calendar year 1991 or thereafter, any payment in lieu of an honorarium which is made to a charitable organization on behalf of a Member, officer or employee of the House may not be received by such individual. No such payment shall exceed $2,000 or be made to a charitable organization from which such individual or a parent, sibling, spouse, child, or dependent relative of such individual derives any financial benefit.

(b)(1) Except as provided by subparagraph (2), in calendar year 1990, a Member may not have outside earned income (including honoraria received in such calendar year) attributable to such calendar year which exceeds 30 percent of the annual pay as a Member to which the Member was entitled in 1989.

(2) In the case of any individual who becomes a Member during calendar year 1990, such individual may not have outside earned income (including honoraria) attributable to the portion of that calendar year which occurs after such individual becomes a Member which exceeds 30 percent of $89,500 multiplied by a fraction the numerator of which is the number of days such individual is a Member during such calendar year and the denominator of which is 365.

Existing clause 1(b), rule XLVII applied only in calendar year 1990 and has therefore been deleted as obsolete.

2. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not—

(a) receive compensation for affiliating with or being employed by a firm, partnership, association, corporation, or other entity that provides professional services involving a fiduciary relationship;

(b) permit his name to be used by such a firm, partnership, association, corporation, or other entity;

(c) receive compensation for practicing a profession that involves a fiduciary relationship;

(d) serve for compensation as an officer or member of the board of an association, corporation, or other entity; or

2. On or after January 1, 1991, a Member or an officer or employee of the House shall not—

(1) receive compensation for affiliating with or being employed by a firm, partnership, association, corporation, or other entity which provides professional services involving a fiduciary relationship;

(2) permit that Member's, officer's, or employee's name to be used by any such firm, partnership, association, corporation, or other entity;

(3) receive compensation for practicing a profession which involves a fiduciary relationship;

(4) serve for compensation as an officer or member of the board of any association, corporation, or other entity; or

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(e) receive compensation for teaching, without the prior notification and approval of the Committee on Standards of Official Conduct.	(5) receive compensation for teaching, without the prior notification and approval of the Committee on Standards of Official Conduct.	
Copyright royalties		
3. (a) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not receive an advance payment on copyright royalties. This paragraph does not prohibit a literary agent, researcher, or other individual (other than an individual employed by the House or a relative of a Member, Delegate, Resident Commissioner, officer, or employee) working on behalf of a Member, Delegate, Resident Commissioner, officer, or employee with respect to a publication from receiving an advance payment of a copyright royalty directly from a publisher and solely for the benefit of that literary agent, researcher, or other individual.	3. A Member, officer, or employee of the House may not— (1) receive any advance payment on copyright royalties, but this paragraph does not prohibit any literary agent, researcher, or other individual (other than an individual employed by the House or a relative of that Member, officer, or employee) working on behalf of that Member, officer, or employee with respect to a publication from receiving an advance payment of a copyright royalty directly from a publisher and solely for the benefit of that literary agent, researcher, or other individual; or	
(b) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not receive copyright royalties under a contract entered into on or after January 1, 1996, unless that contract is first approved by the Committee on Standards of Official Conduct as complying with the requirement of clause 4(d)(1)(E) (that royalties are received from an established publisher under usual and customary contractual terms).	(2) receive any copyright royalties pursuant to a contract entered into on or after January 1, 1996, unless that contract is first approved by the Committee on Standards of Official Conduct as complying with the requirement of clause 4(e)(5) (that royalties are received from an established publisher pursuant to usual and customary contractual terms).	
Definitions		
4. (a)(1) In this rule, except as provided in subparagraph (2), the term "officer or employee of the House" means an individual (other than a Member, Delegate, or Resident Commissioner) whose pay is disbursed by the Chief Administrative Officer, who is paid at a rate equal to or greater than 120 percent of the minimum rate of basic pay for GS-15 of the General Schedule, and who is so employed for more than 90 days in a calendar year; and (2) when used with respect to an honorarium, the term "officer or employee of the House" means an individual (other than a Member, Delegate, or Resident Commissioner) whose salary is disbursed by the Chief Administrative Officer.	4. For the purposes of this rule—(a) The term "Member" means any Member of the House of Representatives, a Delegate to the House of Representatives, or the Resident Commissioner in the House of Representatives. (b)(1) Except as provided by paragraph (2), the term "officer or employee of the House" means any individual (other than a Member) whose pay is disbursed by the Clerk and who is paid at a rate equal to or greater than the annual rate of basic pay in effect for grade GS-16 of the General Schedule under section 5332 of title 5, United States Code, and so employed for more than 90 days in a calendar year. (2) When used with respect to honoraria, the term "officer or employee of the House" means any individual (other than a Member) whose salary is disbursed by the Clerk.	In the existing definition of the term "officer or employee of the House", the grade of GS-16 in the General Schedule of the civil service no longer exists. Therefore the reference is updated to a rate of 120 percent of the minimum rate of basic pay for GS-15 to maintain that standard.

(b) In this rule the term "honorarium" means a payment of money or a thing of value for an appearance, speech, or article (including a series of appearances, speeches, or articles) by a Member, Delegate, Resident Commissioner, officer, or employee of the House, excluding any actual and necessary travel expenses incurred by that Member, Delegate, Resident Commissioner, officer, or employee (and one relative) to the extent that such expenses are paid or reimbursed by any other person. The amount otherwise determined shall be reduced by the amount of any such expenses to the extent that such expenses are not so paid or reimbursed.

(c) In this rule the term "travel expenses" means, with respect to a Member, Delegate, Resident Commissioner, officer or, employee of the House, or a relative of such Member, Delegate, Resident Commissioner, officer, or employee, the cost of transportation, and the cost of lodging and meals while away from his residence or principal place of employment.

(d)(1) In this rule the term "outside earned income" means, with respect to a Member, Delegate, Resident Commissioner, officer, or employee of the House, wages, salaries, fees, and other amounts received or to be received as compensation for personal services actually rendered, but does not include—

(A) the salary of a Member, Delegate, Resident Commissioner, officer, or employee;

(B) any compensation derived by a Member, Delegate, Resident Commissioner, officer, or employee of the House for personal services actually rendered before the adoption of this rule or before he became a Member, Delegate, Resident Commissioner, officer, or employee;

(C) any amount paid by, or on behalf of, a Member, Delegate, Resident Commissioner, officer, or employee of the House to a tax-qualified pension, profit-sharing, or stock bonus plan and received by him from such a plan;

(D) in the case of a Member, Delegate, Resident Commissioner, officer, or employee of the House engaged in a trade or business in which he or his family holds a controlling interest and in which both personal services and capital are income-producing factors, any amount received by the Member, Delegate, Resident Commissioner, officer, or employee, so long as the personal services actually rendered by him in the trade or business do not generate a significant amount of income; or

(E) copyright royalties received from established publishers under usual and customary contractual terms; and

(2) outside earned income shall be determined without regard to community property law.

(e) In this rule the term "charitable organization" means an organization described in section 170(c) of the Internal Revenue Code of 1986.

(c) The term "honorarium" means a payment of money or any thing of value for an appearance, speech, or article, by a Member or an officer or employee of the House, excluding any actual and necessary travel expenses incurred by such individual (and one relative) to the extent that such expenses are paid or reimbursed by any other person, and the amount otherwise determined shall be reduced by the amount of any such expenses to the extent that such expenses are not paid or reimbursed.

(d) The term "travel expenses" means, with respect to a Member or an officer or employee of the House, or a relative of any such individual, the cost of transportation, and the cost of lodging and meals while away from his or her residence or principal place of employment.

(e) The term "outside earned income" means, with respect to a Member, officer or employee, wages, salaries, fees, and other amounts received or to be received as compensation for personal services actually rendered but does not include—

(1) the salary of such individual as a Member, officer or employee;

(2) any compensation derived by such individual for personal services actually rendered prior to the effective date of this rule or becoming such a Member, officer or employee, whichever occurs later;

(3) any amount paid by, or on behalf of, a Member, officer or employee, to a tax-qualified pension, profit-sharing, or stock bonus plan and received by such individual from such a plan;

(4) in the case of a Member, officer or employee engaged in a trade or business in which the individual or his family holds a controlling interest and in which both personal services and capital are income-producing factors, any amount received by such individual so long as the personal services actually rendered by the individual in the trade or business do not generate a significant amount of income; and

(5) copyright royalties received from established publishers pursuant to usual and customary contractual terms.

Outside earned income shall be determined without regard to any community property law.

(f) The term "charitable organization" means an organization described in section 170(c) of the Internal Revenue Code of 1986.

The phrase "whichever occurs later" in subparagraph (2) is deleted as unnecessary.

PROPOSED NEW RULES

Gifts

5. (a)(1)(A) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not knowingly accept a gift except as provided in this clause.

(B) A Member, Delegate, Resident Commissioner, officer, or employee of the House may accept a gift (other than cash or cash equivalent) that the Member, Delegate, Resident Commissiner, officer, or employee reasonably and in good faith believes to have a value of less than $50 and a cumulative value from one source during a calendar year of less than $100. A gift having a value of less than $10 does not count toward the $100 annual limit. Formal recordkeeping is not required by this subdivision, but a Member, Delegate, Resident Commissioner, officer, or employee of the House shall make a good faith effort to comply with this subdivision.

(2)(A) In this clause the term "gift" means a 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.

(B)(i) A gift to a family member of a Member, Delegate, Resident Commissioner, officer, or employee of the House, or a gift to any other individual based on that individual's relationship with the Member, Delegate, Resident Commissioner, officer, or employee, shall be considered a gift to the Member, Delegate, Resident Commissioner, officer, or employee if it is given with the knowledge and acquiescence of the Member, Delegate, Resident Commissioner, officer, or employee and the Member, Delegate, Resident Commissioner, officer, or employee has reason to believe the gift was given because of his official position.

(ii) If food or refreshment is provided at the same time and place to both a Member, Delegate, Resident Commissioner, officer, or employee of the House and the spouse or dependent thereof, only the food or refreshment provided to the Member, Delegate, Resident Commissioner, officer, or employee shall be treated as a gift for purposes of this clause.

(3) The restrictions in subparagraph (1) do not apply to the following:

(A) Anything for which the Member, Delegate, Resident Commissioner, officer, or employee of the House pays the market value, or does not use and promptly returns to the donor.

EXISTING RULES

Derived from: RULE LI

GIFT RULE

1. (a) No Member, officer, or employee of the House of Representatives shall knowingly accept a gift except as provided in this rule.

(b)(1) For the purpose of this rule, 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) A gift to a family member 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.

(B) If food or refreshment is provided at the same time and place to both a Member, officer, or employee and the spouse or dependent thereof, only the food or refreshment provided to the Member, officer, or employee shall be treated as a gift for purposes of this rule.

(c) The restrictions in paragraph (a) 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.

COMMENTARY

(B) A contribution, as defined in section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, a lawful contribution for election to a State or local government office, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

(C) A gift from a relative as described in section 109(16) of title I of the Ethics in Government Act of 1978 (2 U.S.C. App. 109(16)).

(D)(i) Anything provided by an individual on the basis of a personal friendship unless the Member, Delegate, Resident Commissioner, officer, or employee of the House has reason to believe that, under the circumstances, the gift was provided because of his official position and not because of the personal friendship.

(ii) In determining whether a gift is provided on the basis of personal friendship, the Member, Delegate, Resident Commissioner, officer, or employee of the House shall consider the circumstances under which the gift was offered, such as:

(I) The history of his relationship with the individual giving the gift, including any previous exchange of gifts between them.

(II) Whether to his actual knowledge the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.

(III) Whether to his actual knowledge the individual who gave the gift also gave the same or similar gifts to other Members, Delegates, the Resident Commissioners, officers, or employees of the House.

(E) Except as provided in paragraph (c)(3), a contribution or other payment to a legal expense fund established for the benefit of a Member, Delegate, Resident Commissioner, officer, or employee of the House that is otherwise lawfully made in accordance with the restrictions and disclosure requirements of the Committee on Standards of Official Conduct.

(F) A gift from another Member, Delegate, Resident Commissioner, officer, or employee of the House or Senate.

(G) Food, refreshments, lodging, transportation, and other benefits—

(2) A contribution, as defined in section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, a lawful contribution for election to a State or local government office, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

(3) A gift from a relative as described in section 109(16) of title I of the Ethics in Government Act of 1978 (Public Law 95-521).

(4)(A) Anything provided by an individual on the basis of a personal friendship 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 friendship.

(B) In determining whether a gift is provided on the basis of personal friendship, the Member, officer, or employee shall consider the circumstances under which the gift was offered, such as:

(i) The history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between such individuals.

(ii) Whether to the actual knowledge of the Member, officer, or employee the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.

(iii) Whether to the actual knowledge of the Member, officer, or employee the individual who gave the gift also at the same time gave the same or similar gifts to other Members, officers, or employees.

(5) Except as provided in clause 3(c), 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 in accordance with the restrictions and disclosure requirements of the Committee on Standards of Official Conduct.

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

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

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(i) resulting from the outside business or employment activities of the Member, Delegate, Resident Commissioner, officer, or employee of the House (or other outside activities that are not connected to his duties as an officeholder), or of his spouse, if such benefits have not been offered or enhanced because of his official position and are customarily provided to others in similar circumstances;	(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;	
(ii) customarily provided by a prospective employer in connection with bona fide employment discussions; or	(B) customarily provided by a prospective employer in connection with bona fide employment discussions; or	
(iii) 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 organization.	(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.	
(H) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.	(8) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.	
(I) Informational materials that are sent to the office of the Member, Delegate, Resident Commissioner, officer, or employee of the House in the form of books, articles, periodicals, other written materials, audiotapes, videotapes, or other forms of communication.	(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, audiotapes, videotapes, or other forms of communication.	
(J) Awards or prizes that are given to competitors in contests or events open to the public, including random drawings.	(10) Awards or prizes which are given to competitors in contests or events open to the public, including random drawings.	
(K) 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).	(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).	
(L) Training (including food and refreshments furnished to all attendees as an integral part of the training) if such training is in the interest of the House.	(12) 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.	
(M) Bequests, inheritances, and other transfers at death.	(13) Bequests, inheritances, and other transfers at death.	
(N) An 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.	(14) 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.	
(O) Anything that is paid for by the Federal Government, by a State or local government, or secured by the Government under a Government contract.	(15) Anything which is paid for by the Federal Government, by a State or local government, or secured by the Government under a Government contract.	
(P) A gift of personal hospitality (as defined in section 109(14) of the Ethics in Government Act) of an individual other than a registered lobbyist or agent of a foreign principal.	(16) A gift of personal hospitality (as defined in section 109(14) of the Ethics in Government Act) of an individual other than a registered lobbyist or agent of a foreign principal.	

(Q) Free attendance at a widely attended event permitted under subparagraph (4).

(R) Opportunities and benefits that are-

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

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

(iii) 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;

(iv) offered to a 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;

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

(vi) 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.

(S) A plaque, trophy, or other item that is substantially commemorative in nature and that is intended for presentation.

(T) Anything for which, in an unusual case, a waiver is granted by the Committee on Standards of Official Conduct.

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

(V) Donations of products from the district or State that the Member, Delegate, or Resident Commissioner represents that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any single recipient.

(W) An item of nominal value such as a greeting card, baseball cap, or a T-shirt.

(4)(A) A Member, Delegate, Resident Commissioner, officer, or employee of the House 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—

(17) Free attendance at a widely attended event permitted pursuant to paragraph (d).

(18) 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.

(19) A plaque, trophy, or other item that is substantially commemorative in nature and which is intended for presentation.

(20) Anything for which, in an unusual case, a waiver is granted by the Committee on Standards of Official Conduct.

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

(22) 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.

(23) An item of nominal value such as a greeting card, baseball cap, or a T-shirt.

(d)(1) 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—

PROPOSED NEW RULES

(i) the Member, Delegate, Resident Commissioner, officer, or employee of the House 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 his official position; or

(ii) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, Delegate, Resident Commissioner, officer, or employee of the House.

(B) A Member, Delegate, Resident Commissioner, officer, or employee of the House who attends an event described in subdivision (A) may accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual.

(C) A Member, Delegate, Resident Commissioner, officer, or employee of the House, 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.

(D) In 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, nor does it include food or refreshments taken other than in a group setting with all or substantially all other attendees.

(5) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept a gift the value of which exceeds $250 on the basis of the personal friendship exception in subparagraph (3)(D) unless the Committee on Standards of Official Conduct issues a written determination that such exception applies. A determination under this subparagraph is not required for gifts given on the basis of the family relationship exception in subparagraph (3)(C).

(6) 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.

EXISTING RULES

(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.

(3) 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, nor does it include food or refreshments taken other than in a group setting with all or substantially all other attendees.

(e) No Member, officer, or employee may accept a gift the value of which exceeds $250 on the basis of the personal friendship exception in paragraph (c)(4) unless the Committee on Standards of Official Conduct issues a written determination that such exception applies. No determination under this paragraph is required for gifts given on the basis of the family relationship exception.

(f) 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.

COMMENTARY

(b)(1)(A) A reimbursement (including payment in kind) to a Member, Delegate, Resident Commissioner, officer, or employee of the House from a private source other than a registered lobbyist or agent of a foreign principal for necessary transportation, lodging, and related expenses for travel to a meeting, speaking engagement, factfinding trip, or similar event in connection with his duties as an officeholder shall be considered as a reimbursement to the House and not a gift prohibited by this clause, if the Member, Delegate, Resident Commissioner, officer, or employee—

(i) in the case of an employee, receives advance authorization, from the Member, Delegate, Resident Commissioner, 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 within 30 days after the travel is completed.

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

(2) Each advance authorization to accept reimbursement shall be signed by the Member, Delegate, Resident Commissioner, or officer of the House 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, Delegate, Resident Commissioner, or officer (in the case of travel by that Member, Delegate, Resident Commissioner, or officer) or by the Member, Delegate, Resident Commissioner, 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;

2. (a)(1) A reimbursement (including payment in kind) to a Member, officer, or employee from a private source other than a registered lobbyist or agent of a foreign principal 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 rule, if the Member, officer, or employee—

(A) 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

(B) 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.

(2) For purposes of paragraph (a)(1), 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.

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

(1) the name of the employee;

(2) the name of the person who will make the reimbursement;

(3) the time, place, and purpose of the travel; and

(4) 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.

(c) Each disclosure made under paragraph (a)(1) 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—

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

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

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

PROPOSED NEW RULES

(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 subparagraph (4); and

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

(4) In this paragraph the term "necessary transportation, lodging, and related expenses"—

(A) includes reasonable expenses that are necessary for travel for a period not exceeding four days within the United States or seven days exclusive of travel time outside of 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 subdivision (A);

(C) does not include expenditures for recreational activities, nor does it include entertainment other than that provided to all attendees as an integral part of the event, except for activities or entertainment otherwise permissible under this clause; and

(D) may include travel expenses incurred on behalf of either the spouse or a child of the Member, Delegate, Resident Commissioner, officer, or employee.

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

(c) A gift prohibited by paragraph (a)(1) includes the following:

(1) Anything provided by a registered lobbyist or an agent of a foreign principal to an entity that is maintained or controlled by a Member, Delegate, Resident Commissioner, officer, or employee of the House.

EXISTING RULES

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

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

(6) 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.

(d) For purposes of this clause, the term "necessary transportation, lodging and related expenses"—

(1) includes reasonable expenses that are necessary for travel for a period not exceeding 4 days within the United States or 7 days exclusive of travel time outside of the United States unless approved in advance by the Committee on Standards of Official Conduct;

(2) 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 subparagraph (1);

(3) does not include expenditures for recreational activities, nor does it include entertainment other than that provided to all attendees as an integral part of the event, except for activities or entertainment otherwise permissible under this rule; and

(4) may include travel expenses incurred on behalf of either the spouse or a child of the Member, officer, or employee.

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

3. A gift prohibited by clause 1(a) includes the following:

(a) Anything provided by a registered lobbyist or an agent of a foreign principal to an entity that is maintained or controlled by a Member, officer, or employee.

COMMENTARY

(2) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a registered lobbyist or an agent of a foreign principal on the basis of a designation, recommendation, or other specification of a Member, Delegate, Resident Commissioner, officer, or employee of the House (not including a mass mailing or other solicitation directed to a broad category of persons or entities), other than a charitable contribution permitted by paragraph (d).

(3) A contribution or other payment by a registered lobbyist or an agent of a foreign principal to a legal expense fund established for the benefit of a Member, Delegate, Resident Commissioner, officer, or employee of the House.

(4) A financial contribution or expenditure made by a registered lobbyist or an agent of a foreign principal relating to a conference, retreat, or similar event, sponsored by or affiliated with an official congressional organization, for or on behalf of Members, Delegates, the Resident Commissioner, officers, or employees of the House.

(d)(1) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a registered lobbyist or an agent of a foreign principal in lieu of an honorarium to a Member, Delegate, Resident Commissioner, officer, or employee of the House are not considered a gift under this clause if it is reported as provided in subparagraph (2).

(2) A Member, Delegate, Resident Commissioner, officer, or employee who designates or recommends a contribution to a charitable organization in lieu of an honorarium described in subparagraph (1) shall report within 30 days after such designation or recommendation to the Clerk—

(A) the name and address of the registered lobbyist who is making the contribution in lieu of an honorarium;

(B) the date and amount of the contribution; and

(C) the name and address of the charitable organization designated or recommended by the Member, Delegate, or Resident Commissioner.

The Clerk shall make public information received under this subparagraph as soon as possible after it is received.

(e) In this clause—

(1) the term "registered lobbyist" means a lobbyist registered under the Federal Regulation of Lobbying Act or any successor statute; and

(2) the term "agent of a foreign principal" means an agent of a foreign principal registered under the Foreign Agents Registration Act.

(b) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a registered lobbyist or an agent of a foreign principal 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), other than a charitable contribution permitted by clause 4.

(c) A contribution or other payment by a registered lobbyist or an agent of a foreign principal to a legal expense fund established for the benefit of a Member, officer, or employee.

(d) A financial contribution or expenditure made by a registered lobbyist or an agent of a foreign principal 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.

4. (a) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a registered lobbyist or an agent of a foreign principal in lieu of an honorarium to a Member, officer, or employee shall not be considered a gift under this rule if it is reported as provided in paragraph (b).

(b) A Member, officer, or employee who designates or recommends a contribution to a charitable organization in lieu of honoraria described in paragraph (a) shall report within 30 days after such designation or recommendation to the Clerk of the House of Representatives—

(1) the name and address of the registered lobbyist who is making the contribution in lieu of honoraria;

(2) the date and amount of the contribution; and

(3) the name and address of the charitable organization designated or recommended by the Member.

The Clerk of the House of Representatives shall make public information received pursuant to this paragraph as soon as possible after it is received.

5. For purposes of this rule—

(a) the term "registered lobbyist" means a lobbyist registered under the Federal Regulation of Lobbying Act or any successor statute; and

(b) the term "agent of a foreign principal" means an agent of a foreign principal registered under the Foreign Agents Registration Act.

PROPOSED NEW RULES	EXISTING RULES	COMMENTARY
(f) All the provisions of this clause shall be interpreted and enforced solely by the Committee on Standards of Official Conduct. The Committee on Standards of Official Conduct is authorized to issue guidance on any matter contained in this clause.	6. All the provisions of this rule shall be interpreted and enforced solely by the Committee on Standards of Official Conduct. The Committee on Standards of Official Conduct is authorized to issue guidance on any matter contained in this rule.	
Claims against the Government	**Derived from:** RULE XLI	
6. A person may not be an officer or employee of the House, or continue in its employment, if he acts as an agent for the prosecution of a claim against the Government or if he is interested in such claim, except as an original claimant or in the proper discharge of official duties.	QUALIFICATIONS OF OFFICERS AND EMPLOYEES No person shall be an officer or employee of the House, or continue in its employment, who shall be an agent for the prosecution of any claim against the Government or be interested in such claim otherwise than as an original claimant or than in the proper discharge of official duties.	
RULE XXVII.	**Derived from:** RULE XLIV	
FINANCIAL DISCLOSURE.	FINANCIAL DISCLOSURE	
1. The Clerk shall send a copy of each report filed with the Clerk under title I of the Ethics in Government Act of 1978 within the seven-day period beginning on the date on which the report is filed to the Committee on Standards of Official Conduct. By August 1 of each year, the Clerk shall compile all such reports sent to him by Members within the period beginning on January 1 and ending on June 15 of each year and have them printed as a House document, which shall be made available to the public. 2. For the purposes of this rule, the provisions of title I of the Ethics in Government Act of 1978 shall be considered Rules of the House as they pertain to Members, Delegates, the Resident Commissioner, officers, and employees of the House.	1. A copy of each report filed with the Clerk under title I of the Ethics in Government Act of 1978 shall be sent by the Clerk within the seven-day period beginning the date on which the report is filed to the Committee on Standards of Official Conduct. By August 1 of each year, the Clerk shall compile all such reports sent to him by Members within the period beginning on January 1 and ending on June 15 of each year and have them printed as a House document, which document shall be made available to the public. 2. For the purposes of this rule, the provisions of title I of the Ethics in Government Act of 1978 shall be deemed to be a rule of the House as it pertains to Members, officers, and employees of the House of Representatives.	Proposed rule XXVII consists of existing rule XLIV relating to financial disclosure, and incorporates by reference title I of the Ethics in Government Act of 1978.
RULE XXVIII.	**Derived from:** RULE XLII	
GENERAL PROVISIONS.	GENERAL PROVISIONS	
1. The provisions of law that constituted the Rules of the House at the end of the previous Congress shall govern the House in all cases to which they are applicable, and the rules of parliamentary practice comprised by Jefferson's Manual shall govern the House in all cases to which they are applicable and in which they are not inconsistent with the Rules and orders of the House. 2. In these rules words importing the masculine gender include the feminine as well.	The rules of parliamentary practice comprised in Jefferson's Manual and the provisions of the Legislative Reorganization Act of 1946, as amended, shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House and joint rules of the Senate and House of Representatives.	Proposed rule XXVIII transfers existing rule XLII "General Provisions" to include the incorporation by reference of existing laws, including the Legislative Reorganization Act of 1946 currently constituting the Rules of the House, and to Jefferson's Manual. New clause 2 is a rule of construction concerning gender. A general provisions rule should be the last rule.

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