

RULES OF THE HOUSE OF REPRESENTATIVES

Rule XXVII

§ 1104

a Senate confirmation committee, a congressional ethics committee, or the Judicial Conference, to take any action to comply with this Act or any other law or regulation governing conflicts of interest of, or establishing standards of conduct applicable with respect to, officers or employees of the Government, that individual shall notify in writing the designated agency ethics official, the Office of Government Ethics, the appropriate committee of the Senate, the congressional ethics committee, or the Judicial Conference, as the case may be, of any action taken by the individual pursuant to that agreement. Such notification shall be made not later than the date specified in the agreement by which action by the individual must be taken, or not later than three months after the date of the agreement, if no date for action is so specified.

(b) If an agreement described in subsection (a) requires that the individual recuse himself or herself from particular categories of agency or other official action, the individual shall reduce to writing those subjects regarding which the recusal agreement will apply and the process by which it will be determined whether the individual must recuse himself or herself in a specific instance. An individual shall be considered to have complied with the requirements of subsection (a) with respect to such recusal agreement if such individual files a copy of the document setting forth the information described in the preceding sentence with such individual's designated agency ethics official or the appropriate supervising ethics office within the time prescribed in the last sentence of subsection (a).

ADMINISTRATION OF PROVISIONS

SEC. 111. The provisions of this title shall be administered by * * *

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(2) the Select Committee on Ethics of the Senate and the Committee on Standards of Official Conduct of the House of Representatives, as appropriate, with regard to officers and employees described in paragraphs (9) and (10) of section 101(f).

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The General Accounting Office, referred to in § 1190(11)(D), is now designated the Government Accountability Office (31 U.S.C. 702 note).

RULE XXVII

STATUTORY LIMIT ON PUBLIC DEBT

1. Upon adoption by Congress of a concurrent resolution on the budget under section 301 or 304 of the Congressional

§ 1104. Public debt limit.

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 peri-

ods, 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.

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.

This rule was added in the 96th Congress by Public Law 96–78 (93 Stat. 589) and was originally applicable to concurrent resolutions on the budget for fiscal years beginning on or after October 1, 1980 (fiscal 1981). However, in the 96th Congress (H. Res. 642, Apr. 23, 1980, p. 8800), the provisions of that public law amending the Rules of the House were made applicable to the third concurrent resolution on the budget for fiscal year 1980 as well as the first concurrent resolution on the budget for fiscal 1981 (H. Con. Res. 307, June 12, 1980, pp. 14505–19; see H.J. Res. 569 and H.J. Res. 570, June 13, 1980, p. 14609). Conforming changes were made in clauses 2 and 5 of this rule with the codification of title 31, United States Code, by Public Law 97–258 (96 Stat. 1066). The rule was amended in the 98th Congress (H. Res. 241, June 23, 1983, p. 17162) to reflect the enactment into law (P.L. 98–34) of a new permanent, rather than temporary, debt limit. Clause 2 was rewritten, and clause 1 modified, to change the form of the joint resolution engrossed pursuant to the rule in order to delete references to a temporary debt limit and to reflect instead changes in a permanent debt limit. The rules change also provided that where a budget resolution contains more than one public debt limit figure (for the current and the next fiscal year), only one joint resolution be engrossed, containing the debt limit figure for the current fiscal year with a time limitation, and the debt limit figure for the following fiscal year as the permanent limit. Another conforming change in clause 1 was made in the Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99–177, Dec. 12, 1985, p. 36209) to delete reference to a second concurrent resolution on the budget (no longer required under section 310 of the Budget Act). Before the House recodified its rules in the 106th Congress, this provision was found in former rule XLIX. Recodification placed it as rule XXIII (H. Res. 5, Jan. 6, 1999, p. 47). The rule was repealed in the 107th Congress (sec. 2(s), H. Res. 5, Jan. 3, 2001, p. 24) and reinstated in the 108th Congress (sec. 2(t), H. Res. 5, Jan. 7, 2003, p. —).

This rule has been ordered inapplicable to a conference report on a concurrent resolution on the budget (*e.g.*, H. Res. 131, Mar. 25, 1999, p. 5671; H. Res. 446, Mar. 23, 2000, p. —). The date of final House action in adopting the conference report on the concurrent resolution on the budget, rather than the date of final Senate action, when later, is the appropriate

date under this rule for deeming the House to have passed the joint resolution (July 14, 1986, p. 16316; Speaker Wright, June 25, 1987, p. 17424).

RULE XXVIII

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.

Clause 1 was adopted in 1837 (V, 6757), and amended January 3, 1953, p. 24, when it was also renumbered. When the House recodified its rules in the 106th Congress, clause 1 was transferred from former rule XLII and was modified to reference all provisions of law comprising House rules at the end of the previous Congress (a compilation of which is included in §§ 1127–1130, *infra*); and clause 2 was added (H. Res. 5, Jan. 6, 1999, p. 47). This rule was redesignated as rule XXVII in the 107th Congress (sec. 2(s), H. Res. 5, Jan. 3, 2001, p. 24) and redesignated as rule XXVIII in the 108th Congress (sec. 2(t), H. Res. 5, Jan. 7, 2003, p. —). Discussion of the importance of Jefferson's Manual as an authority in congressional procedure (VII, 1029, 1049; VIII, 2501, 2517, 2518, 3330).