The Clerk read the resolution, as follows:

H. RES. 3

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

The resolution was agreed to.

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

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

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

The Clerk read the resolution, as follows:

H. RES. 4

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

The resolution was agreed to.

RULES OF THE HOUSE

Mr. ARMEY. Mr. Speaker, by direction of the House Republican Conference, I call up a privileged resolution (H. Res. 5) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 5

Resolved, That the Rules of the House of Representatives of the One Hundred Fourth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Fourth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Fifth Congress, with the following amendments:

SECTION 1. POSTPONEMENT OF CORRECTIONS VOTES.

In clause 5(b)(1) of rule I, strike subdivisions (E) and (F), and insert in lieu thereof the following:

''(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);

''(G) the question of agreeing to an amendment to a bill considered pursuant to clause 4 of rule XIII; and

''(II) the question of agreeing to a motion to suspend the rules.''.

SEC. 2. OBSOLETE REFERENCES TO ''CONTINGENT FUND''.

(a) In clause 8 of rule I—

(1) in the first sentence, strike ''contingent fund of the House'' and insert in lieu thereof ''applicable accounts of the House described in clause 1(h)(1) of rule X''; and

(2) in the second sentence, strike ''contingent fund'' and insert in lieu thereof ''applicable accounts of the House described in clause 1(h)(1) of rule X''.

(b) In clause 1(c) of rule XI, strike ''contingent fund of the House'' and insert in lieu thereof ''applicable accounts of the House described in clause 1(h)(1) of rule X''.

(c) In clause 4(a) of rule XI, strike ''contingent fund of the House'' and insert in lieu thereof ''applicable accounts of the House described in clause 1(h)(1) of rule X''.

(d) In clause 6(f) of rule XI, strike ''contingent fund'' and insert in lieu thereof ''applicable accounts of the House described in clause 1(h)(1) of rule X''.

SEC. 3. DRUG TESTING IN THE HOUSE.

In rule I, add the following new clause at the end:

''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.''.

SEC. 4. POLICY DIRECTION AND OVERSIGHT OF CHIEF ADMINISTRATIVE OFFICER.

(a) In clause 1 of rule V, strike ''the Speaker and'' in both places it appears.

(b) In clause 2 of rule V, strike ''the Speaker or''.

SEC. 5. BUDGET JURISDICTION CHANGES.

(a) In clause 1(d)(3) of rule X (relating to the Committee on the Budget), strike ''congressional budget process'' and insert in lieu thereof ''budget process.''

(b) In clause 1(g)(4) of rule X (relating to the Committee on Government Reform and Oversight), strike ''Budget and accounting measures, generally'' and insert in lieu thereof ''Government management and accounting measures, generally,''

SEC. 6. DESIGNATING COMMITTEE ON EDUCATION AND THE WORKFORCE.

(a) In clause 1(f) of rule X, strike ''Committee on Economic and Educational Opportunities'' and insert in lieu thereof ''Committee on Education and the Workforce''.

(b) In clause 3(c) of rule X, strike ''Committee on Economic and Educational Opportunities'' and insert in lieu thereof ''Committee on Education and the Workforce''.

SEC. 7. REQUIREMENT OF APPROVAL FOR SETTLEMENT OF CERTAIN COMPLAINTS.

In clause 4(d) of rule X—

(a) strike ''The Committee'' and insert in lieu thereof ''(1) The Committee'';

(b) strike ''(1) examining'' and insert in lieu thereof ''(A) examining'';

(c) strike ''(2) providing'' and insert in lieu thereof ''(B) providing'';

(d) strike ''(3) accepting'' and insert in lieu thereof ''(C) accepting''; and

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

''(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.''.

SEC. 8. SPECIAL AUTHORITIES FOR CERTAIN REPORTS.

(a) In clause 1(b) of rule XI—

(1) designate the existing matter as subparagraph (1); and

(2) add the following new subparagraphs at the end:

''(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.''.

(b) In clause 1(d) of rule XI, add the following new subparagraph at the end:

''(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.''

SEC. 9. COMMITTEE DOCUMENTS ON INTERNET.

In clause 2(e) of rule XI, add the following new subparagraph at the end:

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

SEC. 10. INFORMATION REQUIRED OF PUBLIC WITNESSES.

In clause 2(g) of rule XI, amend subparagraph (4) to read as follows:

''(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.''.

SEC. 11. COMMITTEES' SITTINGS.

In clause 2(i) of rule XI, strike subparagraph (1) and the designation ''(2)''.

SEC. 12. EXCEPTIONS TO FIVE-MINUTE RULE IN HEARINGS.

In clause 2(j)(2) of rule XI—

(a) strike ''Each'' and insert in lieu thereof ''(A) Subject to subdivisions (B) and (C), each''; and

(b) add the following new subdivisions at the end:

''(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.''.

SEC. 13. REPEAL OF INFLATION IMPACT STATEMENT REQUIREMENT; ESTABLISHMENT OF CONSTITUTIONAL AUTHORITY STATEMENT REQUIREMENT.

In clause 2(l) of rule XI, amend subparagraph (4) to read as follows:

''(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.''.

SEC. 14. FILING OF REPORTS AFTER TIME FOR VIEWS.

In clause 2(l)(5) of rule XI—

(a) in the first sentence, strike ''three calendar days'' and insert ''two additional calendar days after the day of such notice''; and

(b) after the second sentence, insert the following new sentence: ''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.''.

SEC. 15. COMMITTEE RESERVE FUND.

In clause 5(a) of rule XI, strike ''Any such primary expense resolution'' and insert in lieu thereof the following: ''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''.

SEC. 16. CORRECTIONS CALENDAR CHANGES.

In clause 4(a) of rule XIII—

(a) strike ''On'' and insert in lieu thereof ''At any time on'';

(b) strike ''after the Pledge of Allegiance,''; and

(c) strike ''the bills in numerical order which have'' and insert in lieu thereof ''any bill that has'';

SEC. 17 DYNAMIC ESTIMATION OF EFFECTS OF MAJOR TAX LEGISLATION.

In clause 7 of rule XIII, add the following new paragraph at the end:

''(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.''.

SEC. 18, APPROPRIATIONS PROCESS CHANGES.

In clause 2 of rule XXI—

(a) in paragraph (a), strike ''in any'' and insert in lieu thereof ''in a'';

(b) amend paragraph (b) to read as follows:

''(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) amend paragraph (c) to read as follows:

''(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.''; and

(d) in paragraph (d), strike ''and amendments not precluded by paragraphs (a) or (c) of this clause have been considered''.

SEC. 19. CLARIFYING DEFINITION OF INCOME TAX RATE INCREASE.

(a) In clause 5(c) of rule XXI, add the following new sentence at the end: ''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.''.

(b) In clause 5(d) of rule XXI, amend the second sentence to read as follows: ''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.''.

SEC. 20. UNFUNDED MANDATE CLARIFICATION.

In clause 5 or rule XXIII, amend paragraph (c) to read as follows:

''(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.

''(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.''.

SEC. 21. DISCHARGE PETITION CLARIFICATION

In clause 3 of rule XXVII—

(a) strike ''either a special order of business, or'';

(b) strike ''any public bill or resolution favorably reported'' and insert in lieu thereof ''a public bill or resolution reported'';

(c) Strike ''*Provided*'' the first place it appears and insert in lieu thereof the following: ''*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*''.

SEC. 22. PROHIBITING THE DISTRIBUTION OF CAMPAIGN CONTRIBUTIONS IN THE HALL OF THE HOUSE.

In rule XXXII, add the following new clause at the end:

''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.''.

SEC. 23. REPEAL OF OBSOLETE EMPLOYMENT PRACTICES RULE.

(a) Rule LI (Employment Practices) is repealed.

(b) Rule LII (Gift Rule) is redesignated as rule LI.

SEC. 24. TECHNICAL AMENDMENTS.

(a) In clause 5(a) of rule I, insert before the last sentence the following: ''A recorded vote taken pursuant to this paragraph shall be considered a vote by the yeas and nays.''.

(b) In clause 1(h)(1) of rule X, strike ''House Information Systems'' and insert in lieu thereof ''House Information Resources.''

(c) In clause 2(g)(3) of rule XI, strike ''the House Information Systems'' and insert in lieu thereof ''House Information Resources''.

(d) In clause 2(k)(5)(B) of rule XI—

(1) strike ''a majority of the members of''; and

(2) strike ''determine'' and insert ''determines''.

(e) In clause 2(l)(6) of rule XI, insert after ''concurrent resolution on the budget'' the following: ''(except that a Saturday, Sunday, or legal holiday on which the House is in session shall not be excluded under such section)''.

(f) In clause 4(a) of rule XXII, strike ''indorsed'' and insert in lieu thereof ''endorsed''.

(g) In clause 6 of rule XXIII, strike ''after the reporting of the bill by the committee but''.

(h) In clause 4 of rule XLIII—

(1) In clause ''excepted'' and insert in lieu thereof ''except''; and

(2) strike ''rule LII'' and insert in lieu thereof ''rule LI''.

(i) In clause 13 of rule XLIII, strike ''by House'' and insert in lieu thereof ''by the House''.

SEC. 25. SELECT COMMITTEE ON ETHICS.

In clause 4(e) of rule X, add the following new subparagraph at the end:

''(3) Effective as of noon on January 3, 1997, there is hereby established in the One Hundred Fifth Congress a Select Committee on Ethics. Effective as of noon on January 3, 1997, each Member who served as a member of the Standing Committee on Standards of Official Conduct at the expiration of the One Hundred Fourth Congress is hereby appointed as a member of the select committee. A resignation from the select committee shall be deemed effective upon notice to the House. A vacancy on the select committee shall be filled by appointment by the Leader of the party concerned. The select committee shall have jurisdiction only to resolve the Statement issued by the Investigative Subcommittee of the standing Committee on Standards of Official Conduct in the One Hundred Fourth Congress relating to the official conduct of Representative Gingrich of Georgia and otherwise report to the House on the activities of that investigative subcommittee. In the exercise of that jurisdiction, the select committee shall possess the same authority as, and shall conduct its proceedings under the same rules, terms, and conditions (including extension of the service and authority of the staff and of the outside counsel commissioned by the investigative subcommittee under the same terms and conditions as in the One Hundred Fourth Congress and effective as of noon on January 3, 1997) as those applicable to the standing Committee on Standards of Official Conduct in the One Hundred Fourth Congress, except that the select committee may file reports in separate volumes with the Clerk when the House is not in session and the time otherwise guaranteed by clause 2(l)(5) of rule XI

for submission of separate views shall be computed as two calendar days after the day on which the report is ordered. Expenses of the select committee may be paid from applicable accounts of the House. The select committee shall cease to exist upon final disposition by the House of a report designated by the select committee as its final report on the matter, or at the expiration of January 21, 1997, whichever is earlier.''.

Mr. ARMEY (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Texas [Mr. ARMEY] is recognized for 1 hour.

Mr. ARMEY. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the distinguished minority leader, the gentleman from Missouri [Mr. GEPHARDT], or his designee, pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for debate purposes only.

Mr. Speaker, I ask unanimous consent that the time allocated to me under this previous unanimous consent request be conceded to the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules.

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

There was no objection.

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

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

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

Mr. SOLOMON. Mr. Speaker, the resolution before us today adopts the Rules of the House from the 104th Congress as the Rules of the House for the 105th Congress together with some 25 amendments thereto.

Mr. Speaker, I will be the first to concede that the House rules package certainly is not as bold and as innovative as the package of 31 House Rules changes we offered at the beginning of the 104th Congress, January 4, 1995. My colleagues will recall that historic day consumed over 14 hours as we provided for an extended debate and separate votes on major changes in how this House was going to operate. Among other things, we provided in that package for the elimination of three committees and 32 subcommittees, thereby shrinking the size of this Congress and setting an example for the rest of Government, the Federal Government down to local levels; a one-third reduction in committee staff and funding; the elimination of proxy voting in committees; a three-fifths vote on income tax rate increases; the first ever comprehensive audit of House finances; term limits on the Speaker and committee and subcommittee chairmen, like myself, who no longer can serve more than 6 years as chairman of the Committee on Rules; new sunshine rules to open committee hearings and meetings to the public, and to the broadcast media; an overhaul of the administrative operations of this House.

Mr. Speaker, today's rules package is indeed modest by comparison, and that is as it should be. We should not have to reinvent the wheel every 2 years, though we certainly should be willing to realign and to balance those wheels to ensure that they continue to turn smoothly and efficiently.

Mr. Speaker and Members of the House, the 104th Congress was the innovative Congress. The 105th Congress will be the implementation Congress, both legislatively and procedurally. As chairman of the Committee on Rules, I made clear from the outset of my chairmanship that congressional reform is a dynamic, evolutionary and incremental process, and that we should never become complacent and rest on the reform laurels of the past. For that reason, we conducted a series of four hearings in our Committee on Rules last summer entitled, ''Building on Change, Preparing for the 105th Congress'', which now is starting today.

We sent a questionnaire to all House committee chairmen and to ranking minority members on that side of the aisle, assessing our past reforms and soliciting opinions on new reform proposals. We invited all House Members to testify before the Committee on Rules on their reform ideas, and some 47 House Members from both sides and both parties respond today to that invitation with both written and oral testimony before our committee.

We also heard from outside students of the Congress, from major think tanks around this country on the basis of our survey and hearings and further discussions within our Republican Conference and leadership. We bring this resolution to the House today for your consideration and your approval.

For the most part, this resolution consists of numerous minor and technical changes from the rules of the last Congress, but it nevertheless contains some significant changes which I would like to briefly summarize at this time.

I will be placing a more detailed section by section summary and analysis in the RECORD following my remarks to make a more complete legislative history. So briefly, let me just say that first we have proposed a number of rules changes that affect our committees. Committees may adopt rules or motions to permit extended questioning of witnesses beyond the usual 5-minute rule, by both Members or staff with equal time for the majority and the minority parties. Nongovernmental witnesses at committee hearings will be required to submit with their written testimony in advance their academic and professional credentials, and a disclosure by source and amount of Federal grants and contracts over the last 3 years. The prohibition on committees sitting while the House is considering amendments would be repealed.

As my colleagues know, we waived that time after time which took up a great deal of time in this body. So we feel, since both parties agreed to it last year, that we would repeal it entirely. Inflation impact statement requirement for committee reports would be repealed, but replaced by a constitutional authority statement requirement to cite the specific powers granted to Congress on which the legislation is based. Dynamic scoring estimates on major tax legislation, designated by the majority leader, could be included in Committee on Ways and Means reports for informational purposes only. Committees would be permitted to file joint reports on investigations or studies jointly conducted.

Investigation and oversight reports would be considered as read if available to committee members at least 24 hours in advance of their consideration.

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Such reports, properly approved, could be filed after the sine die adjournment of a Congress, provided at least 7 calendar days are allowed for filing those views.

The time for filing views on the committee reports during a session would be shortened from 3 to 2 days, excluding Saturdays, Sundays, and legal holidays, and committees would have the automatic right to file 1 hour after the deadline for such views.

This is a proposal made by the chairman, the gentleman from Massachusetts, [Mr. MOAKLEY], before the Joint Committee on Congressional Reform in the 103rd Congress and included in his chairman's substitute for that bill.

It was a good idea then, JOE, and it is a good idea today.

We did not object to Chairman MOAKLEY'S proposal at that time when we were in the minority, and we certainly are going to offer it today in the spirit of bipartisanship.

Committees would be required, to the maximum extent feasible, to put their publications on the Internet. By publications, we intend this to include written committee materials that are otherwise made available to the public. That information ought to appear on the Internet.

The omnibus committee funding resolution could include a reserve fund for unanticipated contingencies that would not be allocated without the approval of the Committee on House Oversight. Since we are now on a 2-year committee funding cycle, this only makes good sense. It is not always possible to project committee needs 2 years in advance.

The name of the Committee on Economic and Educational Opportunities

would be changed to the Committee on Education and the Workforce, and the jurisdiction over the presidential budget process would be shifted from the Committee on Government Reform and Oversight to the Committee on the Budget.

Mr. Speaker, beyond these changes that affect committees, this resolution contains a few other provisions that should be noted here today. The distribution of campaign contributions on the House floor in the Speaker's lobby and in the cloakrooms would be prohibited by rules of the House.

The Speaker, in consultation with the minority leader, shall develop, and this is very important and speaks to the point that our Speaker GINGRICH made earlier this afternoon, that we shall develop a system for drug testing in the House that is comparable in scope to the system that is applied in the executive branch since 1986. What this means, in effect, is that the Speaker may require mandatory or random drug testing of we Members, officers or employees of the House of Representatives, which means our staff and anyone employed by the House, but he shall implement a system at the very least comparable in scope to the program in effect in the executive branch pursuant to Ronald Reagan's executive order 12564.

Those tests would be paid for from official expense allowances of either the Members, the committees or the officers, the departments that they run.

Mr. Speaker, let me just say, the random drug testing has been so extremely effective in the executive branch, particularly in the military where illegal drug use dropped, and Members ought to listen to this, dropped from an average of 25 percent back in the early 1980's—25 percent of the enlisted personnel were using illegal drugs in one form or another—it dropped it down to less than 5 percent in just 4 years. I have no doubt that we will accomplish the same results here in the House.

Mr. Speaker, this rule does not prejudge what means of testing may be used; that is, whether it should be urine specimen or hair sample. That will be worked out by the designated entity of the Speaker in developing this system. This is a natural follow-on to the Congressional Accountability Act, in which the Congress has applied to itself the same workplace standards that apply to the executive branch and the private sector. We should be no different than others when it comes to ensuring a drug-free workplace, and this is going to help us do that.

The definition of income tax rate increases for purpose of the three-fifths vote rule and the prohibition on retroactive tax rate increases would be confined to specified sections of the Internal Revenue Code; namely, those sections dealing with individual, corporate, and alternative minimum tax rates.

More flexibility would be allowed for considering Correction Day bills out of order on the second and fourth Tuesdays of the month, and for postponing demands for rollcall votes on any amendments or motions to recommit.

Approval by the chairman and ranking minority member of the Committee on Government Reform and Oversight of proposed financial settlements in Congressional Accountability Act employee complaints would be codified in House rules. That means there is going to have to be a bipartisan agreement as to those settlements. That is the way it should be, to make sure we stick within our budgetary allocations.

The right of the majority leader to offer a motion to rise and report on appropriation bills, once the final lines have been read, would have priority over other motions to amend, and so-called made-known limitation amendments would be prohibited under the new rules.

Finally, the membership and authority of the Ethics Committee of the 104th Congress with respect to matters concerning the gentleman from Georgia [Mr. GINGRICH] would be extended through January 21 of this year to permit it to report any recommendations to the House.

Mr. Speaker, that completes my summary of the substantial provisions of this resolution. There are other minor and technical changes that have been recommended by the Parliamentarian that are included in this resolution.

Mr. Speaker, I include for the RECORD the following document titled ''Highlights of Provisions in Proposed House Rules Package for the 105th Congress.''

The material referred to is as follows:

HIGHLIGHTS OF PROVISIONS IN PROPOSED HOUSE RULES PACKAGE FOR THE 105TH CONGRESS

Committees could adopt rules or motions to permit designated majority and minority members to question witnesses for more than five-minutes (but not more than 30-minutes per side, per witness), and to permit questioning of witnesses by majority and minority staff on an equal time basis.

Non-governmental witnesses would be required to submit in advance, as part of their written testimony, a curriculum vitae and a disclosure by source and amount of Federal grants and contracts received by them and the organizations they represent for the current and preceding two fiscal years.

The inflation impact statement requirement for committee reports would be repealed and replaced by a required ''Constitutional Authority Statement'' citing the specific powers granted to Congress on which the legislation is based.

Dynamic scoring estimates could be included in Ways and Means Committee reports on major tax legislation designated by the majority leader, for informational purposes.

Committees would have automatic leave until an hour after midnight on the second day after approving a measure or matter to file their report with the Clerk if notice has been given of intention to file views.

Committees would be authorized to file joint investigative and oversight reports with other committees, and to file properly approved investigative and oversight reports after a Congress has adjourned provided at least 7 calendar days are allowed for the filing of additional and minority views.

Omnibus committee expense resolutions could include a ''reserve fund'' for unanticipated committee expenses, with specific allocations subject to approval.

Committees would be required to put their publications on the Internet to the maximum extent feasible.

The definition of ''income tax rate increases'' would be tied to specific tax rates in the IRS Code (or higher new tax rates) for purposes of the three-fifths vote rule on such increases and the prohibition on retroactive tax rate increases.

The distribution of campaign contributions on the House floor and rooms leading thereto (cloak rooms and Speaker's Lobby) would be prohibited.

The Speaker, in consultation with the Minority Leader, would develop through an appropriate House entity a system for drug testing that may include any Member, officer or employee and that is otherwise comparable in scope to the present system for drug testing in the Executive Branch.

The Ethics Committee of the 104th Congress would be extended through Jan. 21, 1997, as a select committee to complete action on its subcommittee's report on Representative Gingrich.

SECTION-BY-SECTION SUMMARY OF DRAFT RESOLUTION ADOPTING HOUSE RULES FOR THE 105TH CONGRESS

Sec. 1. Postponement of Corrections Votes: The Speaker's current authority to postpone votes on final passage of a measure would be extended to any manager's amendment, and any motion to recommit a bill (or any previous question thereon), considered under the Corrections Day process. (Rule I, clause 5(b)(1)))

Sec. 2. Obsolete References to ''Contingent Fund'': Five obsolete references to the House ''contingent fund'' would be changed to ''applicable accounts of the House''. (Rule I, clause 8, in two instances; Rule XI, clauses 1(c), 4(a), and 6(f))

*Sec. 3. Drug Testing in the House: The Speaker, in consultation with the Minority Leader, shall develop through an appropriate entity of the House a system for drug testing that may include any Member, officer or employee of the House and that is otherwise comparable in scope to the present system for drug testing in the Executive Branch. (Rule 1, clause 13).

Sec. 4. Policy Direction, and Oversight of Chief Administrative Officer: The Speaker's authority over the assignment of functions, policy direction and oversight of the CAO would be eliminated, leaving such authority exclusively with the House Oversight Committee, as it now is with respect to other House officers. (Rule V, clause 1)

Sec. 5. Budget Jurisdiction Changes: The Budget Committee would have jurisdiction over ''budget process, generally'' (and not just ''congressional budget process''). The Committee on Government Reform and Oversight's jurisdiction over ''budget and accounting measures, generally,'' would be changed to ''government management and accounting measures, generally.'' (Rule X, clauses 1(d)(3) and 1(g)(4))

*Sec. 6. Designating Committee on Education and the Workforce.—The name of the Committee on Economic and Educational Opportunities would be changed to the Committee on Education and the Workforce. (Rule X, clauses 1(f) and 3(c))

Sec. 7. Requirement of Approval for Settlement of Certain Complaints: The provisions of section 2 of H. Res. 401 adopted by the House in the 104th Congress (April 16, 1996) would be extended to the 105th Congress. The provisions require the joint approval of the chairman and ranking minority member of

the House Oversight Committee of the amount of a proposed settlement of a complaint under the Congressional Accountability Act before the employing House office can enter a settlement. (Rule X, clause 4(d))

Sec. 8. Special Authorities for Certain Reports: (a) proposed investigative or oversight reports would be considered as read if available to committee members at least 24 hours in advance of their consideration; (b) committees would be authorized to file joint investigative or oversight reports with other committees on matters on which they had conducted joint studies or investigations; (c) committees would be authorized to file investigative or oversight reports after the final adjournment of a second session if they were properly approved and at least 7 calendar days are permitted for filing vies; and (d) committee final activity reports could be filed after an adjournment without formal approval if at least 7 calendar days are permitted for filing views. (Rule XI, clauses 1(b) and (d))

Sec. 9. Committee Publications on Internet: Committees would be required, to the maximum extent feasible, to make all committee publications available in electronic form. (Rule XI, clause 2(e))

Sec. 10. Information Required of Public Witnesses: Each committee shall require, to the greatest extent practicable, witnesses appearing in a non-governmental capacity to include with their advance written testimony a curriculum vitae and disclosure by source and amount of Federal government grants and contracts received by them and any entity they represent for the current and preceding two fiscal years. (Rule XI, clause 2(g))

Sec. 11. Committees' Sittings: The current prohibition on committees sitting while the House is considering legislation under the five-minute rule (except by leave of the House), would be repealed. (Rule XI, clause 2(I))

Sec. 12. Exceptions to Five-Minute Rule in Hearings: Committees would be authorized to adopt a special rule or motion (a) to permit selected majority and minority members (in equal numbers) to take more than 5-minutes in questioning witnesses, but not more than 30 minutes per side, per witness; and (b) to permit the questioning of witnesses by staff provided that staff for the minority is given equal time and opportunity to do so. (Rule XI, clause 2(j)(2))

Sec. 13. Repeal of Inflation Impact Statement Requirement; Establishment of Constitutional Authority Statement Requirement: The current requirement for inflation impact statement in committee reports on bills would be repealed. A new ''Constitutional Authority Statement'' would be required in committee reports citing the specific powers granted to Congress by the Constitution on which the proposed enactment is based. (Rule XI, clause 2(l)(4))

Sec. 14. Filing of Reports After Time for Views: The period for filing views on reports would be changed from three full days after the day on which a bill or matter is ordered reported to three days counting the day on which the matter is ordered reported. Moreover, a committee would have the automatic right to arrange to have until an hour after midnight on the third day to file its report with the Clerk if intention to file views is announced. (Rule XI, clause 2(l)(5))

Sec. 15. Committee Reserve Fund: Committee primary expense resolutions reported by the House Oversight Committee may include a reserve fund for unanticipated expenses provided that any allocation from such fund to a committee is approved by the House Oversight Committee. (Rule XI, clause 5(a))

Sec. 16. Corrections Calendar Changes: The Corrections Day rule would be amended to permit consideration of Corrections bills at any time on a Corrections Day (as opposed to immediately after the Pledge), and to permit bills to be called up in any order from the Calendar (as opposed to only in the numerical order in which they appear on the Calendar). (Rule XIII, clause 4(a))

Sec. 17. Dynamic Estimation of Effects of Major Tax Legislation: A report by the Ways and Means Committee on major tax legislation (as designated by the majority leader in consultation with the minority leader) may include an estimate of the change in revenues resulting from the enactment of the legislation on the basis of assumptions that estimate the probable dynamic macroeconomic feedback effects of such legislation. The Joint Tax Committee would be required to produce such an estimate if requested by the chairman of the Ways and Means Committee. Such estimates shall be for informational purposes only. (Rule XIII, clause 7)

Sec. 18. Appropriations Process Changes: No provision could be reported in a general appropriations bill, or considered as an amendment thereto, making the availability of funds contingent on the receipt or possession of information not required by existing law except germane provisions that retrench expenditures. The current right of the Majority Leader or a designee to offer the motion to rise and report at the end of the reading of appropriations bills for amendment would be clarified to ensure that the motion could not be preempted by the offering of regular amendments. (Rule XXI, clause 2 (a), (b), (c), and (d))

Sec. 19. Clarifying the Definition of Income Tax Rate Increase: The definition of Federal income tax rate increases for purposes of the rules requiring a three-fifths vote on such increases and prohibiting retroactive income tax rate increases would be narrowed to include only increases in existing specific statutory Federal income tax rates in the Internal Revenue Code of 1986 (sec. 1 (a)–(e), sec. 11(b), or sec. 55(b)) or adding new income tax rates to the highest of such specific income tax rates. (Rule XXI, clause 5 (c) and (d))

Sec. 20. Unfunded Mandate Clarification: The current rule permitting an amendment to strike an unfunded mandate from a bill unless otherwise precluded by a special order of the House would be clarified by specifying that the reference to section 424(a)(1) of the Budget Act is to a ''Federal intergovernmental mandate'' whose direct costs exceed the threshold amounts specified in that section of the Budget Act. (Rule XXIII, clause 5(c))

Sec. 21. Discharge Petition Clarification: The existing discharge rule would be amended to clarify that petitions may be filed on resolutions from the Rules Committee providing for the consideration of any unreported or any reported measure (not just those reported ''favorably''), that such special rules may provide for the consideration of only one measure, and that the special rule may not provide for the consideration of non-germane amendments to such a measure. (Rule XXVII, clause 3)

Sec. 22. Prohibiting the Distribution of Campaign Contributions in the Hall of the House: No Member, officer, or employee of the House could knowingly distribute campaign contributions on the House floor or rooms leading thereto. (Rule XXXII, clause 5)

Sec. 23. Repeal Obsolete Employment Practices Rule: The House ''Employment Practices'' rule, which has been replaced by the Congressional Accountability Act, would be repealed, and Rule LII (Gift Rule) would be redesignated as rule LI. (Rule LI)

Sec. 24. Technical Amendments: (a) A recorded vote taken pursuant to clause 5(a) of rule I (postponement of certain votes) shall be considered a vote by the yeas and nays; (b) and (c) Obsolete references to the ''House Information Systems'' would be changed to the ''House Information Resources''; (d) The procedures for a committee vote on whether to close an investigatory hearing because testimony might tend to defame, degrade or incriminate any person would be changed to clarify that the hearing would not be closed if a majority of those voting (a committee majority being present)—instead of a majority of committee members—determine that the evidence or testimony would not tend to defame, degrade or incriminate any person. (Rule XI, clause 2(k)(5)(B); (e) The layover requirement for budget committee reports on budget resolutions would be conformed to those for other committee reports to the extent that Saturdays, Sundays or legal holidays on which the House is in session would be counted as days of availability of the report. (Rule XI, clause 2(1)(6)); (f) The spelling of ''endorsed'' would be corrected in rule XXII, clause 4(a); (g) The rule giving special protections to Members who have pre-printed their amendments in the Congressional Record would apply to any measure under consideration and not just to those reported by a committee. (Rule XXIII, clause 6); (h) The word ''excepted'' would be changed to ''except'' before ''as provided in rule LI (Gift Rule)'' in clause 4 of rule XLIII; and (I) the words ''by House'' would be changed to ''by the House'' in clause 13 of rule XLIII (relating to the non-disclosure oath or affirmation required for access to classified information).

*Sec. 25. Select Committee on Ethics: The Committee on Standards of Official Conduct of the 104th Congress would be re-established in the 105th Congress as a select committee for a period ending on January 21, 1997, for the purpose of completing its work on the report isued by its subcommittee involving the official conduct of Representative Newt Gingrich.

*Denotes changes from summary and GPO ''Committee Print'' of resolution released on Friday, January 3, 1997.

SECTION-BY-SECTION ANALYSIS OF RESOLUTION ADOPTING HOUSE RULES FOR THE 105TH CONGRESS

Introduction: As in the past, the introductory paragraph of the resolution adopts the rules of the previous Congress, in this case the 104th Congress, together with applicable provisions of law or concurrent resolution that constituted House Rules in the previous Congress, as the Rules of the House of the new Congress (the 105th Congress), together with the amendments listed in the resolution. In the case of this resolution, following this introductory paragraph are 25 sections containing direct amendments to the Rules of the 104th Congress, listed generally in the order in which the Rules are amended, from Rule I through Rule II.

Section 1. Postponement of Corrections Votes: Clause 5(b)(1) of House Rule I (''Duties of the Speaker'') currently lists those matters on which the Speaker may postpone a demand for a rollcall vote until later in the same day or for up to two legislative days. These include votes on the previous question and on passing a bill. On January 20, 1995, the House adopted H. Res. 168, abolishing the Consent Calendar and replacing it with a new Corrections Calendar on which the Speaker could place bills that had been reported from committees and placed on the Union Calendar. The Corrections Calendar is called on the second and fourth Mondays of each month, and bills called from it are subject to one hour of debate, are not subject to amendments except committee amendments or amendments offered by the chairman of

the primary committee or a designee, are subject to one motion to recommit with or without instructions, and require a three-fifths vote for passage. The amendment proposed by this section would extend the Speaker's right to postpone votes to amendments offered to Corrections bills and to the motion to recommit. (See section 16 below for other Corrections Calendar changes.)

Section 2. Obsolete References to the ''Contingent Fund:'' When the Rules of the 104th Congress were adopted, the term ''contingent fund'' of the House was generally replaced by the term ''applicable accounts of the House.'' However, some instances of the use of the term ''contingent fund'' were overlooked at that time. The purpose of this section is to replace the remaining for obsolete references to the contingent fund.

Section 3. Drug Testing in the House: This section would amend House Rule I (''Duties of the Speaker'') by adding a new clause 13 that requires the Speaker, in consultation with the Minority Leader, to develop a system for drug testing in the House that may include testing of any Member, officer or employee and that is otherwise comparable in scope to the system for drug testing in the Executive Branch pursuant to Executive Order 12564. Moreover, it authorizes expenses for the new drug testing system to be paid from the applicable accounts of the House as official expenses. The policy of the Drug-free Workplace Program in the Executive Branch is to test applicants for certain positions classified as ''sensitive,'' relating to national security, law enforcement, public health or safety, etc. Periodic random testing is also required for incumbents of these positions. The Executive Branch system authorizes the head of each agency to designate such other employees as the employer deems appropriate for such testing according to specific criteria. The Executive system does not require testing of elected officials (the President and Vice President), but cabinet officers and most sub-cabinet, Senate-confirmable officials are ''preferred'' for testing (except where impractical). In the case of the Executive Office of the President, which includes the White House, all applicants for employment are pre-tested, and most employees are designated for periodic, random testing. Nothing in this section should be construed as pre-determining or precluding what means of testing may be chosen by the House (whether by hair sample or urine specimen). The standard of comparability with the Executive system refers only to the scope of persons to be tested.

Section 4. Policy Direction and Oversight of Chief Administrative Officers: This section strikes the Speaker as one of two entities providing policy direction and oversight of the Chief Administrative Officer, thereby leaving this responsibility exclusively with the House Oversight Committee, as it now is with respect to other House officers.

Section 5. Budget Jurisdiction Changes: The jurisdiction of the Budget Committee is changed by striking ''congressional budget process'' and inserting in lieu, ''budget process.'' The jurisdiction of the Government Reform and Oversight Committee is changed by striking ''budget and accounting measures, generally,'' and replacing it with ''Government management and accounting measures, generally,'' The intent of this is to give the Budget Committee jurisdiction over the President's budget process as well as the congressional budget process, and thereby to avoid duplication with the Government Reform and Oversight Committee in this area. This change will not alter Government Reform and Oversight's existing legislative jurisdiction over such matters as government management and reorganization, the Office of Management and Budget's management, regulatory, and other coordinating functions, or the General Accounting Office.

Section 6. Designating Committee on Education and the Workforce: The name of the Committee on Economic and Educational Opportunities would be changed to the Committee on Education and the Workforce.

Section 7. Requirement of Approval for Settlement of Certain Complaints: This section incorporates the language of section 2 of H. Res. 401, 104th Congress, adopted by the House on a voice vote on April 16, 1996. Since a simple House resolution loses its force and effect at the end of a Congress, it was decided in this instance to incorporate its provisions in the standing Rules of the House for the 105th Congress. The section requires that before any financial settlement can be entered into by an employing office of the House with an employee under the Congressional Accountability Act, the amount of the proposed settlement must be jointly approved by the chairman and ranking minority member of the House Oversight Committee which has responsibility for monitoring House expenditures from various accounts to ensure they remain within amounts budgeted.

Section 8. Special Authorities for Certain Reports: (a) The first subsection provides that if a proposed investigative or oversight report has been made available to the members of a committee at least 24 hours prior to its consideration (excluding Saturdays, Sundays, and legal holidays except when the House is in session), it shall be considered as read. The purpose of this provision is to both encourage the advance distribution of such reports and to avoid prolonged delays that could result if any member demanded that the report be read in full. Since such reports, unlike bills, are not read by section or paragraph for amendment, this in no way affects the right of members to offer amendments to any portion of the report once it has been considered as read. (b) A report on an investigation or study conducted jointly by two or more committees could be filed jointly with the House. This in no way alters the requirement that each committee must act individually in compliance with House rules, including a majority quorum to approve the report and the opportunity and time for filing supplemental, minority, or additional views by members of each committee if requested at the time of the report's approval. (c) An investigative or oversight report could be filed by a committee with the Clerk after the sine die adjournment of the last regular session of the Congress, and members would have seven calendar days in which to file their views to be included with the report if timely notice is given of the intention to file views. ''Timely notice'' is the same as required under existing House rules: the notice must be given at the time of approval of the report. Such authority to file in the past has been secured by unanimous consent of the House or special resolution. This will obviate the need for special leave of the House for filing a report when the House is not in session. Moreover, this extends to seven calendar days time for filing views in recognition of the fact that it will probably take longer for members of the committee to develop and submit their views if the Congress had adjourned and they are away from their Washington offices. (d) The final activity reports of committees may be filed after the adjournment sine die of the last regular session of a Congress without approval of the committee, provided seven calendar days are allowed for the filing of views. The current rule for activity reports is an anomaly in that it does not technically allow for filing an unapproved reports. However, the practice of filing such reports has long been recognized as a practical matter since such reports usually are not drafted until after a Congress has finally adjourned. The right to file views with such reports has always existed, though only recognized and utilized in the last several congresses. This only changes that right to the extent that it expands to seven calendar days the time in which such views may be submitted, dating from the day on which the report is made available to the members.

Section 9. Committee Documents on the Internet: This section requires House committees, ''to the maximum extent feasible,'' to make their ''publications'' available in electronic form. The purpose of this section is to encourage committees to make every effort practicable to ensure that what is available to the public in printed form also be made available electronically. It is expected that, early in the 105th Congress, further guidelines will be developed between the Committee on House Oversight, House Information Resources, and various committees, outlining what materials should be made available and on what web sites. As a general rule of thumb, the term ''publications'' should be interpreted to mean printed materials of the committee which are generally made available for distribution to the public.

Section 10. Information Required of Public Witnesses: Committees shall require, to the greatest extent practicable, that non-governmental witnesses include as part of their written testimony that is already required by House Rules to be submitted in advance, both a curriculum vitae and a disclosure by source and amount of federal grants and contracts received by them and any organizations they represent at that hearing in the current and preceding two fiscal years, to the extent that such information is relevant to the subject matter of, and the witness' representational capacity at, that hearing. The purpose of these new requirements is to give committee members, the public, and the press a more detailed context in which to consider a witness' testimony in terms of their education, experience, and the extent to which they or the organizations being represented have benefited from Federal grants and contracts related to their appearance. It is not the intention of this section, for instance, to require individuals to disclose the amounts of Federal entitlements they have received, such as from Medicare or Social Security or other income support payments or individual benefits, or to require farmers to disclose amounts received in crop or commodity price support payments. Instead, the disclosure requirement is designed to elicit information from those who have received Federal grants or contracts for the purpose of providing the government or other individuals or entities with specified goods, services, or information. While failure to comply fully with this requirement would not give rise to a point of order against the witness' testifying, it could result in an objection to including the witness' written testimony the hearing record in the absence of such disclosure.

Section 11. Committees' Sittings: The prohibition on committees' sitting while the House is considering amendments under the five-minute rule is repealed. This provision had originally been repealed at the beginning of the 103rd Congress, but was reinstituted with the adoption of House Rules at the beginning of the 104th Congress. Because the requirement was waived by the House almost daily given the realities of committee and House floor scheduling, it was found to be impractical and impossible to enforce. This repeal should in no way be construed as authorizing committees to sit while the House is conducting a rollcall vote

with the limited, 15-minutes in which to respond. The current prohibition on committees' sitting while there is a joint, House-Senate session or meeting would be retained.

Section 12. Exceptions to Five-Minute Rule in Hearings: Committees would be given the discretion, either by committee rule or motion, to provide an exception to the current 5-minute rule limitation on members' questioning of witnesses. The rule or motion could permit designated majority and minority party members or staff to question witnesses for a period longer than their usual, 5-minute entitlement. It is the clear intent of this rule that any such time be equally divided between the majority and minority parties. In the case of member questioning, not more than 30 minutes per party of such extended questioning could be used for any witness. A motion under this House rule would not be privileged for any member of a committee to offer. Instead, it would be at the discretion of the chair to recognize a member to offer such a motion. While the rule does not specifically limit staff questioning to 30 minutes per side, it is not expected that committees would grant a longer period for staff questioning unless all committee members present have first had an opportunity to question the witness.

Section 13. Repeal of Inflation Impact Statement Requirement; Establishment of Constitutional Authority Statement Requirement: The current House Rule requirement that committee reports on public measures include a detailed, analytical statement on whether the legislation would have an inflationary impact on prices and costs in the operation of the national economy, would be repealed. The provision would be replaced by a requirement that committees include in their reports on public bills and joint resolutions a ''constitutional authority statement'' citing the specific powers granted to the Congress by the Constitution to enact the proposed law. It is expected that committees will not rely only on the so-called ''elastic'' or ''necessary and proper'' clause and that they will not cite the preamble to the Constitution as a specific power granted to the Congress by the Constitution. A point of order would not lie against consideration of a bill so long as the report on the measure includes a ''constitutional authority statement'' that cites specific powers in the Constitution granted to the Congress on which the committee claims measure is based. A point of order would not lie on grounds that the authority statement is otherwise inadequate, inaccurate, or constitutionally unsound, since it is not within the province of the Chair, by House precedent and practice, to rule on questions of constitutionality.

Section 14. Filing of Reports After Time for Views: The current three-day time-frame for filing views on committee reports would be reduced to two days after the day on which the measure or matter is ordered reported. Moreover, committees would have the automatic right to file their reports with the Clerk up to one-hour after the expiration of this time period, provided that a request had been made to file views. Two things should be noted: first, the right for late filing of a report is not automatic if no opportunity to file views has been requested; and, second, the rule requires that committees ''arrange'' with the Clerk for late filing when views have been requested. They should not expect that the Clerk's office will be open late every night to receive filed reports. Finally, committees may file sooner than the expiration of the second day if they know that all views have been received. They should therefore advise committee members to notify them by a time certain (preferably later on the day of approval) if they intend to file views since a request made by any member protects the right of all members to file views.

Section 15. Committee Reserve Fund: This section authorizes the Committee on House Oversight to include with its biennial, primary expense resolution for committees a ''reserve fund'' for unanticipated committee expenses. The actual allocation of any money from the reserve fund would be subject to approval by the House Oversight Committee. This is similar to a provision contained in the Senate's biennial committee funding resolution. Since it is sometimes difficult to accurately project total expenses for a two-year period given unexpected developments and demands on a committee over the course of a Congress, this reserve fund is designed to be used in such extraordinary circumstances without the need for a supplemental expense resolution. Committees should not expect that this reserve fund will be readily available for all committees to tap at any time. Instead, it is anticipated that it will be relatively limited in amount for use only in extraordinary, emergency or high priority circumstances, and that any proposals for its allocation will be carefully scrutinized and coordinated at the highest levels before it is put to a vote by the House Oversight Committee. Other committee requests beyond their initial, biennial budget authorization will still require a supplemental expense resolution to be approved by the House.

Section 16. Corrections Calendar Changes: This section would make two changes in the order of consideration of bills from the Corrections Calendar. (See section 1 above for an explanation of the Corrections Calendar and changes made in the postponement of certain votes on Corrections bills.) First, it would no longer be required that the Corrections Calendar be called immediately after the Pledge of Allegiance on a Corrections Day (the second and fourth Tuesdays of each month). It could be called at any time on a Corrections Day. Second, it would no longer be required that bills on the Corrections Calendar be called in the numerical order in which they appear on the Corrections Calendar. They could be called in any order, so long as they have been on the Calendar for at least three legislative days. The main purpose of these changes is to permit the Leadership, in working with committee chairmen, to have the maximum flexibility possible in scheduling both Corrections bills and Suspension bills on such days.

Section 17. Dynamic Estimation of Effects of Major Tax Legislation: This section would permit the House majority leader, after consultation with the minority leader, to designate certain legislation as ''major tax legislation.'' It is anticipated that the designation would be in the form of a publicly-released letter from the majority leader to the chairman of the Ways and Means Committee. The designation in turn would authorize the Committee on Ways and Means to include in its report on the legislation a dynamic estimate of changes in Federal revenues expected to result from enactment. The Joint Committee on Taxation shall only provide such an estimate to the Ways and Means Committee in response to a timely request from its chairman (after consultation with the ranking minority member). Such estimates shall be for informational purposes only. This means that in no way are they to be depended upon or looked to for purposes of enforcement or scorekeeping under the terms of the Congressional Budget Act. ''Dynamic estimate'' is defined as meaning a projection based in any part on assumptions concerning the probable effects of macroeconomic feedback resulting from the enactment of the legislation. The estimate shall include a statement identifying all such assumptions.

Section 18. Appropriations Process Changes: This section makes two changes regarding the consideration of appropriations bills. First, it would make clear that the Appropriations Committee could not report, nor could an amendment be considered by the House, that makes the availability of funds contingent upon the receipt or possession of information by the funding authority if such information is not required by existing law. This is designed to prohibit the consideration of so-called ''made known'' provisions and amendments which in the past have been used as a technical loophole to circumvent the prohibition on legislating in an appropriations measure. The second provision would make clear that, once the final lines of a bill have been read for amendment, and it is in order to consider so-called limitation amendments, other amendments could not be offered as a means of preempting the right of the majority leader or a designee to offer the privileged motion that the Committee of the Whole rise and report the bill to the House. This simply makes clear that the right granted to the majority leader to offer the motion to rise and report during the limitation amendment process has precedence over any motion to amend.

Section 19. Clarifying Definition of Income Tax Rate Increase: This section clarifies the definition of ''income tax rate increases'' for the purposes of clauses 5(c) and (d) of House Rule XXI which require a three-fifths vote on any amendment or bill containing such an increase, and prohibits the consideration of any amendment or bill containing a retroactive income tax rate increase, respectively. A ''federal income tax rate increase'' is any amendment to subsection (a), (b), (c), (d), or (e) of section 1 (the individual income tax rates), to subsection (b) of section 11 (the corporate income tax rates), or to subsection (b) of section 55 (the alternative minimum tax rates) of the Internal Revenue Code of 1986 which (1) imposes a new percentage as a rate of tax and (2) thereby increases the amount of tax imposed by any such section.

Thus, paragraphs (c) and (d) of Rule XXI clause 5 would apply only to specific amendments to the explicitly stated income tax rate percentages of Internal Revenue Code sections 1(a), 1(b), 1(c), 1(d), 1(e), 11(b) and 55(b). The rules are not intended to apply to provisions in a bill, joint resolution, amendment, or conference report merely because those provisions increase revenues or effective tax rates. Rather, the rules are intended to be an impediment to attempts to increase the existing income tax rates. The rules would not apply, for example, to modifications to tax rate brackets (including those contained in the specified subsections), filing status, deductions, exclusions, exemptions, credits, or similar aspects of the Federal income tax system and mere extensions of an expiring or expired income tax provision. In addition, to be subject to the rule, the amendment to Internal Revenue Code section 1(a), 1(b), 1(c), 1(d), 1(e), 11(b), or 55(b) must increase the amount of tax imposed by the section. Accordingly, a modification to the income tax rate percentages in those sections that results in a reduction in the amount of tax imposed would not be subject to the rule.

Section 20. Unfunded Mandate Clarification: This section clarifies that the right to offer a motion to strike an unfunded mandate provision from a bill, unless precluded by special order of the House, applies to unfunded Federal intergovernmental mandates that exceed the threshold contained in section 424(a)(1) of the Budget Act. The clause being amended (clause 5(c) of rule XXIII) merely referenced the applicable section of

the Budget Act and did not make clear that its reference is to intergovernmental mandates as opposed to private section mandates.

Section 21. Discharge Petition Clarification: This section makes clear the original intent of permitting discharge petitions on resolutions from the Rules Committee was for the purpose of a resolution making in order the consideration of a single measure that has been introduced for at least 30 legislative days (and not multiple measures), and that such a resolution may only make in order germane amendments to such a measure. Without this clarification, the intent of allowing discharge petitions on resolutions from the Rules Committee could completely distort the purposes of the discharge rule by making in order completely unrelated matters. Members should be fully aware when signing a discharge petition that it is being confined to the subject matter of the bill being made in order for consideration by the resolution they are being asked to discharge from the Rules Committee.

Sec. 22. Prohibiting the Distribution of Campaign Contributions in the Hall of the House: House Rule XXXII (''Of Admission to the Floor'') would be amended by adding a new clause 5 prohibiting the knowing distribution of campaign contributions in the Hall of the House or rooms leading thereto by any Member, officer, employee or other person having floor privileges. The ''rooms leading thereto'' are commonly understood under the rule as being the majority and minority cloakrooms and the Speaker's Lobby.

Section 23. Repeal of Obsolete Employment Practice Rule: House Rule LI, relating to House Employment Practices, is repealed as obsolete because it has been replaced by the provisions of the Congressional Accountability Act (Public Law 104–1). House Rule LII, the Gift Rule, is consequently redesignated as Rule LI.

Section 24. Technical Amendments: This section makes nine technical amendments to the Rules of the 104th Congress for purposes of the Rules of the 105th Congress, as follows:

(a) A recorded vote taken pursuant to clause 5(a) of rule I shall be considered a vote by the yeas and nays. This in no way changes the existing threshold for demanding a recorded vote, but simply avoids a possible second vote on the same question if someone should demand the Yeas and Nays.

(b) and (c) Two references to the ''House Information Systems'' are replaced by its redesignated name, ''House Information Resources.''

(d) This subsection clarifies the provisions for closing investigative hearings if it is asserted that any information to be disclosed may tend to defame, degrade or incriminate any person. Whereas a quorum for taking testimony (which may be as few as two of the members) is required to vote on closing an investigative hearing for such purposes, the current rule goes on to read that the hearing may only be kept open if a majority of members of the committee, a majority being present, determine that it would not tend to defame, degrade or incriminate any person. The proposed amendment strikes ''a majority of the members of,'' leaving the subsection to read: ''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 short, this would restore the concept of majority, rather than super-majority rule by requiring that a majority of those voting (rather than a majority of the total membership of the committee), a majority being present, are sufficient to keep the hearing open.

(e) This subsection clarifies that the layover period for reports on budget resolutions shall include days on which the House is in session (including any Saturday, Sunday, or legal holiday), thereby conforming it to the language that applies to the layover period for other committee reports.

(f) This subsection corrects the spelling of the word ''endorsed'' in clause 4(a) of rule XXIII.

(g) This subsection would amend clause 6 of rule XXIII to ensure that certain rights of Members to offer amendments in the Committee of the Whole if they have been preprinted in the Congressional Record would apply to unreported as well as reported bills.

(h) This subsection amends clause 4 of rule XLIII (Code of Official Conduct) in two ways: first, by changing the word ''excepted'' to ''except,'' and secondly, by changing the reference to the ''Gift Rule'' from rule LII to rule LI (see section 22 above).

(i) This subsection would replace the term ''by House'' to ''by the House'' in clause 13 of rule XLIII (Code of Official Conduct)

Sec. 25. Select Committee on Ethics: This section would extend until January 21, 1997, the membership and authority of the Committee on Standard of Official Conduct of the 104th Congress as a select committee of the 105th Congress for the purpose of taking final action on its subcommittee report on the conduct of Representative Gingrich. Any vacancies would be filled by the majority or minority leaders concerned.

The provision is necessary since the Committee of the 104th Congress officially expired at noon on January 3rd, 1997, and thus has no authority in the new Congress to make any recommendations or report to the House on the pending case. The new select committee will be considered to have been created at noon on January 3rd to ensure continuity.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 6, 1997.

Hon. GERALD B.H. SOLOMON,
Chairman, Committee on Rules, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to express my understanding of the proposed change to clause 5 (c) and (d) of Rule XXI of the Rules of the House, regarding the definition of income tax rate increase.

Specifically, subsections (c) and (d) of Rule XXI clause 5 are clarified by defining ''Federal income tax rate increase.'' A ''federal income tax rate increase'' is any amendment to subsection (a), (b), (c), (d), or (e) of section 1 (the individual income tax rates), to subsection (b) of section 11 (the corporate income tax rates), or to subsection (b) of section 55 (the alternative minimum tax rates) of the Internal Revenue Code of 1986 which (1) imposes a new percentage as a rate of tax and (2) thereby increases the amount of tax imposed by any such section.

Thus, subsections (c) and (d) of Rule XXI clause 5 would apply only to specific amendments to the explicitly stated income tax rate percentages of Internal Revenue Code sections 1(a), 1(b), 1(c), 1(d), 1(e), 11(b) and 55(b). The rules are not intended to apply to provisions in a bill, joint resolution, amendment, or conference report merely because those provisions increase revenues or effective tax rates. Rather, the rules are intended to be an impediment to attempts to increase the existing income tax rates. The rules would not apply, for example, to modifications to tax rate brackets (including those contained in the specified subsections), filing status, deductions, exclusions, exemptions, credits, or similar aspects of the Federal income tax system and mere extensions of an expiring or expired income tax provision.

In addition, to be subject to the rule, the amendment to Internal Revenue Code section 1(a), 1(b), 1(c), 1(d), 1(e), 11(b), or 55(b) must increase the amount of tax imposed by the section. Accordingly, a modification to the income tax rate percentages in those sections that results in a reduction in the amount of tax imposed would not be subject to the rule.

These rules are designed as a barrier to attempts to increase the existing income tax rates. Had the House rules included subsections (c) and (d) since 1989, they would have applied to the creation of the 36% and 39.6% income tax rates and 26% and 28% alternative minimum tax rates in the Omnibus Budget Reconciliation Act of 1993. They would also have applied to the proposed creation of a 36% income tax rate in H.R. 4210, as passed by the Congress in 1992 and vetoed by President Bush. Subsection (c) would have applied as well to the creation of the 31% income tax rate and 24% alternative minimum tax rate in the Omnibus Budget Reconciliation Act of 1990.

I would appreciate your confirmation of this understanding. Thank you again for your and your staff's ongoing assistance to the Committee on Ways and Means. With best personal regards,

Sincerely,

BILL ARCHER,
Chairman.

HOUSE RULES COMMITTEE

SOLOMON RELEASES COMPARATIVE LEGISLATIVE DATA FOR 103RD & 104TH CONGRESSES

WASHINGTON, D.C.—Rules Committee Chairman Gerald B. Solomon (R–NY) today released comparative legislative data for the 103rd and 104th Congresses that, in his words, ''demonstrate that the new Republican Congress has been both more open and more deliberative than the Democrat-controlled 103rd Congress.''

Solomon observed, ''While we enacted fewer laws than the previous Congress, most objective observers agree that this has been the most productive Congress in at least a generation. Obviously, the productivity of a Congress cannot and should not be measured by the number of laws enacted but rather by their thrust and direction. The laws we enacted in the 104th Congress have set a dramatic new course for the government. Moreover, the data show that we spent more time considering legislation in the 104th Congress under a more open and deliberative process.''

The data, compiled by the Rules Committee staff, show that the 104th Congress enacted 333 measures into law compared to 465 in the 103rd Congress. However, when nonsubstantive commemoratives enacted in the 103rd Congress (like ''National Clown Week''), which were banned in the 104th Congress, are subtracted from total public laws, the number of substantive enactments is much closer—384 laws in the 103rd Congress compared to 333 in the 104th Congress.

The more open process in the 104th Congress is borne out in the data compiled by the Rules Committee staff. While the House passed 611 bills in the 104th Congress, using 4 hours of session per bill, in the 103rd Congress the House passed 757 bills with 2.5 hours of floor time per bill.

Recorded votes per bill passed were also up in the 104th Congress—with 2.2 votes per bill passed compared to 1.4 votes per bill passed in the 103rd Congress.

A further indication that the House was more deliberative in the 104th Congress is reflected in the percentage of unreported measures passed by the House. While 29% of the measures passed by the House in the 104th Congress had not been reported by a committee, 39% of the measures passed in the 103rd Congress were never reported.

Further enhancing House deliberations was the amendment process provided by special

rules reported from the Rules Committee. Open or modified open rules for amendments in the 104th Congress comprised 57% of total rules compared with 46% open or modified open rules in the 103rd Congress.

According to Solomon, ''The House was able to produce its impressive track record of legislative accomplishments in the historic 104th Congress more because of, rather than in spite of, the substantial streamlining and down-sizing in its structure, resources and operations at the beginning of the new Congress.'' The opening day House reforms in the 104th Congress resulted in the reduction of 3 committees and 32 subcommittees, a reduction of 684 committee staff (−34%), and a reduction in overall appropriations for the House in the two-year cycle of $122.9 million from the 103rd Congress.

Solomon concluded, ''I think we have demonstrated that the Republicans have been able to legislate and govern with common sense while at the same time setting an example for the rest of the government that down-sizing and economizing on operations can enhance rather than hinder the ability to provide more effective and efficient government for the American taxpayer.''

COMPARATIVE LEGISLATIVE DATA FOR THE HOUSE IN THE 103RD AND 104TH CONGRESSES

[Compiled by House Rules Committee Staff]

Item	103rd Congress	104th Congress
Days in Session	265	289
Hours in Session	1,887	2,445
Average Hours Per Day	7.1	8.5
Total Public Measures Reported	544	518
Total Public Measures Passed	757	611
Reported Measures Passed	462	437
Unreported Measures Passed	295	174
Unreported Measures as Percent of Total	39%	29%
Total Public Laws Enacted	465	333
Commemorative Measures Enacted	81	0
Commemoratives as Percent of Total Laws	17%	0%
Substantive Laws (Total Laws Minus Commemoratives)	384	333
Total Roll Call Votes	1,094	1,321
Roll Call Votes Per Measure Passed	1.4	2.2
Congressional Record Pages	22,575	24,495
Record Pages Per Measures Passed	29.8	40.1
Session Hours Per Measure Passed	2.5	4
Open/Modified Open Rules	46 (44%)	86 (57%)
Structured/Modified Closed Rules	49 (47%)	43 (28%)
Closed Rules	9 (9%)	22 (15%)
Committees/Subcommittees	23/118	20/86
Committee Staff	2,001	1,317
Appropriations for House (in millions)	$1,477,945	$1,355,025

Note: The public measures referred to above are public bills and joint resolutions. Four reported public measures were defeated in each Congress; 78 reported public measures remained on the Calendars of the House at the end of the 103rd Congress; 77 at the end of the 104th.

Sources: ''Resume of Congressional Activity,'' Daily Digest, Congressional Record; ''Survey of Activities,'' Committee on Rules; Congressional Research Service reports on ''Committee Numbers, Sizes, Assignments and Staff,'' and ''Legislative Branch Appropriations;'' House Calendars.

ADOPTING HOUSE RULES FOR A NEW CONGRESS: THE TURN OF THE CENTURY TURN FROM OPEN, RULES COMMITTEE PROPOSALS TO CLOSED, MAJORITY CAUCUS RECOMMENDATIONS

(By Don Wolfensberger)

Introduction: George Galloway, in his History of the United States House of Representatives, observes that, ''the customary practice in *post bellum* days, when a new House met was to proceed under general parliamentary law, often for several days, with unlimited debate, until a satisfactory revision of former rules had been effected.'' (p. 48)

Galloway goes on to cite examples of such extended debate on the rules for a new Congress, for instance, that after the revision of the 1880 general rules (which included making the Rules Committee a permanent standing committee of the House): ''Two days were consumed at the beginning of the 48th Congress (1883), 4 days at the 49th (1885), 6 days at the 51st (1889), 9 days at the 52d (1891), and 6 days at the opening of the 53rd Congress (1893).'' (Id.)

And Galloway concludes this discussion as follows: On three of these occasions 2 months or more elapsed before the amended code was finally adopted, in striking contrast to the celerity with which the old rules have been rushed through in recent times. (Id.)

Prior to 1880, rules revisions were reported from the Select Committee on Rules (if one had been appointed for that Congress), and these proposed changes were debated under an open amendment process. Even after the Rules Committee became a standing committee in 1880, this practice apparently continued for well over a decade. However, neither the available histories of the House and the Rules Committee or the precedents pinpoint the exact Congress in which this practice was abandoned in favor of considering House Rules recommended by the majority party caucus under a closed amendment process.

The first hint we get of a change is in A History of the Committee on Rules, a 1983 Rules Committee print, in which it is noted that, ''The rules of the House were not substantially altered between 1895 and 1910, when the rules were amended directly on the House floor to strip Speaker Cannon of his membership, chairmanship and appointment authority of the Rules Committee and the committee was enlarged from 5 to 10 members, elected by the House. (p. 81)

A few pages later, in discussing the Democrats' retaking of the House and pounding the final nail in the coffin of ''Czar Speaker,'' by providing for the election of all committees by the House, the book notes that the rules resolution making that and other changes had been ''agreed upon in the Caucus.'' (p. 99) And the footnote to that observation states the following: It was customary at this time for the majority party's candidate for the chairmanship of the Rules Committee to introduce changes in the House rules, agreed upon by the Caucus. (Id.)

But nowhere in any of the commentary of Galloway or the Rules Committee History covering the years between 1895 and 1911 is the origin of this custom identified. To better pin this down, a search was made of the House Journals between the 53rd Congress (1893–94) and the 60th Congress (1907–08). Below is a running account of the adoption of House Rules at the beginning of each of those Congresses.

The 53rd Congress (1893–95): On August 8, 1893, the House adopted a resolution authorizing the Speaker to appoint a Committee on Rules and the temporary adoption of House rules from the preceding Congress which were referred to the Rules Committee for recommendations for any further changes in the new Congress. On August 29, 1892, Representative Catchings (D-Miss.), the second ranking majority member on the Rules Committee (Speaker Crisp was the chairman), reported back a resolution making 14 recommended changes the rules of the previous Congress. Catchings offered a motion, by unanimous consent, to proceed to consider the rules resolution by paragraph for amendment, with 5 minutes of debate allowed for and against each amendment. He then moved the previous question on his resolution. Representative Thomas Brackett Reed (R–ME), the ranking Republican on the Rules Committee (and its former chairman and House Speaker from 1889–91), made the point of order that is was not in order to move the previous question on the resolution. The Speaker (Crisp) overruled the point of order saying the previous question was in order. Catchings nevertheless withdrew his order of business resolution and the House proceeded to debate the resolution containing the rules changes recommended by the Rules Committee.

On August 30th, Catchings propounded a unanimous consent request to close debate on the rules resolution at 2 p.m. that day and to then proceed to consider amendments to the resolution by paragraph under the five-minute rule. There was no objection, and the House proceeded to consider amendments on August 31, and September 1, 2, and 6. It is apparent from the Journal's summary of amendments that the entire body of House Rules was open to amendment, and not just the 14 changes recommended by the Rules Committee. On September 6, Rep. Burrows (R–MI), the second-ranking minority member of the 5-member Rules Committee, offered a final substitute to in effect adopt the Rules of the 51st Congress with one change. The substitute was rejected, 65 to 149, and the House subsequently adopted the rules package as amended by voice vote.

The 54th Congress (1895–97): On December 2, 1895, when Republicans had retake control of the House, the House adopted H. Res. 5, adopting the rules of the 51st Congress (the last Republican Congress) as the rules of the 54th Congress, ''until otherwise ordered.'' On January 10, 1896, Rep. Henderson (R–IA), the second-ranking Republican on the Rules Committee, called-up the first of two reports (Nos. 29, 120) reported by the Rules Committee to amend House Rules, Henderson asked unanimous consent that, after consideration of the proposed amendments was completed for amendment, the House then proceeded to consider amendments to the rules, beginning with Rule, I, Numerous amendments were considered on January 10th and 11th. On January 23rd, the House took up the second of the Rules Committee reports (No. 120), considering of three additional amendments. It too was subject to numerous amendments, one of the final of which was an amendment by the minority to substitute the rules of the 53rd Congress (when the Democrats were last in control). It was rejected. Because the various amendments recommended by the Rules Committee was considered and disposed of individually, as with the January 10th report, there was no vote on final adoption.

55th Congress (1897–99): On March 15, 1897, Rep. Henderson (R–IA), the second-ranking Republican on the Rules Committee, called-up a resolution adopting the rules of the 54th Congress as the rules of the 55th Congress ''until further notice.'' The resolution was debated but not opened to amendment. Rep. Henderson moved the previous question, at which point an attempt was made to offer an amendment on grounds that the previous question does not exist when the House is operating under general parliamentary law. The Speaker overruled the point of order saying the previous question does exist under general parliamentary law of the House. The previous question was then adopted, 182–154, and the resolution was subsequently adopted by voice vote. That is no indication of any subsequent Rules Committee action on reporting a further revision in the rules.

56th Congress (1899–1901): On December 4, 1899, Rep. John Dalzell (R–PA), the second-ranking Republican on the Rules Committee (with Speaker Reed's retirement, Rep. Henderson had become the new Speaker and chairman of the Rules Committee), called up a resolution adopting the rules of the 55th Congress as the rules of the 56th Congress. This time the resolution carried no phrases (''until otherwise ordered'' or ''until further notice) holding out the expectation of further recommendations from the Rules Committee. The resolution was debated without amendments being entertained, after which Rep. Dalzell moved the previous question. The previous question was adopted by voice vote, after which the resolution was adopted, 178 to 159.

57th Congress (1901–03): On December 2, 1901, Rep. Dalzell called up H. Res. 2, adopting the rules of the 56th Congress as the

rules of the 57th Congress with four modifications: (1) carrying forward the special orders of 1900 regarding the consideration of pension, claims and private bills: (2) converting a Select Committee on the Census into a standing committee; (3) creating a Select Committee on Industrial Arts and Exhibitions; and (4) continuing a Select Committee on Documents. After debate on the resolution, Rep. Dalzell moved the previous question which was adopted, 180–143. Rep. Richardson (D–TN) then offered a motion to commit the resolution to the Committee on Rules when it was appointed. The motion was rejected, 143 to 186. A demand was then made to divide the question on the resolution and both parts were adopted by voice vote.

58th Congress (1903–05): On November 9, 1903, Rep. Dalzell, still the second ranking Republican on the Rules Committee (Rep. Joe Cannon had been elected Speaker and thus chairman of the Rules Committee) offered H. Res. 1, adopting the rules of the 57th Congress as the rules of the 58th Congress together with two modifications: (1) carrying forward the special orders of 1900 on the consideration of pension, claims and private bills; and (2) converting the Select Committee on Industrial Arts and Exhibitions into a standing committee. After debate, the previous question was ordered by voice vote and the resolution was adopted, 193 to 167.

59th Congress (1905–1907): On December 4, 1905, Rep. Dalzell called up H. Res. 8 adopting the rules of the 58th Congress as the rules of the 59th Congress with one modification, carrying forward the special orders of 1900 on the consideration of pension and claims bills. After debate, the previous question was ordered, 228 to 196, and the resolution was subsequently adopted by voice vote.

60th Congress (1907–1909): On December 2, 1907, Rep. Dalzell called up H. Res. 28, adopting the rules of the 59th Congress as the rules of the 60th Congress. After debate, the previous question was ordered, 199 to 164, after which the resolution was adopted, 198 to 160.

61st Congress (1909–1911): Notwithstanding Galloway's claim that no significant rules changes were adopted between 1895 and 1910, the facts indicate otherwise with respect to the opening day of the 61st Congress. The beginning of this Congress marked the opening round in the revolt against Speaker Cannon by Republican insurgents and the minority Democrats. On opening day of the 61st Congress, March 16, 1909, when the usual resolution adopting the rules of the previous Congress as the rules of the new Congress was offered, the Republican insurgents joined with the Democratic minority to defeat the previous question in order to offer their own substitute rules package offered by Minority Leader Champ Clark (D–MO). The Clark substitute would have limited the powers of the Speaker to appoint committees and also would have enlarged the Rules Committee. Clark immediately moved the previous question on his substitute. But Cannon, anticipating this action, had conspired with a junior Democrat, Rep. John Fitzgerald of New York, who protested being gagged and urged defeat of the previous question on the Clark substitute so that he could offer his own amendments to the rules. Fitzgerald prevailed by defeating the previous question, 180 to 203. He then offered his amendments that then provided for a new, unanimous consent calendar, strengthened the Calendar Wednesday rule, and permitted the motion to recommit to be offered by the opponents to a measure (previously the right to recommit was exercised by the bill's manager), and prohibited the Rules Committee from issuing a rule denying this right. The Fitzgerald substitute was adopted when 23 Democrats joined with him and the regular Republicans.

Conclusions: While it appears from the above study that the Rules Committee discontinued its role of reporting revisions in House Rules at the beginning of a Congress after the 54th Congress (1895–97), and the House thereafter began to simply adopt the rules of the new Congress on opening day under the hour-rule, with no amendments allowed, it was not until the 61st Congress that any serious effort was made to defeat the previous to provide for the consideration of substantial changes in the rules resolution offered by the majority. But even then, the effort was a bipartisan one, forged between the minority Democrats and the insurgent Republicans, and it was defeated by a further bipartisan compromise offered by a few minority Democrats and the regular Republicans.

It was not until 1911, when ''King Caucus'' emerged to replace ''Czar Speaker,'' that the Caucus fully assumed the role of reporting significant rules changes on opening day. And the precedent had already been set with the previous question fight of 1909 to use the attempted defeat of that procedural motion to highlight the minority's rules alternative rules package.

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

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

Mr. Speaker, this is the 11th time I have been sworn in as a Member of Congress. To this day, I still get chills when I approach the Capitol or if I move onto the floor of the House. Every single day we go to work in a Chamber where America pushed the frontier and rebuilt the Nation, they put the GI bill through for college education, a place where we paid to land a man on the Moon. From the podium behind me Franklin Roosevelt spoke of a day which will live in infamy, and from this Chamber democracy has given ordinary men and women more rights and more dignity than this world has ever known.

So, Mr. Speaker, this is a special place. All of us are privileged to serve here. But with that privilege comes responsibility, a responsibility to hold this House and this Nation to the highest possible standards. We are not defined simply by the laws we pass, but by the example we set.

If we want an America where laws are respected, where the rights of the minority are protected, and where the voices of all are heard, we have got to have a House that respects the law, that protects the minority and allows those voices to be heard; because, Mr. Speaker, every time we look the other way when somebody breaks the rules, we just do not damage the integrity of this House, we send a message to every child in Michigan, in California, in Georgia, that lying pays, that cheating works, that wrongdoing goes unpunished. Sometimes saying we are sorry just is not enough.

We are here this afternoon to decide the rules of this House, but the rules have no meaning if they are ignored and betrayed. If we want an America that rewards virtue and punishes wrongdoing, we need to have a Congress that rewards virtue and punishes wrongdoing.

I am afraid we have taken a tremendous step backward here today. There is an ethical cloud hanging over this House that will only get darker in the days to come. We could have postponed today's vote for Speaker, but the majority voted against it. Soon this tragedy will move from the Halls of Congress to the court of public opinion. Sometime in the next few weeks, the nonpartisan outside counsel will present the facts to the American people in an open public hearing. Finally the American people will be able to decide for themselves who is right and who is wrong.

This case goes to the heart of our constitutional system. At issue is the ethical character of the man second in line to the Presidency. These are serious charges, and the Ethics Committee must be allowed adequate time to spell out the truth.

In recent days some in the Republican leadership have tried to force a rush to judgment, but today the outside counsel himself requested the committee be given additional time to consider this case. Subsequently we will be offering a motion today that gives the Ethics Committee adequate time to fully resolve this case. I urge my colleagues to support it.

We have heard a lot of talk about freedom and democracy here today, but sadly we moved away from those principles in the last Congress. Instead of open public hearings we saw closed-door meetings. Instead of free speech we saw closed rules that shut down debate. Instead of freedom of expression we saw one case after another when voices were shut down in this House. We even saw the Government shut down twice to force an opinion through.

But this rules package before us today makes the problem worse, not better. We cannot build a foundation of trust by giving House committees slush funds to conduct sham investigations, by rolling back minority rights, or by completely ignoring the other side. But that is what in many respects this rules package does. It is shameful and it is wrong. Let us turn good words into good deeds. Let us work together on something that really matters.

We all know that the current campaign finance system is completely undermining our democracy. We believe it is time to get money out of politics and return power to the people. That is why, Mr. Speaker, I urge my colleagues to vote no on the previous question.

If the previous question is defeated, we will offer a Democratic reform package that strikes seven sections in the proposed Republican House rules package. It requires that sufficient time be provided for the Ethics Committee to complete its investigation of the Speaker's pending ethics violation and it requires the House to consider substantive campaign finance legislation within the next 100 days.

Mr. Speaker, I include for the RECORD the text of the amendment.

The motion to commit referred to is as follows:

MOTION TO COMMIT

Mr. _____ moves to commit the resolution H. Res. ___ to a select committee comprised of the Majority Leader and the Minority Leader with instructions to report back the same to the House forthwith with only the following amendments:

In section 25, after ''standing Committee on Standards of Official Conduct in the One Hundred and Fourth Congress'' insert the following ''and related matters brought forth by the Investigative Subcommittee''.

In the last sentence of section 25, strike '', or at the expiration of January 21, 1997, whichever is earlier''.

Again, Mr. Speaker, I urge my colleagues to vote no on the previous question. Then I urge my colleagues to support the request of the outside counsel and support the motion to make sure the Ethics Committee is not railroaded, is not pressured, and has the time to spell out the truth.

Mr. Speaker, I yield 5 minutes to the gentleman from Maryland [Mr. CARDIN, the distinguished ranking member of the subcommittee of the Committee on Standards of Official Conduct.

Mr. CARDIN. Mr. Speaker, I thank my friend, the gentleman from Michigan, for yielding me this time.

Mr. Speaker, I rise as the ranking member of the executive subcommittee that is charged with the investigation of the gentleman from Georgia [Mr. GINGRICH]. Our subcommittee has worked in a professional, bipartisan manner. We are proud of the product that we have brought forward to the full Ethics Committee and to this House. We want to make sure that the process continues in a professional, bipartisan manner.

On behalf of all four members of the committee, two Democrats and two Republicans, we are disappointed by one provision in the rules package that puts a limit on the remaining time in which we can work, which is unrealistic. The special counsel has told us that that limit could very much impact the manner in which we carry out our work and prevent us from continuing in a professional, bipartisan manner.

I want to stress the point: We come as two Democrats and two Republicans, in a bipartisan manner, and ask the Members to change one provision in the rules package.

I am very disappointed. A month ago the gentleman from Florida [Mr. GOSS], and myself met with the gentleman from Texas, [Mr. ARMEY] and the gentleman from Missouri [Mr. GEPHARDT,] in an effort to avoid this day, when we are on the floor without a rule on which we are in agreement in carrying out the work of our committee. We recognized at that time that there may be a need for us to continue our work into the new Congress. We were assured that we would have bipartisan cooperation. Unfortunately, that broke down today. I regret that.

We understand that putting January 21 as the deadline for our subcommittee jeopardizes our work. Let me quote, if I might, from Mr. Cole, our special counsel, a person who is far more objective than, I would say, anyone else in this Chamber:

> In analyzing the time necessary for a sanction hearing and a vote on the House floor, I have recommended a schedule that will allow this to be accomplished in a fair and orderly fashion. In doing that, however, it will be necessary for the vote on the House floor to occur after January 21, 1997. Each member of the subcommittee has carefully considered the recommended schedule and agrees it is the best course in which to proceed. This schedule has been communicated to leaderships of both parties and unanimously recommended by the subcommittee and the special counsel that it be adopted.

If we keep this time limit in, let me just explain some of the problems we are going to run into. We do not have adequate time to prepare for the public sanction hearing. In the last several days and weeks we have been totally consumed, because of what has happened out there, with partisan attacks by both Democrats and Republicans. We have tried to keep this on a bipartisan basis. Give us the time to complete it in a bipartisan fashion.

□ 1515

It forecloses certain options that the full committee may need to do. Now, let me tell you, we know more, the four of us, than any of the other Members of the House as to what is involved in this investigation. It may be necessary for us to call additional witnesses. The schedule makes it impossible for us even to consider that. It is wrong for the full House to deny the ethics committee those options. It is wrong for the full House to say that we cannot have adequate time to prepare our report so you know what you are doing when we vote.

I want to thank the Democratic leadership because they are going to give us a motion to commit that will give us a chance to return to a bipartisan understanding on bringing this matter to a successful conclusion. I will urge my colleagues to vote ''yes'' on that motion to commit. The only change, the only change is to remove that January 21 deadline so that we have adequate time in order to do our work in a bipartisan basis.

Let me just tell my colleagues one other thing: Some people say, why could we not get it done earlier, why have we not done things quicker. Special counsel has also referred to that in his report where he is very clear about the work of the four members of our subcommittee. We have worked every day on this issue. We have met with Members. We have talked among ourselves. And we have worked in what we think is the best interests of this House.

We think that we deserve the respect of this House to give us the time that we say that we need. This is not coming from the two Democrats, this is coming from the two Democrats and the two Republicans. For the life of me, I do not understand how this House can deny the ethics committee the time that it needs in order to complete this work. I urge my colleagues to support the motion to commit.

Mr. SOLOMON. Mr. Speaker, I yield 4 minutes and 30 seconds to the gentlewoman from Connecticut [Mrs. JOHNSON], distinguished chair of the Committee on Standards of Official Conduct, someone who has done yeoman work that we are all so proud of in this body.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in strong support of the rules package, and I regret that we must discuss this on the floor of the House. But it is because the Ethics Committee has two responsibilities. One is to the completion of the work before it, and the other is to the Members of the House.

I would just like to comment on this issue of timetable. Between Christmas and New Year's the subcommittee members and the counsel and the full committee members spent many, many hours discussing this issue on the phone. We spent 3 days specifically negotiating a time schedule that then was issued under my name, the name of my ranking member and of our counsel. It was bipartisan, supported by Democrats and Republicans and the special counsel alike, and it was a good-faith effort.

At the time we were negotiating it, I wanted desperately to have the hearings before today's opening, and I felt it was possible. I also have great respect for the other members of the committee and particularly for the members of the subcommittee and yielded to their desire not to try to do it before the 9th. Our early discussions, since they involved also extending the membership on this committee of a number of Members who had announced they were not going to serve, focused on the date of January 14. We knew that was tight, but that was our focus as a result of my interest.

When I learned that the leadership was comfortable with the 21st, we all agreed on the 21st. I reluctantly, and some others reluctantly, but at that time we all said, this gives us ample time; and so we gave the House notice. Members made their plans, and we issued the schedule.

Now, there is concern at this time about two things, one is the ability and the right of the subcommittee to prepare itself for the hearings. I have talked at length with the special counsel, and that problem can be dealt with. We are going to be able to give the subcommittee and the special counsel time, the time they request before the hearings. It does leave us a little pressed in terms of writing the report.

During our discussions, it was never brought up that we might need 6 days to write the report. I regret that. I do understand that. This is not a matter of malice. This is a matter, this is the kind of thing that sometimes happens.

But it does give us some significant time to write that report, and in fact much of that report is already written.

I understand it has to be brought together, different umbrella language, and so on and so forth, but I believe the report can be issued. I commit to the Members that as soon as the hearings are complete, which I think will be at least a week before the vote, once those hearings are complete, I will commit to every Member of this body that they can call the ethics committee and we will provide the transcripts of the two counsels' full statement. They will have plenty of time to read and understand the basis on which the allegations were brought forward. That will mean that they will only need to read and understand the package of sanctions offered by the committee and that is a much smaller body of reading.

I believe because we will honor the 3-day layover that they will have the time they need and we will have the opportunity to vote knowingly after an orderly process by sticking to the additional timetable. I do appreciate the pressure this puts on the counsel and his staff in terms of writing the report. We discussed that even 2 days after Christmas. A lot of writing has been in progress, a lot of writing has been done. We will work together as we always have and, if we feel we face, at the end, an insurmountable barrier, we will try to deal with that, too. But in fairness to the Members of the House and the schedules they have laid and to our responsibility to conclude this matter, I urge support of the rules package today.

Mr. BONIOR. Mr. Speaker, I yield 3 minutes and 30 seconds to the gentleman from Washington, [Mr. MCDERMOTT], distinguished ranking member of the Committee on Standards of Official Conduct.

Mr. MCDERMOTT. Mr. Speaker, I rise today to offer an amendment, a motion to commit because I believe the committee must have an orderly process, one that is fair and allows sufficient time for both the Members and the American people to understand the importance of these proceedings. Special counsel, as you heard from my colleague from Maryland, has proposed to the subcommittee, which by unanimous vote has accepted and supported the counsel's recommendation, for a process that will allow the House and this process to go in an orderly and fair way.

I am sure that, if the chair of the committee were to bring this motion to the committee, there would be a majority of the committee that would support this proposed schedule because the counsel has been fair, evenhanded, and has done a very professional job and we respect his work.

Yet for some reason the Republican leadership seems bent on forcing this process to be concluded by inauguration day. What is proposed is that this will, this process will begin on the 13th, with hearings in the House in open session for the American public; how many days that takes, no one knows. And then there will be a couple of days or a day or however long to discuss what the sanctions should be. Then a report must be written, and it must lay on the desk for 3 days before we vote on the 20th.

That means from the 13th to the 20th, you have 8 days. If you are going to have hearings and people able to think, you are not going to have 3 days for it to lay on the desk so that the Members of this House can read and know what they are voting on.

I suspect there will be an effort to waiver that rule when we come back here or some way to get around it so that people do not have the time to actually look at it.

Now, it is in my view very sad, it has been said, that what has been a very professional job is now being forced into a schedule which is designed for political damage control. Demanding that that vote occur on inauguration day, we are going to come in here at 9:00 in the morning, called to order. This issue will be laid before the House. We will have an hour's discussion or whatever. We will vote on it and go around the building and inaugurate the President. That is not an orderly, thoughtful process. People will arrive here on Monday and with no reading of this, it will have been 3 days, Saturday, Sunday, Monday; and they will be expected to vote on it out here in a sensible way. That is not orderly. It is not a good process.

Now, you can only guess why they wanted that. The House deserves better than this. After 2 years of an incredibly slow process, the House can take a few extra days to do the job right. I urge the Members to support this motion to commit this back and have an orderly process date set in it.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. ARMEY], majority leader.

Mr. ARMEY. Mr. Speaker, I would like to address this issue not as a member of the committee, the ethics committee, not even as a Member who deigns to presume that he knows what is going on in the ethics committee with respect to this case, in fact, as a Member who has purposely kept himself as uninformed as is possible out of respect for the committee, its jurisdictional rights and its obligations for confidence, but as a Member that has said on this floor on several occasions and in public on several occasions, the committee must be respected for its professionalism, for its ability, and for its objectivity. We are lost if we cannot find a way to do that with the committee. We have no place to put our confidence in the search for justice and fair evaluation.

Indeed, the special counsel is a person whom I have acknowledged must be a person of ability, competence, and objectivity.

Now, then, when I learned on December 21 that the committee, the subcommittee, with the advice and the assistance of the special counsel, had come to a conclusion of the case and was willing to put a result before the Speaker, I concluded in my mind, they must have concluded their work. They must have heard all they needed to hear, had all the witnesses they needed to hear from, considered all the documents and the reports. Why would I conclude that they would have done anything less than the full and complete evaluation of the material needed to have come to a conclusion and put a bill of alleged violations before the Speaker?

I then later subsequently understood that the Speaker had accepted the conclusions. There must be technical language. I am sorry I cannot say what that is. But in any event, that there was some chance that the full committee might be able to operate and conclude their work even before this day. And then I was informed, and this is an important point, that one of the reasons it was impossible for the full committee to do that was that the ranking member, the gentleman from Washington [Mr. MCDermott], was in Europe on vacation with his family and that he felt, and justly so, that those plans that he and his family made ought to be respected in the scheduling of time.

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

Mr. ARMEY. I yield to the gentleman from Maryland.

Mr. CARDIN. Mr. Speaker, I thank the gentleman for yielding to me.

I just wanted to correct the record on that because the subcommittee was in constant contact with the ranking member and chairman since December 21 to deal with the schedule, and at no time was there any delay caused because of someone being out of town. Mr. Cole, in his public statement today, has reaffirmed the position that there has been absolutely no delay in this case and in fact every day our committee met on conference calls.

Mr. ARMEY. Mr. Speaker, forgive me, I did not mean for the gentleman to think that I am being accusatory. I am only going by what I read in the papers. Of course, we all realize that the newspapers are not always reliable. But I believe I read that the gentleman from Washington [Mr. MCDermott] had been reported in the papers as saying, I do not want to interrupt my vacation.

I do not want to quarrel with the gentleman about that. I just want to say that, as I had that understanding, perhaps imperfectly so, I felt, yes, the Member who works and toils long and hard and finally has an opportunity to fulfill the obligation and the commitment and the opportunity they had to vacation with their family should have respect in the process. I will return to that point later.

□ 1530

Now, again, if the gentleman will let me complete my statement, I do not wish to quarrel about this. I wish to clarify a few points.

Then I understood that the committee, even long-distance phone calls and conference calls and so forth, came to some negotiations regarding a timetable that would require this part of the rules package that is before us today, the existence of a select committee that reinstates the life of the Committee on Standards of Official Conduct as we have known it, with jurisdiction over this case as its continues into this Congress. This is what we have done.

I was sitting at home with my wife looking at different colors of green and finally trying to come to the conclusion of which drapes I would in fact perhaps get hung when my fax announced a message. The message I received over my fax as I too struggled to have some time, in conformity with the announced schedule of the House, to tend to my life, says the chairwoman and the ranking member of the committee, along with Special Counsel Cole, announced the following schedule.

They had come to a conclusion. These people that I believed to be able, competent, professional, objective, fair people, thorough in their proceedings, who had sat down and talked among themselves in what I assumed would be in full cognizance of what was required in time and effort to complete their work, announced a schedule. Came over my fax.

And then as I responded to that schedule and examined what would need be done now by the body as a whole and all the Members scattered all over the country dealing with their commitments, I said I must see about scheduling floor action, completing the work and scheduling floor action.

I had at least one phone call from a member of the committee in which it was suggested to me that perhaps we could do this by the 14th of January. The committee suggestion to me was perhaps by the 14th of January.

I was the one who had said the 14th of January would be disruptive to preexisting, already undertaken travel plans of a large number of Members about which I knew, and would be inconvenient to them. Could the committee please go with the 21st instead of the 14th? When the committee said that we could do that, I assumed that a committee of professional people, with a special counsel capable and able of understanding what needs be done to complete their work, who was given—if the gentleman will let me complete my statement, I will complete. A person under those circumstances would say if these groups of professional people have said, yes, we agree to accept a week later than that which we proposed, what reason would I not have to conclude that they could do so?

Now, just last night, just last night, as we were preparing these rules, I was asked to consider a different date, after I had done what? I had announced the schedule to the Members of this Congress, Republican and Democrat alike, to all the staff of this Congress. And I had made specific commitments on my own word to two people in particular, in order to obtain their service on the committee through the agreed-upon times suggested to me by the committee itself, that they would not have to do this service beyond the 21st.

I have not set dates arbitrarily. I have no agenda here except an orderly, respectful addressing of the needs of all the Members of the House, within the context of what I believe to be the conclusion that any reasonable person would have made about the competent ability of professionals thus respected to have suggested properly and with some degree of full necessity and accuracy what they thought were their time needs.

So if the time that my colleagues requested and announced in their announcement is now not acceptable to them, I find a very difficult problem understanding then why I should then therefore continue to hold to my clinging belief that they are professional, competent, able people that can assess what their needs are and make a request of them.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the gentleman from Washington, [Mr. MCDERMOTT] the distinguished ranking member of the committee.

Mr. MCDERMOTT. Mr. Speaker, with all due respect to the majority leader, sometimes things change. We made that decision on the best information available to us. None of us, not a single person said they would not come back if it made sense, but the bipartisan subcommittee said it could not be done. So that is why we set the timetable we did.

Within the last 3 days, I received, in December, a letter from the Speaker's attorney saying, ''We want an expedited hearing. We are ready to go. We want this thing to go just right now.'' And suddenly yesterday they call us and say they want us to delay this to begin on the 13th.

Now, what happened between December when they said they were ready to go and then suddenly they say, yesterday they call Mr. Cole and say, ''We are not ready to go. Do not have any hearings until the 13th. We need time to prepare.''

Now if the gentleman cannot respond to things changing, it seems to me he is terribly rigid in setting a date. In this place we find over and over again, we set a date, it may not work just the way we thought. I think that when we have the subcommittee come together, with the special counsel—if it was just Democrats begging for this, that would be one thing, but we are talking about two Republicans and two Democrats and the special counsel saying this is a reasonable schedule.

Now, for the gentleman not to respond to that in a positive way seems to me to suggest he has some other agenda. I do not know what it is, but, clearly, it is not in preserving the orderly process of the Committee on Standards of Official Conduct.

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

Mr. BONIOR. I would ask the Speaker to let us know how much time is available to each side.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Michigan [Mr. BONIOR] has 14 minutes remaining, the gentleman from New York Mr. [SOLOMON] has 5 minutes remaining, and the gentleman from Michigan [Mr. BONIOR] is recognized.

Mr. BONIOR. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Ohio [Mr. SAWYER].

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

Mr. SAWYER. Mr. Speaker, I know that the goal that all of us share is to do justice, and over the last 8 months an extraordinary thing has happened. A bipartisan subcommittee of the Committee on Standards of Official Conduct has come together and acted in a careful, deliberate and responsible way to come forward with a finding that produced two miracles: It was both unanimous and it operated within the confidentiality that meets the highest standards that this House could expect.

It took 8 months to do that; 8 months of careful work. Does the full committee and, if needed, the full House, require 8 months to do that? I do not believe so. Does it require 8 weeks to do that? I do not think so. But can that same measure, that same quality of work be done in 8 days, from the 13th to the 21st? I do not think so, and we should not plan on it.

I have seen the room that is the repository of the work of this subcommittee. It is filled with shelf after shelf of indexed, loose-leaf notebooks that represent the work, the documents and the testimony that they have poured over over those 8 months, and the packing crates, the dozens and dozens of packing crates, that represent even further work.

I have read the 22 pages of the statement of alleged violations. I have read through several hundred pages of draft discussion documents that represent the work that the committee reported on, and I have looked through the hundreds of pages of selected primary documents that serve as the underpinnings of those documents.

I have read not only the selected examples of violations and sanctions that the Ethics staff has prepared, but I have read the full CRS analysis of the summaries of violations deep into the last century and the way this Congress has handled them. Others not on the subcommittee but on the full committee may have done as much, but I can suggest to my colleagues that no one has done more, and I am not done.

But I have reached one clear conclusion in this matter, and that is that to do justice to the work of the subcommittee, we cannot be rushed. To do justice, even more importantly, to the

respondent in this case, the man we just elected Speaker, we cannot be rushed. And most importantly of all, to do justice to this House demands not only a higher standard of ethical behavior but a higher standard of work in rendering that justice. It cannot be done in 8 days. It may not take 8 months, or it may not take 8 weeks, but it cannot be done in 8 days.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas, Mr. RON PAUL, my former classmate from 1978.

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

Mr. PAUL. Mr. Speaker, I wish to express my concern about some of the rule changes.

DRUG TESTING

We are now being asked to support rule changes that will require random drug testing of all members and staff. Drug usage in this country, both legal and illegal, is a major problem and deserves serious attention. However, the proposal to test randomly individuals as a method to cut down on drug usage is ill-advised and should not be done without serious thought.

The real issue here is not drugs, but rather the issues of privacy, due process, probable cause, and the fourth amendment. We are dealing with a constitutional issue of the utmost importance. It raises the question of whether or not we understand the overriding principle of the 4th amendment.

A broader, but related question is whether or not it's the Government's role to mold behavior any more than it's the Government's role to mold, regulate, tax, impede the voluntarism of economic contractoral arrangements. No one advocates prior restraint to regulate journalistic expression even though great harm has come over the centuries from the promotion of authoritian ideas. Likewise, we do not advocate the regulation of political expression and religious beliefs however bizarre and potentially harmful they may seem. And yet we casually assume that it's the role of government to regulate personal behavior to make one act more responsibly.

A large number of us do not call for the regulation or banning of guns because someone might use a gun in an illegal fashion. We argue that it's the criminal that needs regulated and refuse to call for diminishing the freedom of law-abiding citizens because some individual might commit a crime with a gun. Random drug testing is based on the same assumption made by anti-gun proponents. Unreasonable effort at identifying the occasional and improbable drug user should not replace respect to our privacy. Its not worth it.

While some are more interested in regulating economic transactions in order to make a ''fairer'' society, others are more anxious to regulate personal behavior to make a ''good'' society. But both cling to the failed notion that governments, politicians, and bureaucrats know that is best for everyone. If we casually allow our persons to be searched, why is it less important that our conversations, our papers and our telephones not be monitored as well. Vital information regarding drugs might be obtained in this manner. We who champion the cause of limited government ought not be promoters of the revolving eye of big brother.

If we embark on this course to check randomly all Congressional personnel for possible drug usage, it must be noted that the two most dangerous and destructive drugs in this country are alcohol and nicotine. To not include these in the efforts to do good, is inconsistent—to say the least.

I have one question. If we have so little respect for our own privacy, our own liberty, and our own innocence, how can we be expected to protect the liberties, the privacy and the innocence of our constituents for which we have just sworn an oath to do?

This legislation is well motivated, as is all economic welfare legislation. The good intentions in solving social problems—when violence is absent—perversely uses government power, which inevitably hurts innocent people while rarely doing anything to prevent the anticipated destructive behavior of a few.

The only answer to solving problems like this is to encourage purely voluntary testing programs whereby each individual and member makes the information available to those who are worried about issues like this.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. GEKAS].

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

Mr. GEKAS. Mr. Speaker, I thank the gentleman for yielding me this time, and I ask that the RECORD reflect my support of the rules and particularly in its maintaining its prohibition of proxy voting.

Mr. BONIOR. Mr. Speaker, I yield 3½ minutes to the distinguished gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me this time. I rise as a member of the special investigative committee of the Ethics Subcommittee on this unfortunate case that we are looking into, and I rise in support of the motion to recommit.

There are many areas where I might have some disagreement with the rules package, but I am very pleased that the Democratic leadership has given us an opportunity to present the motion to recommit around the timetable.

With all respect in the world for our colleagues, and that means every single colleague in this House of Representatives, I believe that we need to heed the request of the special counsel for an additional amount of time for a few reasons.

First of all, and I say this without questioning the motivation of anyone on either side of the aisle about why the rules are in the package the way they are, the simple fact is that the special counsel, and by unanimous vote of the subcommittee, two Democrats and two Republicans, supporting the timetable that the special counsel has put forth, are making this request. And I believe that the burden is on those who would deny the special counsel that extended time.

Why do we need more time? Several things have happened that have not been addressed here yet, or forgive me if I have not heard them. I would like to associate myself with those remarks.

First of all, one of the members of the Committee on Standards of Official Conduct has decided to leave the committee, so it required the appointment of a new committee member who has to become familiarized with the facts in the case, because this is a facts-driven, facts-based case.

And without going into any of the material aspects of it or any of the substance of this case, but only to process and only to time, I thought I would never see the day when the chair of the Committee on Standards of Official Conduct would come to the floor and say that she would turn down the request of the special counsel to the committee for a couple more weeks to complete the work of the committee. I say that very regrettably.

On our subcommittee, chaired by the gentleman from Florida, Mr. PORTER GOSS, and with two Democrats and two Republicans, we have worked in a very bipartisan fashion all along and continue to in supporting the request of the special counsel.

I do not and never did think it was appropriate to have a vote on this important matter on Inauguration Day. Do my colleagues think that vote is going to take place without any debate? That would not be right.

So I say to my colleagues in the House of Representatives, and I say this with the highest regard for the distinguished majority leader, not impugning any of his motives in this or anyone else on either side of the aisle, whatever we think about the resolution of the case, I think we must agree that if the special counsel says he needs a couple more weeks, we must give him those weeks unless we can prove why that should not happen. The burden of proof is with those who would vote against the special counsel.

□ 1545

Mr. Speaker, I also want to make another point as to why more time is necessary. Because of a flurry of accusations and representations about the confidential work of the subcommittee that came out, it required us to go down another tangent to deal with that, and it necessitated a statement by the special counsel that the reports that were floating out there were inaccurate.

So in 1 week the special counsel has had to deem those rumors inaccurate and come out with his own statement asking for more time, in which he says each member of the subcommittee has carefully considered this recommended schedule and agrees it is the best course on which to proceed.

I urge my colleagues to vote for the motion to commit.

Mr. BONIOR. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts [Mr. MOAKLEY], the distinguished ranking member of the Rules Committee.

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

Mr. MOAKLEY. Mr. Speaker, I thank the distinguished leader for the time.

Mr. Speaker, I had hoped to speak today about the Republican rules package as it pertains to the rules of the House. But unfortunately the rules package has been changed very dramatically and now addresses the issue of the ethics investigation of the Speaker.

I believe, Mr. Speaker, that it helps no one, neither Democrats nor Republicans, for unresolved investigations to drag on and on. But I also believe that we do have a responsibility to all the people who sent us here to make sure that absolutely every Member of Congress, no matter how powerful, abides by the rules of this House and that the House rules are applied fairly and consistently to every one of us.

Mr. Speaker, I have here a letter from the nonpartisan independent counsel for the Ethics Committee in which he and the entire subcommittee ask for more time, ask for more time, to complete their investigation. But the rules package prevents them from having that time and in doing so, Mr. Speaker, further compromises the honor of this institution.

Mr. Speaker, I urge my colleagues to oppose this rules package and to support the motion to commit. We must give the ethics members and the independent counsel enough time to finish the job that they started.

The SPEAKER pro tempore [Mr. LAHOOD]. The gentleman from Michigan [Mr. BONIOR] has 6½ minutes remaining, and the gentleman from New York [Mr. SOLOMON] has 5 minutes remaining.

Mr. BONIOR. Mr. Speaker, I yield 1¾ minutes to the distinguished gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, today our Republican colleagues have told us and told America that NEWT GINGRICH represents the most ethical person that they could find to lead this House of Representatives, and now by this rules resolution they also tell America how little confidence they have in their judgment.

Once again the Republican leadership, through this rules package, is trying to pervert the ethics process, to afford special treatment to Speaker GINGRICH that he does not deserve. He once said on the floor of this House that the Speaker should be held to a higher standard of ethical conduct. Today we move in the opposite direction with this rules package, because he is going to be assured a lesser standard of conduct that would not be available to any ordinary American citizen anywhere in this country.

What is happening? The investigative subcommittee, Republicans and Democrats alike, and the special counsel, who was finally appointed after month upon month of delay, come forward and say, ''We can't do our job fairly and thoroughly if we are rushed into doing all this before January 21. Please give us the time to do our job fairly.''

And the Republican leadership, the gentleman from Texas [Mr. ARMEY] standing right here, says no, we are not going to give you the time to do your job the way the American people would want that job done and the way any American prosecutor would want to have the opportunity to do that job.

I would say this rules package, just like the misconduct of Speaker GINGRICH itself, is a discredit, a dishonor, and a disgrace to this House and it should be rejected.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. EHLERS].

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

Mr. EHLERS. I thank the chairman for yielding me this time.

Mr. Speaker, I simply want to state that my comments are in connection with section 9 of the resolution dealing with the proposal that each committee shall, to the maximum extent feasible, make its publications available in an electronic form. I strongly support this.

Mr. Speaker, I rise to indicate my strong support for section 9 of the resolution, which adds the following sub-paragraph at the end of clause 2(e) of rule XI, as follows:

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

I strongly support this addition to the rules, but also want to clarify how I interpret this.

I am committed to making all House documents available over the Internet as rapidly as possible. There are still many technical problems involved, as well as political issues to be dealt with. However, I believe that this statement is an excellent guiding principle, and I believe this proposed rule change should be interpreted as a means of achieving that objective.

In particular, I believe it absolutely essential that every document available in hard copy also be made available on the Internet at the same time or earlier than the hard copy is available. The Congress owes the public at least that much and preferably more.

I furthermore hope that, through the years, all House committees will develop the standard practice of making many documents available on the Internet which are currently not available, and that committees will continue to make progress in that direction.

From my activities in the computerization of the House, and in my service as a member of the Committee on House Oversight, I will seek to achieve these objectives, while recognizing the authority and responsibilities that each committee chairman has in dealing with business before his or her committee.

Thank you for the opportunity to make these comments. Once again, I wish to indicate my strong support for this proposed rule change. I only wish it went further.

Mr. MOAKLEY. Mr. Speaker, I yield 1½ minutes to the gentleman from California [Mr. MILLER], the ranking minority member of the Resources Committee.

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. I thank the gentleman for yielding me this time, and I would just encourage my colleagues to vote against the previous question so that we would have an opportunity in the rules of this House to have a deadline set on the consideration of campaign finance reform by the House of Representatives.

Those who are new to the House of Representatives will soon see that usually the party in power deals with campaign finance reform through delay and dilatory tactics until we can get it at such a time that we pass it to the Senate in the last moments of the first session, and then it falls prey to a filibuster in the Senate, and then at some point the leader in the Senate will announce that the Senate must get on with the important business of the Nation, and campaign finance reform will have to be withdrawn from the calendar. That is why we do not get campaign finance reform.

Unfortunately, in this session of the Congress, the 100th legislative day falls sometime late in September. If we deal with campaign finance reform late in September, there will be no finance reform and the argument will be made that it certainly cannot take effect in the next campaign, it will have to be 2 years later. So we are talking about 4 years from now to have campaign finance reform.

It is too important to the people of this country. The system we have now is a cesspool. It has got to be corrected. It permeates every decision made in this body, it permeates every decision made in the executive branch, and it permeates every decision made in the Senate, and that has got to stop. It dictates what we bring up, what we do not bring up, amendments that are offered and amendments that are not offered. That has got to stop, and we have got to return the business of this country back to the people of this country.

Mr. MOAKLEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Colorado [Mr. SKAGGS], a member of the Appropriations Committee.

Mr. SKAGGS. I thank the gentleman for yielding me the time.

Mr. Speaker, we should be concerned here today, as well, with the first amendment's guarantee of the rights of all Americans to petition their government. We ought to welcome their participation in our own committee work.

But what are we doing in these rules? We are creating a new and absurd barrier to public participation in House hearings by saying that any nongovernmental witness testifying in committee will have to file, as a precondition, a full report of all contracts, subcontracts, grants, subgrants received by that individual, his organization, or anyone he is representing.

What in the world are we trying to do here? I think erect a barrier a la the

old Istook amendment to discourage and intimidate citizens from around the country in coming to talk to us about the public's business.

What will this mean? What unworkable prospect can we look forward to under this crazy proposal? Well, the head of the Farm Bureau, wanting to testify about agricultural policy, will have to disclose every Federal agricultural aid, grant, or contract received by every member of the Farm Bureau. That is nuts.

The chairman of the board of regents of the University of New York, if he wishes to testify before a committee of this House, will have to file as a precondition of that testimony a full report of every contract, subcontract, grant, and subgrant received by any member of the faculty at any campus at any institution run by the regents of the State of New York.

Either this provision will be observed largely in the breach, or only selectively (preferentially?) applied in which case we should reject it. Or, it will actually be uniformly enforced to create a mountain of paper and a real impediment to public participation, in which case we should reject it even more emphatically.

What are we inflicting on ourselves in this provision of this rules package? It is yet another reason, along with the many others that have been suggested, why it should be rejected.

Mr. SOLOMON. Mr. Speaker, I yield myself 20 seconds just to respond.

The gentleman is absolutely wrong. Farmers would not have to report any of their subsidies.

Let me tell you who is interested in this: the Heritage Foundation, the National Taxpayers Union, the Wall Street Journal; and, more than that, the taxpayers of my district want to know who is coming here testifying for more handouts, and they want to know where that money is coming from. They want them to be accountable.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON], the distinguished chairwoman of the Ethics Committee.

Mrs. JOHNSON of Connecticut. I thank the chairman for yielding me the time.

Mr. Speaker, I have enormous respect for the members of the Ethics Committee who served on the subcommittee. I have great respect for the other members of the Ethics Committee that have worked hard together over 2 years, and I regret as deeply as you do that we are discussing this matter on the floor of the House. It is unfortunate that it came to us 10 minutes before the Republicans were convening a very important conference that went on very late. By the time I finished discussing the matter with my leadership, working on compliance, frankly, everyone was gone.

I have studied carefully your proposal. I talked with Mr. Cole about it extensively this morning. Your proposal is no different than the old timetable in terms of the amount of time for public hearing and the amount of time for committee deliberation. It is distinctly different in the amount of time for preparation, and I felt that was a very important point, that the subcommittee has some request for participating in presentation.

We can give you 4½ of the 5 days you are requesting for preparation if we meet this evening instead of tomorrow morning, so tomorrow morning will be a better work space, either for Mr. Cole, who needs a day to work by himself, or for everyone. We can accommodate 4½ of the 5 days.

What we cannot accommodate is the report writing time. He had asked 2 days to complete the report. We can accommodate that. We cannot accommodate the 4 additional days that he had asked for members to review. Now, that means we have to work with him and be part of that review. We know what a lot of the material is about.

As to the concern of the gentlewoman from California [Ms. PELOSI] about voting on Inauguration Day, this was slipped to the next day. That was originally the plan, but it has been moved, and members will stay over.

But we simply, when I look at what we can accommodate, we can truly accommodate everything important because remember, your proposal only asked till the 25th, not the 21st, so we only had a 4-day problem. We can slip 1 day. That brings it down to 3 days and so on and so forth. This is a manageable problem.

The time for hearings and committee deliberations will be identical. Even though I am going to oppose your motion to commit, I am absolutely ready to honor the concerns that lay behind your proposal, and I regret that we were unable to work it out beforehand.

But my leadership felt, with, I think, some good reason, that they had made a commitment to the members that they trusted our timetable, which was also supported by all the members and Mr. Cole, and it is just unfortunate but not irreconcilable, not irreparable and does not need to interfere with the quality either of our deliberations or our work.

Mr. CARDIN. Mr. Speaker, will the gentlewoman yield?

Mrs. JOHNSON of Connecticut. I yield to the gentleman from Maryland.

Mr. CARDIN. I thank the gentlewoman for yielding.

Let me just point out one thing. Although we requested about 30 days ago what the transition rule would look like, we got our first draft of it yesterday morning. So we just got the transition rule yesterday morning.

The second point I would point out is that Mr. Cole and the subcommittee, they are very familiar with the voluminous documents. We do not have enough time to get a quality report to the House under this time schedule.

Mrs. JOHNSON of Connecticut. The transition rule could not be worked out until we were done, and so we are here. I hope we will work well together to complete the work on this important case.

Mr. MOAKLEY. Mr. Speaker, I yield 45 seconds to the gentleman from Mississippi [Mr. TAYLOR].

(Mr. TAYLOR of Mississippi asked and was given permission to revise and extend his remarks.)

Mr. TAYLOR of Mississippi. Mr. Speaker, in the very brief time I have, I regret that this package of rule changes has come down to debate on just one of those changes. Overall it is a pretty good rules change, but there is one that is grossly inadequate.

As we meet right now on the floor of the House of Representatives, the Transportation Committee, of which I am a member, is meeting in the Rayburn Building. I cannot be in two places at once. We should have a House rule that prohibits the committees meeting while the House is in session. Instead, you are offering a rules change that would remove the last prohibition against the committees meeting while the House is in session. That is a gross mistake. And because we have a mistake, I will vote against your package.

Mr. Speaker, I would hope that the gentleman from New York [Mr. SOLOMON] would be good enough to allow the Members to vote on some of these changes individually, because overall it is a good package and I would like to help pass your package. But I cannot let the terrible wrong of one change make up for some of the good of the others.

□ 1600

Mr. MOAKLEY. Mr. Speaker, I yield 45 seconds to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Speaker, I rise today in support of the minority rules package, specifically the rule requiring prompt House action on campaign finance reform. As my colleagues know, we have heard a lot around here about the 1996 campaign and how it proves once and for all that our electoral system is out of control. But it is only the minority package, the Democratic rules package, that requires the House to deal with campaign finance reform.

Today make no mistake about it. The minority plan being offered by the Democrats would require this House to act on campaign finance reform because as we get down the road here there are going to be efforts to get around this one way or the other like that we had in the last session.

We have a chance right now to set the record straight and debate campaign finance reform and require it. However, the majority has offered a rules package that does not make that requirement.

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

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 15 seconds.

Mr. MOAKLEY. Mr. Speaker, I urge a ''no'' vote on the previous question, and I include for the RECORD the amendment I would offer if the previous question is defeated, as follows:

DEMOCRATIC REFORM PACKAGE TO BE OFFERED IF THE PREVIOUS QUESTION IS DEFEATED

AMENDMENT TO BE OFFERED TO H. RES. ——

(1) In section 8(a)(2), strike the proposed new subparagraph (2) [providing that investigative and oversight reports will be considered as read under certain circumstances] and redesignate accordingly,

(2) Strike section 10 [placing information burdens on certain public witnesses],

(3) Strike section 12 [making exceptions to the five-minute rule in hearings],

(4) Strike section 14 [reducing the time for Members to file supplemental, minority, or additional views]

(5) Strike section 15 [creating a slush fund for committees]

(6) Strike section 17 [permitting dynamic estimates in certain instances]

(7) Strike section 18 [making changes in the appropriations process]

(8) in the last sentence of section 25, strike '', or at the expiration of January 21, 1997, whichever is earlier''.

(9) At the end of the resolution, add the following new section:

''SECTION _____. SUBSTANTIVE CAMPAIGN FINANCE REFORM.

(a) The Committee on House Oversight is directed to report to the House not later than April 7, 1997, a bill to provide for substantive campaign finance reform.

(b) Not later than ten calendar days after the Committee on House Oversight has reported a bill pursuant to subparagraph (a), the Committee on Rules shall report a resolution providing for the consideration of such bill in the Committee of the Whole House on the State of the Union under an open amendment process. If the Committee on House Oversight has not reported a bill as required by the date specified in subparagraph (a), the Committee on Rules shall report not later than ten calendar days after such date a resolution providing for consideration in the Committee of the Whole of the first bill introduced in the 105th Congress providing for substantive campaign finance reform under an open amendment process.

(c) if the Committee on Rules has not reported a resolution pursuant to subparagraph (b) by the date specified, it shall be in order for any Member, as a matter of highest privilege, on any day thereafter, to move that the House resolve into the Committee of the Whole House on the State of the Union for the consideration of the first bill introduced in the 105th Congress providing for substantive campaign finance reform, the bill shall be subject to two hours of general debate to be equally divided between the proponents and opponents of the bill, and shall then be considered for amendment under the five-minute rule.''.

Mr. Speaker, I yield back the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield the remainder of the time, 1 minute and 45 seconds, to the gentleman from Claremont, CA [Mr. DREIER], the vice chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my friend from Glens Falls, and with that I yield briefly to my friend, the gentleman from Ohio [Mr. HOBSON].

Mr. HOBSON. Mr. Speaker, I had planned to speak longer, but I do not have time. But the only thing I would like to point out is I oppose this because there is not a date certain for ending this committee. We had an agreement that it would be in writing on the 21st. This merely just takes out the 21st date and leaves an open end so this committee can go on forever and ever, and therefore I oppose this motion.

Mr. DREIER. Mr. Speaker, I thank my friend for his contribution and, Mr. Speaker, I rise in strong support of this rules package and strong support in passage of the previous question.

This is a very thoughtful package that builds on what we did in the beginning of the 104th Congress. My colleague from Pennsylvania, Mr. GEKAS, stood up and praised the fact that we did away with proxy voting. He appreciated the fact that we reaffirmed our commitment, the elimination of proxy voting, so Members would show up for work. We also have had Congress comply with laws imposed on every other American. These are the kinds of commonsense reforms that the American people want us to have.

Now my colleagues on the other side of the aisle are trying with what they would offer if they were to defeat the previous question, they want to eliminate disclosure. They do not want witnesses to provide information to committees when they come forward to testify. If we defeat the previous question, they would be able to make that in order and it would be wrong if they were to proceed with that.

With that I would say also that I am very pleased with another item in this package, Mr. Speaker, and that is the provision which calls for dynamic scoring. Today I introduced H.R. 14 with my colleagues the gentleman from Virginia [Mr. MORAN], the gentleman from Pennsylvania [Mr. ENGLISH], and the gentleman from Texas [Mr. HALL], a bipartisan package to take the top rate on capital gains from 28 percent down to 14 percent to encourage economic growth. This is a very important package which will allow us to move ahead with that, and with that I urge a ''yes'' vote on the previous question.

Mr. DINGELL. Mr. Speaker, tucked away in the package of rules changes being proposed by the Republican majority is a reduction in the time permitted for the minority to file its views on legislation reported by a committee. The change would reduce the number of days for filing these views from 3 days to 2 days.

I find it ironic indeed that during the 40 years of control by the Democratic Party, we never considered limiting this fundamental right of the minority to file views on legislation. Yet after just 2 years in control of the House, the Republicans now have found the granting of 3 whole days to the minority to file its views as somehow being too onerous.

What is the motivation of this change? Was there some important business we failed to complete in the 104th Congress because of the 3 day filing period? Of course not. Certainly there appears to be no rush to pass legislation in this Congress. If that were the case we would be in session for more than the proposed 10 days over the next 2 months.

The reason seems pretty obvious. The majority wants to make it harder for Members to hear the arguments being made by the minority. They know that the logistics of drafting dissenting views and circulating them for signatures takes time, and if they can limit the time, they hope they can limit the debate.

It is truly shameful that a party which served in the minority for 40 years would be so quick to trample on one of the most important minority rights—namely, the right to express your views.

Mr. GOSS. Mr. Speaker, I thank the gentleman, the distinguished chairman of our Rules Committee Mr. SOLOMON, for all his diligent work on behalf of the rules of this House. I wish all of my colleagues a happy new year and look forward to working with all of you for a productive session.

As Members know, this time 2 years ago the new Republican majority brought forward a bold and comprehensive package of rules changes geared toward creating a more open, more responsive and more effective House. With those landmark changes we began a new era of management of this institution—one that fostered greater deliberation and public accountability. Today we bring forth a second installment, by design more moderate in scope and targeted toward refining the major improvements we made in 1995.

I was proud to have assisted in crafting this package, working with our chairman and my colleague DAVID DREIER in holding unprecedented public hearings to solicit suggestions from our colleagues and outside witnesses. Those four hearings—held in the late summer and early fall—greatly assisted our efforts to design this targeted package of rules changes. It is my hope that this exercise becomes standard procedure. Mr. SOLOMON has already described the details of this package, which all Members by now have had the opportunity to scrutinize and review. I would just like to point out three specific changes that I think are particularly important. The first is the incorporation of dynamic scoring—in effect providing official recognition of what many of us have known for some time: that legislation does affect the way people act. It's about time we became more accurate and sophisticated in our budget scoring efforts and began attempting to remove some of the institutional bias towards profligate spending.

Second, I am pleased that we were able to provide for the establishment of a suitable drug testing policy for this House. This is a matter on which the private sector and even the executive branch have moved while this House has lagged behind. It's time we brought ourselves into line with the times and this rules package paves the way for that to happen. Finally, we are continuing our important efforts to modernize Congress and open the legislative process to the sunshine of public scrutiny by asking our committees, to the maximum extent feasible, to put their publications on the Internet. We are all committed to expanding public access to and understanding of the workings of this Congress—and clearly opening up the committee process is integral to that effort. One last note on a topic that has received considerable attention recently—this rules package does temporarily reconstitute the Committee on Standards of Official Conduct from the previous Congress, to allow it to complete its pending business.

All in all, Mr. Speaker, I think this is a practical and workable package of rules changes, one that builds on the enormous success of the rules rewrite we conducted in 1995—making technical adjustments where the past 2 years' experiences have suggested modifications are needed, and taking additional steps

to enhance the openness, deliberation, and accountability of this body.

Mr. BARTON of Texas. Mr. Speaker, I would like to thank Chairman Solomon for allowing me the time to express my support for the provision in the 105th Congress House Rules Package which requires that the Speaker of the House, in consultation with the minority leader, develop a system for drug testing the Members, staff and officers of the House of Representatives. I appreciate Chairman Solomon's commitment to ensuring that this provision is a part of the package.

In the past several Congresses, I have introduced a bill that would require Members of Congress to be mandatorily drug tested. Since 1989, I have followed this practice myself, by paying out of my own pocket to have both my staff and myself randomly drug tested. However, I have continued to work hard to see that mandatory drug testing be implemented in the entire House of Representatives.

I believe that Members of Congress should be mandatorily drug tested, just as our constituents working in federal agencies and private industry are tested. We should not hold ourselves to a different standard than those we represent. As Members of Congress, we have an obligation to not only set policy, but to set an example for those we represent, and show them that we are held accountable for our actions, just as they are asked to be accountable in their jobs.

Furthermore, considering the recent rise of drug use among teens in this country, we must send a message to young people that drug abuse is dangerous and wrong, by taking action to institute mandatory drug testing for Members of Congress.

I am greatly encouraged by this language in the House Rules Package for the 105th Congress. With this provision, we have the opportunity to institute a tough policy on drug testing for Members and staff in the House of Representatives. I urge my colleagues to support this House Rules Package, which I know the chairman himself and the staff of the House Rules Committee has put a lot of work into.

I appreciate Chairman Solomon's willingness to work with me personally on an issue I feel strongly about, especially for the language specifying that the system of drug testing may provide for testing of any Member, officer, or employee of the House.

I would especially like to recommend that the drug testing system developed for the House contain a provision that Members of the House of Representatives, in particular, be required to submit to mandatory, random drug tests. Although the traditional method of drug testing is urinalysis, I would like to see the final regulations leave the options open so that Members may have the choice of other methods of testing in addition to urinalysis.

Again, I thank the chairman for the time and commend him for his long-standing championship of drug testing so that we may fight the war against drugs and make the Congress more accountable to those we represent.

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

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 202, not voting 10, as follows:

[Roll No. 4]

YEAS—221

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schiff
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NAYS—202

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (OH)
Capps
Cardin
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rivers
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—10

Barrett (NE)
Blagojevich
Brady
Brown (FL)
Condit
Cooksey
Peterson (PA)
Sanford
Torres
Weller

□ 1615

Mr. CONYERS changed his vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

MOTION TO COMMIT OFFERED BY MR. MCDERMOTT

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

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. MCDERMOTT moves to commit the resolution (H. Res. 5), to a select committee comprised of the Majority Leader and the Minority Leader with instructions to report back the same to the House forthwith with only the following amendment:

In the last sentence of section 25, strike '', or at the expiration of January 21, 1997, whichever is earlier''.

PARLIAMENTARY INQUIRIES

Mr. SOLOMON. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SOLOMON. Mr. Speaker, due to the noise, I did not hear the Clerk read

and I have three different motions to commit.

The SPEAKER pro tempore. The Clerk will re-report the motion.

The Clerk re-reported the motion.

□ 1630

Mr. SOLOMON. So there is no date at all in what the gentleman just read.

Mr. DOGGETT. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman will state it.

Mr. DOGGETT. Mr. Speaker, is this the vote to accept the independent counsel's recommendations for the orderly——

Mr. SOLOMON. Regular order, Mr. Speaker.

Mr. DOGGETT. Consideration of the Gingrich ethics complaint requested——

Mr. SOLOMON. Regular order.

Mr. DOGGETT. By both the Republicans and Democrat members of the ——

Mr. SOLOMON. Regular order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is not stating a parliamentary inquiry.

The motion to commit is not debatable under general parliamentary procedure applicable to the House.

Without objection, the previous question is ordered on the motion to commit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to commit offered by the gentleman from Washington [Mr. MCDERMOTT].

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

Mr. MCDERMOTT. Mr. Speaker, on that demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 205, nays 223, not voting 4, as follows:

[Roll No. 5]

YEAS—205

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Goode
Gordon
Goss
Green
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rivers
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schiff
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NAYS—223

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—4

Condit
Gutierrez
Sanford
Torres

□ 1645

Mr. GREENWOOD and Mr. ROBERT SCHAFFER of Colorado changed their vote from ''yea'' to ''nay.''

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 226, nays 202, not voting 4, as follows:

[Roll No. 6]

YEAS—226

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney

Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schiff
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NAYS—202

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—4

McInnis
Richardson
Stabenow
Torres

□ 1705

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 5.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from New York?

There was no objection.

MESSAGES FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

MESSAGE FROM THE SENATE

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

S. RES. 1

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

S. RES. 2

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

S. RES. 6

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

S. CON. RES. 1

Concurrent resolution to provide for the counting on January 9, 1997, of the electoral votes for President and Vice President of the United States.

S. CON. RES. 2

Concurrent resolution to extend the life of the Joint Congressional Committee on Inaugural Ceremonies and the provisions of S. Con. Res. 48.

S. CON. RES. 3

Concurrent resolution providing for a recess or adjournment of the Senate from January 9, 1997 to January 21, 1997, and an adjournment of the House from January 9, 1997 to January 20, 1997, from January 20, 1997 to January 21, 1997, and from January 21, 1997 to February 4, 1997.

COMPENSATION OF CERTAIN MINORITY EMPLOYEES

Mr. GEPHARDT. Mr. Speaker, I offer a resolution (H. Res. 6) and I ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 6

Resolved, That pursuant to the Legislative Pay Act of 1929, as amended, the six minority employees authorized therein shall be the following named persons, effective January 3, 1997, until otherwise ordered by the House, to wit: Steve Elmendorf, George Kundanis, Marti Thomas, Sharon Daniels, Dan Turton, and Laura Nichols, each to receive gross compensation pursuant to the provisions of House Resolution 119, Ninety-fifth Congress, as enacted into permanent law by section 115 of Public Law 95–94. In addition, the Minority Leader may appoint and set the annual rate of pay for up to three further minority employees.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ESTABLISHING THE CORRECTIONS CALENDAR OFFICE

Mr. BOEHNER. Mr. Speaker, I offer a resolution (H. Res. 7) and I ask unanimous consent for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 7

Resolved,

SECTION 1. CORRECTIONS CALENDAR OFFICE.

There is established in the House of Representatives an office to be known as the Corrections Calendar Office, which shall have the responsibility of assisting the Speaker in the management of the Corrections Calendar under the Rules of the House of Representatives. The Office shall have not more than five employees—

(1) who shall be appointed by the Speaker, in consultation with the minority leader; and

(2) whose annual rate of pay shall be establish by the Speaker, but may not exceed 75 percent of the maximum annual rate under the general limitation specified by the order of the Speaker in effect under section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 60a 2a).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR RECESS OR ADJOURNMENT OF THE SENATE FROM JANUARY 9, 1997, TO JANUARY 21, 1997; AND FOR ADJOURNMENT OF THE HOUSE FROM JANUARY 9, 1997, TO JANUARY 20, 1997, AND FROM JANUARY 21, 1997 TO FEBRUARY 4, 1997.

The SPEAKER pro tempore laid before the House the following privileged