

Slotkin Titus Vela  
Smith (WA) Tlaib Velázquez  
Soto Tonko Visclosky  
Spanberger Torres (CA) Wasserman  
Speier Torres Small Schultz  
Stanton (NM) Waters  
Stevens Trahan Watson Coleman  
Suoizzi Trone Welch  
Swalwell (CA) Underwood Wexton  
Takano Van Drew Wild  
Thompson (CA) Vargas Wilson (FL)  
Thompson (MS) Veasey Yarmuth

## NOT VOTING—3

Brindisi Sewell (AL) Smucker

□ 1744

Mr. SHERMAN changed his 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. The question is on the resolution.

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

Mr. COLE. 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 234, nays 194, not voting 4, as follows:

[Roll No. 6]

YEAS—234

Adams Delgado Krishnamoorthi  
Aguilar Demings Kuster (NH)  
Allred DeSaulnier Lamb  
Axne Deutch Langevin  
Barragán Dingell Larsen (WA)  
Bass Doggett Larson (CT)  
Beatty Doyle, Michael Lawrence  
Bera F. Lawson (FL)  
Beyer Engel Lee (CA)  
Bishop (GA) Escobar Lee (NV)  
Blumenauer Eshoo Levin (CA)  
Blunt Rochester Espallat Levin (MI)  
Bonamici Evans Lewis  
Boyle, Brendan Finkenauer Lieu, Ted  
F. Fletcher Lipinski  
Brindisi Foster Loebsack  
Brown (MD) Frankel Lofgren  
Brownley (CA) Fudge Lowenthal  
Bustos Gabbard Lowey  
Butterfield Gallego Luján, Ben Ray  
Carbajal Garamendi Luria  
Cárdenas García (IL) Lynch  
Carson (IN) García (TX) Malinowski  
Cartwright Golden Maloney,  
Case Gomez Carolyn B.  
Casten (IL) Gonzalez (TX) Maloney, Sean  
Castor (FL) Gottheimer Matsui  
Castro (TX) Green (TX) McAdams  
Chu, Judy Grijalva McBeth  
Cicilline Haaland McCollum  
Cisneros Harder (CA) McEachin  
Clark (MA) Hastings McGovern  
Clarke (NY) Hayes McNeerney  
Clay Heck Meeks  
Cleaver Higgins (NY) Meng  
Clyburn Hill (CA) Moore  
Cohen Himes Morelle  
Connolly Horn, Kendra S. Moulton  
Cooper Horsford Mucarsel-Powell  
Correa Houlihan Murphy  
Costa Hoyer Nadler  
Courtney Huffman Napolitano  
Cox (CA) Jackson Lee Neal  
Craig Jayapal Neguse  
Crist Jeffries Norcross  
Crow Johnson (GA) O'Halleran  
Cuellar Johnson (TX) Ocasio-Cortez  
Cummings Kaptur Omar  
Cunningham Keating Pallone  
Davids (KS) Kelly (IL) Panetta  
Davis (CA) Kennedy Pappas  
Davis, Danny K. Khanna Pascarell  
Dean Kildee Payne  
DeFazio Kilmer Perlmutter  
DeGette Kim Peters  
DeLauro Kind Peterson  
DeBene Kirkpatrick Phillips

Pingree  
Pocan  
Porter  
Pressley  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rose (NY)  
Rouda  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan  
Sánchez  
Sarbanes  
Scanlon  
Schakowsky  
Schiff  
Schneider  
Schrader

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Armstrong  
Arrington  
Babin  
Bacon  
Baird  
Balderson  
Banks  
Barr  
Bergman  
Biggs  
Bilirakis  
Bishop (UT)  
Bost  
Brady  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burchett  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Cline  
Cloud  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Conaway  
Cook  
Crawford  
Crenshaw  
Curtis  
Davidson (OH)  
Davis, Rodney  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan  
Dunn  
Emmer  
Estes  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Fox (NC)  
Gaetz  
Gallagher  
Gianforte  
Gibbs  
Gohmert  
Gonzalez (OH)

Fulcher  
Marchant

Schrier  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shalala  
Sherman  
Sherrill  
Sires  
Slotkin  
Smith (WA)  
Soto  
Spanberger  
Speier  
Stanton  
Stevens  
Suoizzi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tlaib

## NAYS—194

Gooden  
Gosar  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green (TN)  
Griffith  
Grothman  
Guest  
Guthrie  
Hagedorn  
Harris  
Hartzler  
Hern, Kevin  
Herrera Beutler  
Hice (GA)  
Higgins (LA)  
Hill (AR)  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hunter  
Hurd (TX)  
Johnson (LA)  
Johnson (OH)  
Johnson (SD)  
Jordan  
Joyce (OH)  
Joyce (PA)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Latta  
Lesko  
Long  
Loudermilk  
Lucas  
Luetkemeyer  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
Meadows  
Meuser  
Miller  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin

## NOT VOTING—4

Smucker  
Wittman

□ 1801

Mr. RICE of South Carolina changed his vote from “yea” to “nay.”

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.

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has agreed to the following resolutions:

S. RES. 2

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

S. RES. 5

*Resolved*, That the House of Representatives be notified of the election of the Honorable Chuck Grassley as President of the Senate pro tempore.

## RECESS

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent that the House stand in recess subject to the call of the chair.

The SPEAKER pro tempore. Without objection, the House will stand in recess subject to the call of the chair.

There was no objection.

Accordingly (at 6 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1810

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CLYBURN) at 6 o'clock and 10 minutes p.m.

## ADOPTING THE RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 116TH CONGRESS

Mr. HOYER. Mr. Speaker, pursuant to House Resolution 5, I call up the resolution (H. Res. 6) adopting the rules of the House of Representatives for the One Hundred Sixteenth Congress, and for other purposes, and ask for immediate consideration of the resolution.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 6

*Resolved*,

## TITLE I—RULES OF THE ONE HUNDRED SIXTEENTH CONGRESS

## SEC. 101. ADOPTION OF THE RULES OF THE ONE HUNDRED FIFTEENTH CONGRESS.

The Rules of the House of Representatives of the One Hundred Fifteenth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Fifteenth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Sixteenth Congress, with amendments to the standing rules as provided in this resolution.

## SEC. 102. CHANGES TO THE STANDING RULES.

(a) NOTIFICATION OF CONVENING OF THE HOUSE.—In clause 12 of rule I, insert “, Delegates, and the Resident Commissioner” after “Members” each place it appears.

(b) VOTING BY DELEGATES AND THE RESIDENT COMMISSIONER IN THE COMMITTEE OF THE WHOLE.—

(1) In clause 3(a) of rule III, insert “In a Committee of the Whole House on the State of the Union, each Delegate and the Resident Commissioner shall possess the same powers and privileges as Members of the House.” before “Each Delegate”.

(2) In clause 6 of rule XVIII, add at the end the following new paragraph:

“(h) Whenever a recorded vote on any question has been decided by a margin within which the votes cast by the Delegates and the Resident Commissioner have been decisive, the Committee of the Whole shall rise and the Speaker shall put such question de novo without intervening motion. Upon the announcement of the vote on that question, the Committee of the Whole shall resume its sitting without intervening motion.”.

(c) ALLOWING DELEGATES AND THE RESIDENT COMMISSIONER TO SERVE ON JOINT COMMITTEES.—In clause 3(b) of rule III, strike “and to any” and insert “, joint committee, or”.

(d) ADMITTANCE TO THE HALL OF THE HOUSE.—In clause 2(a) of rule IV—

(1) strike subparagraphs (1) and (2) and insert the following:

“(1) Members of Congress, Members-elect, Delegates, Delegates-elect, the Resident Commissioner, and the Resident Commissioner-elect.

“(2) Contestants in election cases during the pendency of their cases on the floor.”; and

(2) in subparagraph (14), insert “and of the Territories” after “States”.

(e) OFFICE OF SPEAKER.—In clause 2(a) of rule IX, add the following new subparagraph: “(3) A resolution causing a vacancy in the Office of Speaker shall not be privileged except if offered by direction of a party caucus or conference.”.

(f) DESIGNATING COMMITTEE ON OVERSIGHT AND REFORM.—In the standing rules, strike “Committee on Oversight and Government Reform” each place it appears and insert (in each instance) “Committee on Oversight and Reform”.

(g) DESIGNATING COMMITTEE ON EDUCATION AND LABOR.—

(1) In clause 1(e) of rule X, strike “the Workforce” and insert “Labor”.

(2) In clause 3(d) of rule X, strike “the Workforce” and insert “Labor”.

(h) EDUCATION AND LABOR JURISDICTION CLARIFICATION.—In clause 1(e) of rule X, add the following new subparagraphs:

“(14) Organization, administration, and general management of the Department of Education.

“(15) Organization, administration, and general management of the Department of Labor.”.

(i) COMMITTEE OVERSIGHT PLANS.—Amend clause 2(d) of rule X to read as follows:

“(d)(1) Not later than March 1 of the first session of a Congress, the chair of each standing committee (other than the Committee on Appropriations, the Committee on Ethics, and the Committee on Rules) shall—

“(A) prepare, in consultation with the ranking minority member, an oversight plan for that Congress;

“(B) provide a copy of that plan to each member of the committee for at least seven calendar days before its submission; and

“(C) submit that plan (including any supplemental, minority, additional, or dissenting views submitted by a member of the committee) simultaneously to the Committee on Oversight and Reform and the Committee on House Administration.

“(2) In developing the plan, the chair of each committee shall, to the maximum extent feasible—

“(A) consult with other committees that have jurisdiction over the same or related

laws, programs, or agencies with the objective of ensuring maximum coordination and cooperation among committees when conducting reviews of such laws, programs, or agencies and include in the plan an explanation of steps that have been or will be taken to ensure such coordination and cooperation;

“(B) review specific problems with Federal rules, regulations, statutes, and court decisions that are ambiguous, arbitrary, or nonsensical, or that impose severe financial burdens on individuals;

“(C) give priority consideration to including in the plan the review of those laws, programs, or agencies operating under permanent budget authority or permanent statutory authority;

“(D) have a view toward ensuring that all significant laws, programs, or agencies within the committee’s jurisdiction are subject to review every 10 years; and

“(E) have a view toward insuring against duplication of Federal programs.

“(3) Not later than April 15 in the first session of a Congress, after consultation with the Speaker, the Majority Leader, and the Minority Leader, the Committee on Oversight and Reform shall report to the House the oversight plans submitted under subparagraph (1) together with any recommendations that it, or the House leadership group described above, may make to ensure the most effective coordination of oversight plans and otherwise to achieve the objectives of this clause.”.

(j) ACTIVITY REPORTS.—

(1) In clause 1(d)(2)(B) of rule XI, strike “authorization and”.

(2) In clause 1(d)(2)(C) of rule XI, strike “authorization and”.

(k) OVERSIGHT OVER THE EXECUTIVE OFFICE OF THE PRESIDENT.—In clause 3(i) of rule X, strike “with a view to determining their economy and efficiency” and insert “, including the Executive Office of the President”.

(l) OVERSIGHT AND REFORM COMMITTEE DEPOSITIONS.—In clause 4(c)(3)(B) of rule X—

(1) in item (i), insert “and” after the semicolon;

(2) in item (ii), strike “; and” and insert “;”;

(3) strike item (iii).

(m) REMOVING CERTAIN COMMITTEE TERM LIMITS.—

(1) In clause 5(a)(2) of rule X—

(A) strike subdivisions (B) and (C); and

(B) in subdivision (A), strike “(A)” and redesignate items (i), (ii), and (iii) as subdivisions (A), (B), and (C).

(2) In clause 5(c) of rule X—

(A) strike the designation of subparagraph (1); and

(B) strike subparagraph (2).

(n) RULES OF COMMITTEES.—In clause 2(a)(2) of rule XI, strike “30” and insert “60”.

(o) COMMITTEE MARKUP NOTICE.—In clause 2(g)(3)(A)(ii) of rule XI, strike “third day” and insert “third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day)”.

(p) ANNUAL ETHICS TRAINING.—In clause 3(a)(6)(B)(ii) of rule XI—

(1) strike “officer and employee” and insert “Member, Delegate, Resident Commissioner, officer, and employee”; and

(2) strike “officer or employee” and insert “Member, Delegate, Resident Commissioner, officer, or employee”.

(q) CONSIDERING CRIMINAL TRIAL EVIDENCE IN ETHICS INVESTIGATION.—In clause 3(p) of rule XI—

(1) in subparagraph (5)(C), strike “first; or” and insert “first;”;

(2) in subparagraph (5)(D), strike “investigation;” and insert “investigation; or”;

(3) in subparagraph (5), add at the end the following new subdivision:

“(E) the committee or an investigative subcommittee determines to take into evidence the trial transcript or exhibits admitted into evidence at a criminal trial pursuant to subparagraph (9);”;

(4) in subparagraph (7), strike “; and” and insert a semicolon;

(5) in subparagraph (8), strike the period and insert “; and”; and

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

“(9) in any investigation permitted by House or committee rules, in addition to any other evidence which the committee or an investigative subcommittee may consider, if the respondent has been convicted by a court of record for a crime which is related to the subject of the investigation, the committee or investigative subcommittee may take into evidence the trial transcript and all exhibits admitted into evidence at the trial.”.

(r) CONSENSUS CALENDAR.—

(1) In clause 1 of rule XIII, add at the end the following new paragraph:

“(c) There is established a Consensus Calendar as provided in clause 7 of rule XV.”.

(2) In rule XV, add at the end the following new clause:

#### “Consensus Calendar

“7.(a)(1) At least once during any week in which the House convenes, the House shall consider a measure on the Consensus Calendar as designated by the Speaker.

“(2) This paragraph does not apply before March 1 of an odd-numbered year or after September 30 of an even-numbered year.

“(b)(1) The sponsor of a measure that has accumulated 290 cosponsors and has not been reported by the committee of primary jurisdiction may present to the Clerk a motion in writing to place that measure on the Consensus Calendar.

“(2) A proper motion presented under subparagraph (1) shall be placed in the custody of the Clerk, and shall appear in a portion of the Congressional Record designated for that purpose. The Clerk shall maintain a cumulative list of such motions, and shall make such list publicly available in electronic form.

“(3) A motion presented under subparagraph (1) shall be considered as withdrawn if the measure is reported by the committee of primary jurisdiction prior to its placement on the Consensus Calendar.

“(c) After a measure has maintained at least 290 cosponsors for a cumulative period of 25 legislative days after the presentation of a motion under paragraph (b)(1), the measure shall be placed on the Consensus Calendar. Such measure shall remain on the Consensus Calendar until it is—

“(1) considered in the House; or

“(2) reported by the committee of primary jurisdiction.”.

(s) RECORDED VOTES IN RULES COMMITTEE REPORTS.—In clause 3(b) of rule XIII, insert “, and applies only to the maximum extent practicable to a report by the Committee on Rules on a rule, joint rule, or the order of business” after “Ethics”.

(t) 72-HOUR TEXT AVAILABILITY.—

(1) In clause 4(a)(1) of rule XIII—

(A) strike “the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which each report” and insert “the proposed text of each report (except views referred to in clause 2(1) of rule XI);” and

(B) insert “for 72 hours” after “Resident Commissioner”.

(2) In clause 11 of rule XXI—

(A) strike “the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which”; and

(B) insert “for 72 hours” after “Resident Commissioner”.

(3) In clause 8(a)(1)(A) of rule XXII—

(A) strike “the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which”; and

(B) insert “for 72 hours” after “Resident Commissioner”.

(4) In clause 8(b)(1)(A) of rule XXII—

(A) strike “the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which”; and

(B) insert “for 72 hours” after “Resident Commissioner”.

(u) **MACROECONOMIC ANALYSIS.**—In rule XIII, strike clause 8.

(v) **DISCHARGE PETITIONS.**—

(1) In clause 2 of rule XV—

(A) strike “Discharge motions, second and fourth Mondays” and insert “Discharge motions”;

(B) strike paragraph (a) and redesignate the subsequent paragraphs accordingly;

(C) in paragraph (b) (as so redesignated), strike “paragraph (b)” and insert “paragraph (a)”;

(D) in paragraph (c)(1) (as so redesignated), strike the first sentence and insert the following: “A motion to discharge that has been on the calendar for at least seven legislative days (except during the last six days of a session of Congress) shall be privileged only at a time or place, designated by the Speaker, in the legislative schedule within two legislative days after the day on which a Member whose signature appears thereon announces to the House an intention to offer the motion.”.

(2) In clause 6(e) of rule XIII, strike “on a day when it is in order to consider a motion to discharge committees under clause 2 of rule XV” and insert “on the second and fourth Mondays of a month”.

(3) In clause 3 of rule XV, strike “on a day when it is in order to consider a motion to discharge committees under clause 2” and insert “on the second and fourth Mondays of a month”.

(4) In clause 4 of rule XV, strike “after the disposition of motions to discharge committees and”.

(w) **PRIVATE CALENDAR.**—In clause 5 of rule XV—

(1) in the caption, strike “, first and third Tuesdays”; and

(2) in paragraph (b)(1), amend the first sentence to read as follows: “On any day, after the disposal of such business on the Speaker’s table as requires reference only, the Speaker may direct the Clerk to call any bill or resolution that has been on the Private Calendar for at least seven days, but only on the second legislative day after the legislative day on which the Speaker or a designee announces to the House an intention to do so.”.

(x) **RELIGIOUS HEADDRESS.**—In clause 5 of rule XVII, insert “non-religious headdress or” before “a hat”.

(y) **QUORUM IN THE COMMITTEE OF THE WHOLE.**—In clause 6 of rule XVIII—

(1) in paragraph (a), insert “, Delegates, and the Resident Commissioner” after “Members”;

(2) in paragraph (e), insert “, Delegates, and the Resident Commissioner” after “Members”; and

(3) in paragraph (g)(2), insert “, Delegates, and the Resident Commissioner” after “Members”.

(z) **TWO-MINUTE VOTING IN THE COMMITTEE OF THE WHOLE.**—In clause 6 of rule XVIII—

(1) in paragraph (f)—

(A) strike “without any intervening business or debate”; and

(B) after “first pending amendment” insert the following: “, if in the discretion of the Chair Members, Delegates, and the Resident

Commissioner would be afforded an adequate opportunity to vote”; and

(2) in paragraph (g)—

(A) in subparagraph (1), strike “without intervening business”; and

(B) in subparagraph (2), strike “without intervening debate or motion”.

(aa) **POSTPONABILITY OF CERTAIN VOTES.**—In clause 8(a)(2) of rule XX—

(1) redesignate subdivisions (G) through (J) as subdivisions (H) through (K), respectively;

(2) insert after subdivision (F) the following new subdivision:

“(G) The question of agreeing to an amendment.”;

(3) in subdivision (H) (as redesignated), strike “(F)” and insert “(G)”;

(4) strike subdivision (K) (as redesignated).

(bb) **DISCRETION FOR FIVE-MINUTE VOTES.**—

(1) Strike clause 8(c) of rule XX (and redesignate the succeeding paragraph accordingly).

(2) Amend clause 9 of rule XX to read as follows:

“9.(a) The Speaker may reduce to five minutes the minimum time for electronic voting on any question that follows another electronic vote or a report from the Committee of the Whole, if in the discretion of the Speaker Members would be afforded an adequate opportunity to vote.

“(b) To the maximum extent practicable, notice of possible five-minute voting for a given series of votes shall be issued prior to the first electronic vote in the series.”.

(cc) **NET INCREASE IN BUDGET AUTHORITY.**—

In clause 2 of rule XXI, strike paragraph (g).

(dd) **REMOVING SUPERMAJORITY VOTE.**—

(1) In clause 5 of rule XXI, strike paragraph (b) and redesignate the subsequent paragraph accordingly.

(2) In clause 10 of rule XX, strike “, or increasing Federal income tax rates (within the meaning of clause 5 of rule XXI)”.

(3) In clause 5(a) of rule XXI, strike “paragraph (1)” and insert “subparagraph (1)”.

(ee) **PAY-AS-YOU-GO POINT OF ORDER.**—In rule XXI, amend clause 10 to read as follows:

“10.(a)(1) Except as provided in paragraphs (b) and (c), it shall not be in order to consider any bill, joint resolution, amendment, or conference report if the provisions of such measure affecting direct spending and revenues have the net effect of increasing the deficit or reducing the surplus for either the period comprising—

“(A) the current fiscal year, the budget year, and the four fiscal years following that budget year; or

“(B) the current fiscal year, the budget year, and the nine fiscal years following that budget year.

“(2) The effect of such measure on the deficit or surplus shall be determined on the basis of estimates made by the Committee on the Budget relative to baseline estimates supplied by the Congressional Budget Office consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985.

“(b) If a bill, joint resolution, or amendment is considered pursuant to a special order of the House directing the Clerk to add as new matter at the end of such measure the provisions of a separate measure as passed by the House, the provisions of such separate measure as passed by the House shall be included in the evaluation under paragraph (a) of the bill, joint resolution, or amendment.

“(c)(1) Except as provided in subparagraph (2), the evaluation under paragraph (a) shall exclude a provision expressly designated as an emergency for purposes of pay-as-you-go principles in the case of a point of order under this clause against consideration of—

“(A) a bill or joint resolution;

“(B) an amendment made in order as original text by a special order of business;

“(C) a conference report; or

“(D) an amendment between the Houses.

“(2) In the case of an amendment (other than one specified in subparagraph (1)) to a bill or joint resolution, the evaluation under paragraph (a) shall give no cognizance to any designation of emergency.

“(3) If a bill, a joint resolution, an amendment made in order as original text by a special order of business, a conference report, or an amendment between the Houses includes a provision expressly designated as an emergency for purposes of pay-as-you-go principles, the Chair shall put the question of consideration with respect thereto.

“(d) For the purpose of this clause, the terms ‘budget year’ and ‘current year’ have the meanings specified in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985, and the term ‘direct spending’ has the meaning specified in such section 250 except that such term shall also include provisions in appropriations Acts that make outyear modifications to substantive law as described in section 3(4)(C) of the Statutory Pay-As-You-Go Act of 2010.”.

(ff) **BANNING DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION OR GENDER IDENTITY.**—In clause 9 of rule XXIII, insert “sexual orientation, gender identity,” before “disability”.

(gg) **BANNING SEXUAL RELATIONSHIPS BETWEEN MEMBERS AND COMMITTEE STAFF.**—In clause 18(a) of rule XXIII, strike “Resident Commissioner.” and insert “Resident Commissioner, or who is an employee of a committee on which the Member, Delegate, or Resident Commissioner serves.”.

(hh) **SERVICE OF INDICTED MEMBERS IN LEADERSHIP AND ON COMMITTEES.**—In clause 10 of rule XXIII—

(1) designate the existing sentence as paragraph (a); and

(2) insert at the end the following new paragraph:

“(b) A Member, Delegate, or Resident Commissioner who has been indicted for or otherwise formally charged with criminal conduct in any Federal, State, or local court punishable as a felony for which a sentence of two or more years’ imprisonment may be imposed should submit his or her resignation from any standing, select, joint or ad hoc committee, and any subcommittee thereof, on which he or she serves, and should step aside from any party caucus or conference leadership position he or she holds, unless or until judicial or executive proceedings result in acquittal or the charges are dismissed or reduced to less than a felony as described in this paragraph.”.

(ii) **BANNING MEMBERS, OFFICERS, AND EMPLOYEES FROM SITTING ON CORPORATE BOARDS.**—Effective January 1, 2020, in rule XXIII—

(1) redesignate clause 19 as clause 20; and

(2) insert after clause 18 the following new clause:

“19.(a) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not serve as an officer or director of any public company.

“(b) In paragraph (a), the term ‘public company’ means an issuer as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)—

“(1) the securities of which are required to be registered under section 12 of such Act (15 U.S.C. 78l); or

“(2) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).

“(c) Not later than December 31, 2019, the Committee on Ethics shall develop regulations addressing other types of prohibited service or positions that could lead to conflicts of interest.”.

(jj) **SUSPENSION OF THE DEBT LIMIT.**—Rule XXVIII is amended to read as follows:

## “RULE XXVIII

## “STATUTORY LIMIT ON THE PUBLIC DEBT

“1. Upon adoption by the House of a concurrent resolution on the budget under section 301 or 304 of the Congressional Budget Act of 1974, the Clerk shall prepare an engrossment of a joint resolution suspending the statutory limit on the public debt in the form prescribed in clause 2. Upon engrossment of the joint resolution, the vote by which the concurrent resolution on the budget was adopted by the House shall also be considered as a vote on passage of the joint resolution in the House, and the joint resolution shall be considered as passed by the House and duly certified and examined. The engrossed copy shall be signed by the Clerk and transmitted to the Senate for further legislative action.

“2. The matter after the resolving clause in a joint resolution described in clause 1 shall be as follows: ‘Section 3101(b) of title 31, United States Code, shall not apply for the period beginning on the date of enactment and ending on September 30, \_\_\_\_\_,’ with the blank being filled with the budget year for the concurrent resolution.

“3. Nothing in this rule shall be construed as limiting or otherwise affecting—

“(a) the power of the House or the Senate to consider and pass bills or joint resolutions, without regard to the procedures under clause 1, that would change the statutory limit on the public debt; or

“(b) the rights of Members, Delegates, the Resident Commissioner, or committees with respect to the introduction, consideration, and reporting of such bills or joint resolutions.

“4. In this rule the term ‘statutory limit on the public debt’ means the maximum face amount of obligations issued under authority of chapter 31 of title 31, United States Code, and obligations guaranteed as to principal and interest by the United States (except such guaranteed obligations as may be held by the Secretary of the Treasury), as determined under section 3101(b) of such title after the application of section 3101(a) of such title, that may be outstanding at any one time.”.

**SEC. 103. SEPARATE ORDERS.**

(a) DEPOSITION AUTHORITY.—

(1) During the One Hundred Sixteenth Congress, the chair of a standing committee (other than the Committee on Rules), and the chair of the Permanent Select Committee on Intelligence, upon consultation with the ranking minority member of such committee, may order the taking of depositions, including pursuant to subpoena, by a member or counsel of such committee.

(2) Depositions taken under the authority prescribed in this subsection shall be subject to regulations issued by the chair of the Committee on Rules and printed in the Congressional Record.

(b) PROVIDING FOR TRANSPARENCY WITH RESPECT TO MEMORIALS SUBMITTED PURSUANT TO ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES.—With respect to any memorial presented under clause 3 of rule XII purporting to be an application of the legislature of a State calling for a convention for proposing amendments to the Constitution of the United States pursuant to Article V, or a rescission of any such prior application—

(1) the chair of the Committee on the Judiciary shall, in the case of a memorial presented in the One Hundred Fourteenth Congress or succeeding Congresses, and may, in the case of such a memorial presented prior to the One Hundred Fourteenth Congress, designate any such memorial for public availability by the Clerk; and

(2) the Clerk shall make such memorials as are designated pursuant to paragraph (1)

publicly available in electronic form, organized by State of origin and year of receipt, and shall indicate whether the memorial was designated as an application or a rescission.

(c) LIMITATION ON ADVANCE APPROPRIATIONS.—

(1) Except as provided in paragraph (2), any general appropriation bill or bill or joint resolution continuing appropriations, or amendment thereto or conference report thereon, may not provide an advance appropriation.

(2) An advance appropriation may be provided for programs, activities or accounts identified in lists submitted for printing in the Congressional Record by the chair of the Committee on the Budget (when elected)—

(A) for fiscal year 2020, under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority, and for 2021, accounts separately identified under the same heading; and

(B) for fiscal year 2020, under the heading “Veterans Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$75,550,600,000 in new budget authority.

(3) DEFINITION.—The term “advance appropriation” means any new discretionary budget authority provided in a general appropriation bill or bill or joint resolution continuing appropriations for fiscal year 2019, or any amendment thereto or conference report thereon, that first becomes available following fiscal year 2019.

(d) EXERCISE FACILITIES FOR FORMER MEMBERS.—During the One Hundred Sixteenth Congress—

(1) The House of Representatives may not provide access to any exercise facility which is made available exclusively to Members and former Members, officers and former officers of the House of Representatives, and their spouses to any former Member, former officer, or spouse who is a lobbyist registered under the Lobbying Disclosure Act of 1995 or any successor statute or who is an agent of a foreign principal as defined in clause 5 of rule XXV. For purposes of this subsection, the term “Member” includes a Delegate or Resident Commissioner to the Congress.

(2) The Committee on House Administration shall promulgate regulations to carry out this subsection.

(e) NUMBERING OF BILLS.—In the One Hundred Sixteenth Congress, the first 10 numbers for bills (H.R. 1 through H.R. 10) shall be reserved for assignment by the Speaker and the second 10 numbers for bills (H.R. 11 through H.R. 20) shall be reserved for assignment by the Minority Leader.

(f) INCLUSION OF CITATIONS FOR PROPOSED REPEALS AND AMENDMENTS.—To the maximum extent practicable and consistent with established drafting conventions, an instruction in a bill or joint resolution proposing to repeal or amend any law or part thereof not contained in a codified title of the United States Code shall include, in parentheses immediately following the designation of the matter proposed to be repealed or amended, the applicable United States Code citation (which may be a note in the United States Code), or, if no such citation is available, an appropriate alternative citation to the applicable law or part.

(g) BROADENING AVAILABILITY OF LEGISLATIVE DOCUMENTS IN MACHINE-READABLE FORMATS.—The Committee on House Administration, the Clerk, and other officers and officials of the House shall continue efforts to broaden the availability of legislative documents in machine readable formats in the One Hundred Sixteenth Congress in furtherance of the institutional priority of improving public availability and use of legislative information produced by the House and its committees.

(h) SUBCOMMITTEES.—Notwithstanding clause 5(d) of rule X, during the One Hundred Sixteenth Congress—

(1) the Committee on Agriculture may have not more than six subcommittees; and

(2) the Committee on Financial Services may have not more than seven subcommittees.

(i) REQUIRING COMMITTEE HEARING AND MARKUP ON BILLS AND JOINT RESOLUTIONS.—

(1) Effective March 1, 2019, during the One Hundred Sixteenth Congress, it shall not be in order to consider a bill or joint resolution pursuant to a special order of business reported by the Committee on Rules that—

(A) has not been reported by a committee; or

(B) has been reported by a committee unless the report includes a list of related committee and subcommittee hearings and a designation of at least one committee or subcommittee hearing that was used to develop or consider such bill or joint resolution.

(2) This subsection shall not apply to a bill or joint resolution—

(A) continuing appropriations for a fiscal year;

(B) containing an emergency designation under section 251(b)(2) or section 252(e) of the Balanced Budget and Emergency Deficit Control Act; or

(C) designated pursuant to clause 7(a) of rule XV.

(j) MEMBER DAY HEARING REQUIREMENT.—During the first session of the One Hundred Sixteenth Congress, each standing committee (other than the Committee on Ethics) shall hold a hearing at which it receives testimony from Members, Delegates, and the Resident Commissioner on proposed legislation within its jurisdiction, except that the Committee on Rules may hold such hearing during the second session of the One Hundred Sixteenth Congress.

(k) EMPANELING INVESTIGATIVE SUBCOMMITTEE OF THE COMMITTEE ON ETHICS.—The text of House Resolution 451, One Hundred Tenth Congress, shall apply in the One Hundred Sixteenth Congress in the same manner as such provision applied in the One Hundred Tenth Congress, except that references to the Committee on Standards of Official Conduct shall be construed as references to the Committee on Ethics.

(l) WAR POWERS RESOLUTION.—During the One Hundred Sixteenth Congress, a motion to discharge a measure introduced pursuant to section 6 or section 7 of the War Powers Resolution (50 U.S.C. 1545–46) shall not be subject to a motion to table.

(m) BUDGET MATTERS.—During the first session of the One Hundred Sixteenth Congress, pending the adoption of a concurrent resolution on the budget for fiscal year 2019—

(1) the allocations, aggregates, and other appropriate levels as contained in the statement of the chair of the Committee on the Budget of the House of Representatives in the Congressional Record of May 10, 2018, as adjusted in the One Hundred Fifteenth Congress, shall be considered for all purposes in the House to be the allocations, aggregates, and other appropriate levels under titles III and IV of the Congressional Budget Act of 1974; and

(2) the provisions of House Concurrent Resolution 71, One Hundred Fifteenth Congress, specified in section 30104(f)(1) of the Bipartisan Budget Act of 2018 shall have no force or effect except for sections 5201, 5202, 5203, and 5401 of such concurrent resolution.

(n) LEGAL ISSUES RELATED TO THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.—To protect the institutional interests of the House of Representatives, the Speaker, on behalf of the House, is authorized to intervene, otherwise appear, or take any other

steps, in the case of *Texas v. United States*, No. 4:18-cv-00167-O (N.D. Tex.) and in any appellate proceedings arising from such case. The Speaker, in consultation with the Bipartisan Legal Advisory Group, is also authorized to intervene, otherwise appear, or take any other steps in any other cases involving the Patient Protection and Affordable Care Act to protect the institutional interests of the House and to defend such Act, the amendments made by such Act to other provisions of law, and any amendments to such provisions, including the provisions ensuring affordable health coverage for those with preexisting conditions. The House authorizes the Office of General Counsel of the House of Representatives, at the direction of the Speaker, to represent the House in any such litigation, and to take such steps as may be appropriate, including the supervision and employment of services of outside counsel, including pro bono counsel, or other experts.

(O) LEGAL ISSUES RELATED TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—The Office of General Counsel is directed to immediately explore all possible legal options for responding to any rulemaking by the United States Department of Agriculture, announced on or after December 20, 2018, to the Supplemental Nutrition Assistance Program involving requirements for able-bodied adults without dependents.

(P) CONGRESSIONAL MEMBER ORGANIZATION TRANSPARENCY REFORM.—

(1) PAYMENT OF SALARIES AND EXPENSES THROUGH ACCOUNT OF ORGANIZATION.—A Member of the House of Representatives and an eligible Congressional Member Organization may enter into an agreement under which—

(A) an employee of the Member's office may carry out official and representational duties of the Member by assignment to the Organization; and

(B) to the extent that the employee carries out such duties under the agreement, the Member shall transfer the portion of the Members' Representational Allowance (MRA) of the Member which would otherwise be used for the salary and related expenses of the employee to a dedicated account in the House of Representatives which is administered by the Organization, in accordance with the regulations promulgated by the Committee on House Administration under paragraph (2).

(2) REGULATIONS.—The Committee on House Administration (hereafter referred to in this subsection as the "Committee") shall promulgate regulations as follows:

(A) USE OF MRA.—Pursuant to the authority of section 101(d) of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5341(d)), the Committee shall prescribe regulations to provide that an eligible Congressional Member Organization may use the amounts transferred to the Organization's dedicated account under paragraph (1)(B) for the same purposes for which a Member of the House of Representatives may use the Members' Representational Allowance, except that the Organization may not use such amounts for franked mail, official travel, or leases of space or vehicles.

(B) MAINTENANCE OF LIMITATIONS ON NUMBER OF SHARED EMPLOYEES.—Pursuant to the authority of section 104(d) of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5321(d)), the Committee shall prescribe regulations to provide that an employee of the office of a Member of the House of Representatives who is covered by an agreement entered into under paragraph (1) between the Member and an eligible Congressional Member Organization shall be considered a shared employee of the Member's office and the Organization for purposes of such section, and shall include in

such regulations appropriate accounting standards to ensure that a Member of the House of Representatives who enters into an agreement with such an Organization under paragraph (1) does not employ more employees than the Member is authorized to employ under such section.

(C) PARTICIPATION IN STUDENT LOAN REPAYMENT PROGRAM.—Pursuant to the authority of section 105(b) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 4536(b)), relating to the student loan repayment program for employees of the House, the Committee shall promulgate regulations to provide that, in the case of an employee who is covered by an agreement entered into under paragraph (1) between a Member of the House of Representatives and an eligible Congressional Member Organization and who participates in such program while carrying out duties under the agreement—

(i) any funds made available for making payments under the program with respect to the employee shall be transferred to the Organization's dedicated account under paragraph (1)(B); and

(ii) the Organization shall use the funds to repay a student loan taken out by the employee, under the same terms and conditions which would apply under the program if the Organization were the employing office of the employee.

(D) ACCESS TO HOUSE SERVICES.—The Committee shall prescribe regulations to ensure that an eligible Congressional Member Organization has appropriate access to services of the House.

(E) OTHER REGULATIONS.—The Committee shall promulgate such other regulations as may be appropriate to carry out this subsection.

(3) ELIGIBLE CONGRESSIONAL MEMBER ORGANIZATION DEFINED.—In this subsection, the term "eligible Congressional Member Organization" means, with respect to the One Hundred Sixteenth Congress, an organization meeting each of the following requirements:

(A) The organization is registered as a Congressional Member Organization with the Committee on House Administration.

(B) The organization designates a single Member of the House of Representatives to be responsible for the administration of the organization, including the administration of the account administered under paragraph (1)(B), and includes the identification of such Member with the statement of organization that the organization files and maintains with the Committee on House Administration.

(C) At least 3 employees of the House are assigned to perform some work for the organization.

(D) During the One Hundred Fifteenth Congress, at least 15 Members of the House of Representatives used a portion of the Members' Representational Allowance of the Member for the salary and related expenses of an employee who was a shared employee of the Member's office and the organization.

(E) The organization files a statement with the Committee on House Administration and the Chief Administrative Officer of the House of Representatives certifying that it will administer an account in accordance with paragraph (1)(B).

(G) NON-DISCLOSURE AGREEMENTS.—Any non-disclosure agreement imposed by any employing or contracting authority in the House of Representatives to which a paid or unpaid employee or contractor is or was required to agree as a term of employment shall—

(1) provide clear guidance that the employee or contractor may communicate concerning any matter with the Committee on Ethics, the Office of Congressional Workplace Rights, or any other office or entity

designated by the Committee on House Administration without prior, concurrent, or subsequent notice or approval; and

(2) not be binding and shall have no legal effect to the extent to which it requires prior, concurrent, or subsequent notice or approval from anyone on any matter with respect to communications from an employee or contractor to any of the committees, offices, or entities described in paragraph (1).

(R) REQUIRING MEMBERS TO PAY FOR DISCRIMINATION SETTLEMENTS.—

(1) IN GENERAL.—In the case of a settlement of a complaint under the Congressional Accountability Act of 1995 in connection with a claim alleging a violation described in paragraph (2) which is committed personally by a Member, Delegate, or Resident Commissioner, if the Member, Delegate, or Resident Commissioner is not required under law to reimburse the Treasury for the amount of the settlement, the chair and ranking minority member of the Committee on House Administration may not approve the settlement pursuant to clause 4(d)(2) of rule X unless, under the terms and conditions of the settlement, the Member, Delegate, or Resident Commissioner is required to reimburse the Treasury for the amount of the settlement.

(2) VIOLATIONS DESCRIBED.—A violation described in this paragraph is—

(A) a violation of section 201(a) or section 206(a) of the Congressional Accountability Act of 1995; or

(B) a violation of section 207 of such Act which consists of intimidating, taking reprisal against, or otherwise discriminating against any covered employee under such Act because of a claim alleging a violation described in subparagraph (A).

(S) MANDATORY ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICIES FOR HOUSE OFFICES.—

(1) REQUIRING OFFICES TO ADOPT POLICY.—Each employing office of the House of Representatives under the Congressional Accountability Act of 1995 shall adopt an anti-harassment and anti-discrimination policy for the office's workplace.

(2) REGULATIONS.—Not later than April 1, 2019, the Committee on House Administration shall promulgate regulations to carry out this section, and shall ensure that such regulations are consistent with the requirements of the Congressional Accountability Act of 1995, rule XXIII, and other relevant laws, rules, and regulations.

(T) DISPLAYING STATEMENT OF RIGHTS AND PROTECTIONS PROVIDED TO HOUSE EMPLOYEES.—The Committee on House Administration shall issue regulations to provide that each employing office of the House of Representatives shall post in a prominent location in the office (including, in the case of the office of a Member, Delegate, or the Resident Commissioner, a prominent location in each district office) a statement of the rights and protections provided to employees of the House of Representatives under the Congressional Accountability Act of 1995, including the procedures available to employees of the House under such Act for responding to and adjudicating allegations of violations of such rights and protections.

#### SEC. 104. COMMITTEES, COMMISSIONS, AND HOUSE OFFICES.

(a) HOUSE DEMOCRACY PARTNERSHIP.—House Resolution 24, One Hundred Tenth Congress, shall apply in the One Hundred Sixteenth Congress in the same manner as such resolution applied in the One Hundred Tenth Congress except that the commission concerned shall be known as the House Democracy Partnership.

(b) TOM LANTOS HUMAN RIGHTS COMMISSION.—

(1) IN GENERAL.—Sections 1 through 7 of House Resolution 1451, One Hundred Tenth

Congress, shall apply in the One Hundred Sixteenth Congress in the same manner as such provisions applied in the One Hundred Tenth Congress, except that—

(A) the Tom Lantos Human Rights Commission may, in addition to collaborating closely with other professional staff members of the Committee on Foreign Affairs, collaborate closely with professional staff members of other relevant committees;

(B) the resources of the Committee on Foreign Affairs which the Commission may use shall include all resources which the Committee is authorized to obtain from other offices of the House of Representatives; and

(C) any amounts authorized to provide full-time professional staff and resources to the Tom Lantos Human Rights Commission shall be in addition to and separate from the overall budget authorization for the Committee on Foreign Affairs as provided by resolution of the House, shall be administered by the Committee on Foreign Affairs, and shall be distributed equally between the co-chairs of the Commission.

(2) **FUNDING.**—For the expenses of the Commission, including the expenses of full-time professional staff and other resources, there shall be paid, out of the applicable accounts of the House of Representatives, not more than \$52,000, to be available during the period beginning at noon on January 3, 2019, and ending on March 31, 2019. The amounts provided under this paragraph shall be administered by the Committee on Foreign Affairs in the same manner as amounts provided for the expenses of such Committee by resolution of the House, and shall be distributed equally between the co-chairs of the Commission.

(c) **OFFICE OF CONGRESSIONAL ETHICS.**—Section 1 of House Resolution 895, One Hundred Tenth Congress, shall apply in the One Hundred Sixteenth Congress in the same manner as such provision applied in the One Hundred Tenth Congress, except that—

(1) the Office of Congressional Ethics shall be treated as a standing committee of the House for purposes of section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i));

(2) references to the Committee on Standards of Official Conduct shall be construed as references to the Committee on Ethics;

(3) any requirement for concurrence in section 1(b)(1) shall be construed as a requirement for consultation;

(4) the second sentence of section 1(b)(6)(A) shall not apply;

(5) members subject to section 1(b)(6)(B) may be reappointed for a third additional term;

(6) any individual who is the subject of a preliminary review or second-phase review by the board shall be informed of the right to be represented by counsel and invoking that right should not be held negatively against such individual; and

(7) the Office may not take any action that would deny any person any right or protection provided under the Constitution of the United States.

(d) **OFFICE OF DIVERSITY AND INCLUSION.**—

(1) **ESTABLISHMENT.**—There is established an Office of Diversity and Inclusion of the House of Representatives (hereafter in this clause referred to as the “Office”).

(2) **DIRECTOR.**—The Speaker, in consultation with the Minority Leader, shall appoint a Director of the Office from recommendations provided by the chair of the Committee on House Administration in consultation with the ranking minority member of such committee.

(3) **OPERATIONAL PLAN.**—Not later than 60 days after the appointment of the Director of the Office, the Office shall submit to the Committee on House Administration an

operational plan for the Office that shall include, consistent with applicable House rules, regulations, and law, a plan for appointing and establishing duties for staff of the Office which shall set forth a proposed maximum number of staff.

(4) **DIVERSITY PLAN.**—Not later than 90 days after submitting the operational plan under paragraph (3), the Office shall submit a diversity plan to the Committee on House Administration for the committee's review and approval, and shall include in the plan the following:

(A) Policies to direct and guide House employing offices to recruit, hire, train, develop, advance, promote, and retain a diverse workforce, consistent with applicable House rules, regulations, and law.

(B) The development of a survey, in consultation with the Committee on House Administration, to evaluate diversity in House employing offices.

(C) A framework for the House of Representatives diversity report required by paragraph (5).

(D) A proposal for the composition of an Advisory Council that shall, as necessary, inform the work of the Office.

(E) Any additional components as determined by the Committee on House Administration.

(5) **DIVERSITY REPORT.**—At the end of each session of Congress, the Office shall submit a House of Representatives diversity report to the Speaker, the Majority Leader and Minority Leader, the chair and ranking minority member of the Committee on House Administration, and the chair and ranking minority member of the Subcommittee on the Legislative Branch of the Committee on Appropriations.

(6) **REGULATIONS.**—The Office shall carry out its duties pursuant to regulations issued by the Committee on House Administration.

(7) **DEFINITION.**—In this subsection, the term “House employing office” means—

(A) the official office of a Member, Delegate, or the Resident Commissioner;

(B) each committee of the House and each joint committee; and

(C) any other office of the House.

(e) **OFFICE OF THE WHISTLEBLOWER OMBUDSMAN.**—

(1) **ESTABLISHMENT.**—There is established an Office of the Whistleblower Ombudsman, to be headed by the Whistleblower Ombudsman.

(2) **APPOINTMENT.**—The Whistleblower Ombudsman shall be appointed by the Speaker in consultation with the chairs and ranking minority members of the Committee on House Administration and the Committee on Oversight and Reform.

(3) **DUTIES.**—The Whistleblower Ombudsman, under the direction of the Committee on House Administration, and in consultation with any other standing committee and the Permanent Select Committee on Intelligence (at the request of the chair or ranking minority member of such other committee), shall—

(A) promulgate best practices for whistleblower intake for offices of the House; and

(B) provide training for offices of the House on whistleblower intake, including establishing an effective reporting system for whistleblowers, maintaining whistleblower confidentiality, advising staff of relevant laws and policies, and protecting information provided by whistleblowers.

(f) **SELECT COMMITTEE ON THE CLIMATE CRISIS.**—

(1) **ESTABLISHMENT; COMPOSITION.**—

(A) **ESTABLISHMENT.**—There is hereby established a Select Committee on the Climate Crisis (hereinafter in this subsection referred to as the “Select Committee”).

(B) **COMPOSITION.**—The Select Committee shall be composed of 15 Members, Delegates, or the Resident Commissioner appointed by the Speaker, of whom 6 shall be appointed on the recommendation of the Minority Leader. The Speaker shall designate one member of the Select Committee as its chair. A vacancy in the membership of the Select Committee shall be filled in the same manner as the original appointment.

(2) **JURISDICTION; FUNCTIONS.**—

(A) **LEGISLATIVE JURISDICTION.**—The Select Committee shall not have legislative jurisdiction and shall have no authority to take legislative action on any bill or resolution.

(B) **INVESTIGATIVE JURISDICTION.**—The sole authority of the Select Committee shall be to investigate, study, make findings, and develop recommendations on policies, strategies, and innovations to achieve substantial and permanent reductions in pollution and other activities that contribute to the climate crisis which will honor our responsibility to be good stewards of the planet for future generations. The Select Committee may, at its discretion, hold public hearings in connection with any aspect of its investigative functions.

(3) **PROCEDURE.**—(A) Except as specified in subparagraph (B), the Select Committee shall have the authorities and responsibilities of, and shall be subject to the same limitations and restrictions as, a standing committee of the House, and shall be deemed a committee of the House for all purposes of law or rule.

(B)(i) Rules X and XI shall apply to the Select Committee where not inconsistent with this subsection.

(ii) Service on the Select Committee shall not count against the limitations in clause 5(b)(2) of rule X.

(iii) Clause 2(m)(1)(B) of rule XI, clause 2(m)(3) of rule XI, and section 103(a) of this resolution shall not apply to the Select Committee, but the Select Committee may recommend subpoenas and depositions and submit such recommendations to the relevant standing committee.

(iv) Clause 2(d) of rule X shall not apply to the Select Committee.

(4) **FUNDING.**—To enable the Select Committee to carry out the purposes of this section—

(A) the Select Committee may use the services of staff of the House; and

(B) the Select Committee shall be eligible for interim funding pursuant to clause 7 of rule X.

(5) **REPORTING.**—The Select Committee may report to the House or any committee of the House from time to time the results of its investigations and studies, together with such detailed findings and policy recommendations as it may deem advisable. All such reports shall be submitted to the House by December 31, 2020. All policy recommendations shall be submitted to the relevant standing committees not later than March 31, 2020.

(6) **PUBLICATION.**—The Select Committee shall ensure that reports and proposals prepared in accordance with this subsection shall, upon completion, be made available to the general public in widely accessible formats not later than 30 calendar days following the respective dates for completion set forth in paragraph (5).

## SEC. 105. ORDERS OF BUSINESS.

(a) The Speaker may recognize a Member, Delegate, and the Resident Commissioner for the reading of the Constitution on any legislative day during the first session of the One Hundred Sixteenth Congress.

(b) It shall be in order at any time through the legislative day of January 17, 2019, for the Speaker to entertain motions that the



House suspend the rules as though under clause 1 of rule XV. The Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section.

(c) The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of January 8, 2019, relating to a measure making or continuing appropriations for the fiscal year ending September 30, 2019.

## **TITLE II—SELECT COMMITTEE ON THE MODERNIZATION OF CONGRESS**

### **SEC. 201. SELECT COMMITTEE ON THE MODERNIZATION OF CONGRESS.**

(a) **ESTABLISHMENT.**—There is hereby established a Select Committee on the Modernization of Congress (hereinafter in this section referred to as the “Select Committee”).

(b) **COMPOSITION.**—

(1) The Select Committee shall be composed of 12 Members, Delegates, or the Resident Commissioner appointed by the Speaker.

(2) The Speaker shall appoint members of the Select Committee as follows:

(A) At least 2 members from among Members, Delegates, or the Resident Commissioner serving in their first term.

(B) At least 2 members from the Committee on Rules.

(C) At least 2 members from the Committee on House Administration.

(3) Of the members of the Select Committee appointed pursuant to paragraph (1), 6 shall be appointed on the recommendation of the Minority Leader, including 1 member each as described in subparagraphs (A) through (C) of paragraph (2).

(4) The Speaker shall designate one member of the Select Committee as chair, and, upon recommendation of the Minority Leader, shall designate one member of the Select Committee as vice chair.

(5) A vacancy in the membership of the Select Committee shall be filled in the same manner as the original appointment.

(c) **JURISDICTION; FUNCTIONS.**—

(1) **LEGISLATIVE JURISDICTION.**—The Select Committee shall not have legislative jurisdiction and shall have no authority to take legislative action on any bill or resolution.

(2) **INVESTIGATIVE JURISDICTION.**—The sole authority of the Select Committee shall be to investigate, study, make findings, hold public hearings, and develop recommendations on modernizing Congress, including recommendations on—

(A) rules to promote a more modern and efficient Congress;

(B) procedures, including the schedule and calendar;

(C) policies to develop the next generation of leaders;

(D) staff recruitment, diversity, retention, and compensation and benefits;

(E) administrative efficiencies, including purchasing, travel, outside services, and shared administrative staff;

(F) technology and innovation; and

(G) the work of the House Commission on Congressional Mailing Standards.

(d) **PROCEDURES.**—

(1)(A) Except as specified in subparagraph (B), the Select Committee shall have the authorities and responsibilities of, and shall be subject to the same limitations and restrictions as, a standing committee of the House, and shall be deemed a committee of the House for all purposes of law or rule.

(B)(i) Rules X and XI shall apply to the Select Committee where not inconsistent with this section.

(ii) Service on the Select Committee shall not count against the limitations in clause 5(b)(2) of rule X.

(iii) Clause 2(m)(1)(B) of rule XI, clause 2(m)(3) of rule XI, and section 103(a) of this resolution shall not apply to the Select Committee, but the Select Committee may recommend subpoenas and depositions and submit such recommendations to the relevant standing committee.

(iv) Clause 2(d) of rule X shall not apply to the Select Committee.

(2) During the first session of the One Hundred Sixteenth Congress, the Select Committee shall hold a hearing at which it receives testimony from Members, Delegates, and the Resident Commissioner on matters described in subsection (c).

(e) **FUNDING.**—To enable the Select Committee to carry out the purposes of this section—

(1) the Select Committee may use the services of staff of the House; and

(2) the Select Committee shall be eligible for interim funding pursuant to clause 7 of rule X.

(f) **REPORTS.**—

(1) **INTERIM STATUS REPORT.**—Every 90 days, the Select Committee shall provide an interim status report on its activities to the Committee on House Administration and the Committee on Rules. Each interim status report must include transcripts of the Select Committee's proceedings, itemized reporting of its expenditures, and a proposed plan for the next 90 days.

(2) **FINDINGS AND RECOMMENDATIONS.**—The Select Committee may report to the House or any committee from time to time the results of its investigations and studies, together with such detailed findings and policy recommendations as it may deem advisable. The Select Committee may only submit any such report if the report receives the votes of not fewer than 2/3 of its members.

(3) **FINAL REPORT.**—At the conclusion of the first session of the One Hundred Sixteenth Congress, the Select Committee shall submit a final report to the House. The final report shall include the results of the Select Committee's studies, detailed findings, and any policy recommendations as the select committee may deem advisable. The Select Committee may only submit the report if the report receives the votes of not fewer than 2/3 of its members. The Select Committee shall submit all policy recommendations included in the report to relevant standing committees.

(4) **PUBLICATION.**—The Select Committee shall ensure that reports prepared in accordance with paragraphs (2) and (3) shall, upon completion, be made available to the general public in widely accessible formats not later than 30 calendar days following the date any such report is made available to the House or a committee, as applicable.

(g) **TERMINATION; DISPOSITION OF RECORDS.**—

(1) **TERMINATION.**—The Select Committee shall terminate on February 1, 2020.

(2) **DISPOSITION OF RECORDS.**—Upon its termination, the records of the Select Committee shall be transferred to, and shall become part of, the records of such standing committees as the Speaker may designate.

## **TITLE III—INTERVENTION IN LITIGATION INVOLVING PATIENT PROTECTION AND AFFORDABLE CARE ACT**

### **SEC. 301. FINDINGS.**

The House of Representatives finds the following:

(1) Texas, Wisconsin, Alabama, Arkansas, Arizona, Florida, Georgia, Indiana, Kansas, Louisiana, Governor Paul LePage of Maine, Mississippi (by and through Governor Phil Bryant), Missouri, Nebraska, North Dakota,

South Carolina, South Dakota, Tennessee, Utah, and West Virginia have filed suit in the United States District Court for the Northern District of Texas, arguing that the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119) is unconstitutional and should be enjoined by asserting that the Act's requirement to maintain minimum essential coverage (commonly known as the “individual responsibility provision”) in section 5000A(a) of the Internal Revenue Code of 1986, is unconstitutional following the amendment of that provision by the Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018 (Public Law 115-97) (commonly known as the “Tax Cuts and Jobs Act”).

(2) These State and individual plaintiffs also seek to strike down the entire Patient Protection and Affordable Care Act as not severable from the individual responsibility provision.

(3) On June 7, 2018, the Department of Justice refused to defend the constitutionality of the amended individual responsibility provision, despite the well-established duty of the Department to defend Federal statutes where reasonable arguments can be made in their defense.

(4) The Department of Justice not only refused to defend the amended individual responsibility provision, but affirmatively argued that this provision is unconstitutional and that the provisions of the Patient Protection and Affordable Care Act guaranteeing issuance of health insurance coverage regardless of health status or preexisting conditions (commonly known as the “guaranteed issue provision”) found in sections 2702, 2704, and 2705(a) of the Public Health Service Act (42 U.S.C. 300gg-1, 300gg-3, 300gg-4(a)) and prohibitions on discriminatory premium rates (commonly known as the “community rating provision”) found in sections 2701 and 2705(b) of the Public Health Service Act (42 U.S.C. 300gg(a)(1), 300gg-4(b)) must now be struck down as not severable from the individual responsibility provision.

(5) The district court recently held that the individual responsibility provision is unconstitutional and that all of the remaining provisions of the Patient Protection and Affordable Care Act are inseverable and therefore invalid.

(6) Up to 133 million nonelderly Americans have some type of preexisting health condition, such as, but not limited to, diabetes, high cholesterol, cancer, arthritis, and asthma, that could affect their insurance.

(7) Prior to the Patient Protection and Affordable Care Act and the enactment of protections such as guaranteed issue and community rating, millions of Americans were denied health insurance coverage, were unable to obtain coverage of necessary medical services, or were priced out of the individual market due to preexisting conditions.

(8) Without such protections for preexisting conditions, millions of Americans could once again lose access to affordable, comprehensive health insurance.

(9) More than 13 million Americans who gained coverage in States that expanded Medicaid eligibility under the Patient Protection and Affordable Care Act could lose coverage if the Act were struck down in its entirety.

(10) More than 2 million young adults who gained coverage under a provision of the Patient Protection and Affordable Care Act allowing individuals under the age of 26 to stay on their parents' insurance could lose coverage if the Act were struck down in its entirety.

(11) More than 8.9 million low and middle-income Americans who received tax credits averaging \$520 per month to help pay for

health insurance in the individual market under the Patient Protection and Affordable Care Act could lose coverage if the Act were struck down in its entirety.

(12) An estimated 105 million Americans who now enjoy coverage without lifetime limits due to the Patient Protection and Affordable Care Act could once again face lifetime limits on their benefits if the Act were struck down in its entirety.

(13) Nearly 12 million Medicare beneficiaries who received an average of \$2,200 in savings on prescription drugs due to the closing of the Medicare prescription drug donut hole under the Patient Protection and Affordable Care Act would face rising drug costs if the Act were struck down in its entirety.

#### SEC. 302. AUTHORIZING LEGAL ACTION BY HOUSE.

(a) **AUTHORIZATION.**—The Speaker, on behalf of the House of Representatives, is authorized to intervene, otherwise appear, or take any other steps in the case of *Texas v. United States*, No. 4:18-cv-00167-O (N.D. Tex.) and in any appellate proceedings arising from such case. The Speaker, in consultation with the Bipartisan Legal Advisory Group, is also authorized to intervene, otherwise appear, or take any other steps in any other cases involving the Patient Protection and Affordable Care Act to protect the institutional interests of the House and to defend such Act, the amendments made by such Act to other provisions of law, and any amendments to such provisions, including the provisions ensuring affordable health coverage for those with preexisting conditions.

(b) **ROLE OF GENERAL COUNSEL.**—The Office of General Counsel of the House of Representatives, at the direction of the Speaker, shall represent the House in any litigation pursuant to this title. The Office of General Counsel may employ the services of outside counsel, including pro bono counsel, or other experts for this purpose.

(c) **REPORTS ON AMOUNTS EXPENDED.**—The chair of the Committee on House Administration shall cause to be printed in the Congressional Record a statement setting forth the aggregate amounts expended by the Office of General Counsel on outside counsel and other experts pursuant to this title on a quarterly basis, and such statement shall be submitted for printing not more than 30 days after the expiration of each such quarter.

The SPEAKER pro tempore. Pursuant to House Resolution 5, the question shall be divided among each of the three titles of House Resolution 6. The previous question is ordered on each portion of the divided question, except as specified in sections 2 and 3 of House Resolution 5.

The portion of the divided question comprising title I is now debatable for 30 minutes.

The gentleman from Maryland (Mr. HOYER) and the gentleman from California (Mr. MCCARTHY) each will control 15 minutes.

The Chair recognizes the gentleman from Maryland.

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

Mr. Speaker, this rules package was developed under the leadership of Chairman MCGOVERN and Democrats on the Rules Committee, but shaped by the voices of millions of Americans who want to see change in Washington.

Elections, of course, have consequences, and today Americans will see the first changes that are the result

of entrusting Democrats with a majority in the House.

This rules package will restore power to the American people in five critical ways:

- A, restoring the people's voices;
- B, fixing the legislative process;
- C, improving oversight and ethics;
- D, imposing commonsense budget rules; and
- E, promoting inclusion and diversity.

We will seek to restore the people's voices, Mr. Speaker, in a number of ways. The first is by bringing H.R. 1 to the floor early in this new Congress, legislation that will begin to undo the corrupting influence of undisclosed money in our politics.

I want to thank my colleague from Maryland, Congressman JOHN SARBANES, for his tireless efforts on that bill and look forward to bringing it to the floor.

Next, Delegate ELEANOR HOLMES NORTON from the District of Columbia, the Resident Commissioner from Puerto Rico, and Delegates in the territories will once again be permitted to vote on amendments and help shape legislation as they seek to add the voices of millions of people they represent.

We will also end the practice of allowing appropriations bills to target hardworking Federal employees by cutting individual salaries, programs, or office sizes.

In fixing the broken legislative process, Mr. Speaker, Democrats will restore regular order to the House.

Our new rules package will make it harder to throw the House into partisan chaos, and it includes new measures that facilitate bipartisanship, including by making it easier to force a vote on legislation supported by a majority of Members.

Our rules improve oversight and ethics in several ways, including, for example, by making it easier for staff to report harassment, and close remaining loopholes allowing conflicts of interest.

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Also, Mr. Speaker, no longer will Members or staff be allowed to serve on corporate boards, giving rise to conflicts of interest.

Democrats will return to commonsense budget practices, such as eliminating Republicans' use of dynamic scoring and reinstating the Gephardt rule to prevent the default on our debt. The rules package, Mr. Speaker, also takes a step toward restoring paygo, which ensures that Congress has to pay for what it buys.

Additionally, our rules package promotes diversity and inclusion by specifically banning discrimination against lesbian, gay, bisexual, and transgender Members and staff, as well as ensuring that Members and staff who wear religious head coverings can do so on the House floor without impediment. We also are creating an independent diversity office to help Mem-

bers hire qualified staff who reflect the broad and diverse range of the constituents that we represent.

Mr. Speaker, this rules package signals a new start for the House. We will go from the most closed Congress in history to a period when Americans finally have a House that is on their side. With these rules, Mr. Speaker, we will make government work again for those it serves. Hopefully, Mr. Speaker, they will also facilitate a process that will not close down the people's government.

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

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

Mr. Speaker, I rise as the designee of the Republican leader, and I thank my good friend, the majority leader, for yielding me 15 minutes.

Mr. Speaker, a couple of hours ago, we had a spirited debate that also reflected the way I hope both sides proceed and intend to approach the next 2 years: disagreeing without being disagreeable. In that respect, today represents a good start for the new Congress.

Mr. Speaker, earlier today, I had an opportunity to speak on the rules package my Democratic friends are proposing for the 116th Congress. I laid out most of what I had to say then, but I want to reiterate a few key points.

First, while, on the whole, I will be opposing this package, I do want to commend my friends for including some good bipartisan pieces that Republicans certainly can support. We support, for example, continuing the practice of Member Day hearings. We support the idea of a Select Committee on the Modernization of Congress, which we will discuss in more detail tomorrow. We are hopeful about other measures, such as the 72-hour rule for posting bill text and the proposed Consensus Calendar. We look forward to seeing how these proposals work in practice.

Of course, my Democratic friends are also proposing a number of measures that we oppose. They are removing key fiscal responsibility measures like CutGo, the supermajority for raising income taxes; bringing back the so-called Gephardt rule; and deeming the debt limit to be suspended upon passage of a new budget by only the House. These changes will undoubtedly lead to more spending, more taxes, and more debt being piled on the American people.

We also oppose the granting of the Speaker the authority to intervene in the *Texas v. United States* lawsuit over the legality of the Affordable Care Act and the unspecified grant of authority to do something, anything, about regulations that the Department of Agriculture has not yet issued on SNAP benefits for able-bodied adults. Most notably, we oppose the new partisan Select Committee on the Climate Crisis with a supermajority of Democrats, in contrast to the agreed upon ratio on



other committees, and unclear funding and costs.

While I continue to hope that, on our side, we proceed appropriately, I do not believe this rules package represents the best way to govern this institution. The Democrats have chosen today to increase spending, add a partisan select committee to the institution, and pave the way to pass tax and spend legislation. I do not believe these rules meet the lofty goals we aspire to meet of transparency, bipartisanship, and ensuring minority views are heard.

For these reasons, and for others that I stated earlier today, I urge opposition to the measure.

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

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

Mr. Speaker, while I regret that the gentleman opposes the rule, I appreciate his bipartisanship and his hope, which I share, that we will proceed in a fashion that will make the American people proud. Very frankly, we can be proud of ourselves for accomplishing that which the American people want accomplished.

Mr. Speaker, I yield to my friend from Massachusetts, Mr. JIM MCGOVERN, the chairman of the Rules Committee, to complete our side of the argument. He has done such an extraordinary job in putting these rules together.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume, and I thank the majority leader for yielding me the time.

Mr. Speaker, a rules package may seem like some arcane technicality, a simple legislative move on the opening day of a Congress, but it is really much more than that. This is our first opportunity to declare what kind of institution this House will be. I am proud that, through collaboration and conversation, we have drafted a rules package that boldly declares that it is a new day for Congress.

This package reflects the diversity of our new majority. Ideas are included here from Members that represent urban and rural parts of the country, longtime leaders and those who have taken the oath of office for the very first time today. We come from different backgrounds and have been elected here on different platforms. But each of us shares the same goal: making this place work again, not just function better legislatively, though that is important, but also respond more urgently to the needs of the people that we represent.

That is why this rules package sets up consideration of H.R. 1, historic reforms to clean up money in politics. It creates the Select Committee on the Climate Crisis. It strengthens representation by giving voting rights to Delegates and the Resident Commissioner in the Committee of the Whole and ensures that they can be appointed to joint committees. It prohibits Members and staff from serving on boards of

publicly traded companies. It eliminates CutGo and creates the first ever diversity office. I can go on and on and on.

This rules package isn't some totally partisan document. It includes ideas from my friends on the other side of the aisle, too, because when I said at the start of this process that I wanted to hear from all Members, I meant it. Good ideas were included here regardless of what side of the aisle they come from. Changes like creating a Consensus Calendar to move ideas with broad support more quickly to the floor, reforming the motion to vacate the Chair, and striking the 3-day rule for committee markups are here because we took such a collaborative approach, and this package is stronger for it.

Make no mistake, no one abandoned their principles. I am a progressive, and I know the Republican minority would never agree with me on priorities like healthcare or the environment. There are things here I know they wouldn't put in their own package. But in talking to each other to see where we agreed, there was actually agreement on many legislative reforms.

I know that there are many Members here who will think of more ideas for how to improve this place, and I want to hear them, and our leadership does, too. That is why we are creating a truly bipartisan Select Committee on Modernizing Congress, so our efforts don't stop here today. These conversations can continue, and good ideas can keep moving forward.

There has never been a process like this to develop a rules package. This has been unprecedented, and we have a historic set of reforms here as a result. They send a signal to the American people and Members here that the 116th Congress will be different, that it is a new era, that we are abandoning procedures that didn't work, and we are adopting new ideas.

This Democratic majority is giving all Members a voice. We are listening to the American people, and we are holding this administration accountable. This will be a more accommodating institution as a result, a more responsive House and a place that looks more like the real world.

That is what is at the heart of what we are debating. Right here, on day one, we have a chance to vote to be a different kind of Congress, one that turns the page on the past and charts a new course.

The American people demanded a new direction by a 10 million vote margin. I know my colleagues in the majority want to see one, too, and even some of my Republican friends acknowledge that something has to change, so this is our chance. I strongly urge my colleagues to take this opportunity. Let's vote for this rules package and give Members and the American people the Congress that they deserve.

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

Mr. COLE. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Arkansas (Mr. WOMACK), my good friend.

Mr. WOMACK. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I rise today in opposition to H. Res. 6. I appreciate the gentleman from Massachusetts (Mr. MCGOVERN) and the new majority leadership including items of budget process reform in this package, to include eliminating term limits for the House Budget Committee members. There are other things that we did, as a joint bipartisan committee, and tried to get across the finish line but were unable to do so. Perhaps we can work on some of those.

Mr. Speaker, for the few bright spots that H. Res. 6 has, they in no way make up for the shortcomings. This package does not rise to fiscal responsibility.

First, it includes a new iteration of the Gephardt rule, which has been spoken about, that makes increasing the debt limit even easier by automatically passing debt limit increases without separate debate and vote.

The package also replaces the existing budget enforcement rule known as CutGo with a paygo rule that was in place when Democrats passed many programs in the past, like ObamaCare, that added to our country's debt burden. To be clear, paygo does not encourage fiscal discipline under a Democratic majority.

Finally, Mr. Speaker, H. Res. 6 reduces the threshold for passage of income tax increases on hardworking Americans from three-fifths to a simple majority vote. I am not surprised that the first step that the Democrats take in this process is surrendering the obligation to approve increases to the debt and enacting rules that make it easier to borrow and raise taxes.

Mr. Speaker, I urge my colleagues to vote against this rules package.

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

Mr. Speaker, in response to the gentleman, we had a CBS News report posted today that the U.S. Treasury shows that the national debt ended in 2018 more than \$2 trillion larger than on the day President Trump took office.

With all due respect to my friends on the other side of the aisle, your CutGo didn't work. It is a sham. What the majority presided over are record-breaking deficits, increases in the deficit and in the debt, so I think we need to take a very different approach.

Mr. Speaker, I include in the RECORD a section-by-section analysis of the changes H. Res. 6 will make to the standing rules of the 115th Congress and the separate orders taking effect for the 116th Congress.

H. RES. 6  
ADOPTING THE RULES FOR THE 116TH  
CONGRESS  
SECTION-BY-SECTION ANALYSIS  
TITLE I. RULES OF THE ONE HUNDRED  
SIXTEENTH CONGRESS

*Section 101. Adoption of the Rules of the One Hundred Fifteenth Congress.*

This section provides that the Rules of the 115th Congress are the Rules of the 116th Congress, except for the amendments contained in section 102 of the resolution and orders contained in the resolution.

*Section 102. Changes to the Standing Rules.*

Notification of Convening of the House. Subsection (a) clarifies that Delegates and the Resident Commissioner must be notified of action regarding the convening of the House pursuant to clause 12 of rule I.

Voting by Delegates and the Resident Commissioner in the Committee of the Whole. Subsection (b) extends the same powers and privileges of Members to Delegates and the Resident Commissioner when in the Committee of the Whole. The subsection also provides that any recorded vote in the Committee of the Whole, decided within a margin where the Delegates and the Resident Commissioner may have had a decisive impact on the final outcome of the vote, will be re-conducted in the House.

Allowing Delegates and the Resident Commissioner to Serve on Joint Committees. Subsection (c) provides that Delegates and the Resident Commissioner may serve on joint committees.

Admittance to the Hall of the House. Subsection (d) adds Delegates-elect, the Resident Commissioner-elect, contestants in elections for Delegate or the Resident Commissioner, and Governors of the Territories to the list of people who are permitted in the Hall of the House.

Office of Speaker. Subsection (e) amends rule IX to provide that a resolution causing a vacancy in the Office of Speaker shall be privileged if offered at the direction of a party caucus or conference. This change does not otherwise alter the application of rule IX to privileged resolutions. A resolution causing a vacancy in the Office of Speaker offered at the direction of a party caucus or conference remains subject to the notice and debate procedures in clause 2(a) of rule IX. This change does not apply to a resolution reported as privileged by the Committee on Ethics pursuant to clause 5(a)(5) of rule XIII.

Designating Committee on Oversight and Reform. Subsection (f) changes the name of the Committee on Oversight and Government Reform to the Committee on Oversight and Reform.

Designating Committee on Education and Labor. Subsection (g) changes the name of the Committee on Education and the Workforce back to the Committee on Education and Labor.

Education and Labor Jurisdiction Clarification. Subsection (h) clarifies that the Committee on Education and Labor's jurisdiction includes the general management of the Department of Education and the general management of the Department of Labor. This change is intended to clarify the Committee's existing jurisdiction over the organization and administration of the departments, and it not intended to alter jurisdiction over programs within the departments.

Committee Oversight Plans. Subsection (i) amends the requirements for committee oversight plans. The subsection requires the chair of each standing committee (with the exception of the Committees on Appropriations, Ethics, and Rules), in consultation with the ranking minority member, to pre-

pare and submit an oversight plan to the Committees on House Administration and Oversight and Reform by March 1 of the first session of a Congress. Finally, the Committee on Oversight and Reform, in consultation with House leadership of both parties, is required to submit the oversight plans to the House by April 15th of the first session of a Congress with any recommendation it has for the effective coordination of oversight plans.

The subsection favors the standard of previous Congresses over the 115th Congress, requiring an oversight plan as opposed to the 115th Congress's new authorization and oversight plan. The March 1st submission deadline is an extension from the prior February 15th deadline. The subsection also replaces the requirement for a committee meeting on the plan with a requirement that the chair consult with the ranking minority member, make the plan available to each member of the committee for at least seven calendar days, and include any committee member's views received before the submission deadline. This subsection also modifies which committees will initially receive these plans, removing the Committee on Appropriations. Finally, the Committee on Oversight and Reform's April 15th submission deadline to the House is in line with the subsection's new timeline.

Activity Reports. Subsection (j) amends language in clauses 1(d)(2)(B) and 1(d)(2)(C) of Rule XI referencing authorization and oversight plans to conform with the changes described in subsection (i).

Oversight Over the Executive Office of the President. Subsection (k) clarifies the Committee on Oversight and Reform's existing special oversight authority over all operations of government.

Oversight and Reform Committee Depositions. Subsection (l) removes the requirement that Members be present during counsel-led depositions, returning to the standard of the 111th Congress.

Removing Certain Committee Term Limits. Subsection (m) removes term limits for committee chairs as well as members of the Committee on the Budget.

Rules of Committees. Subsection (n) extends the deadline for committees to make their rules available to the public from 30 days to 60 days after the chair's election at the beginning of a Congress. This change is intended to grant committees adequate time to organize, as some committees do not have a full complement of members at the start of a Congress.

Committee Markup Notice. Subsection (o) modifies the three-day notification requirement for committee markups by specifying that Saturdays, Sundays, or legal holidays, except when the House is in session, do not count toward fulfillment of the notification requirement.

Annual Ethics Training. Subsection (p) extends the annual ethics training requirement to all Members, Delegates, and the Resident Commissioner. The previous rule required new Members, Delegates, and Resident Commissioner to attend ethics training, and staff to attend ethics training annually.

Considering Criminal Trial Evidence in Ethics Investigation. Subsection (q) authorizes the Committee on Ethics to consider as evidence the transcripts and exhibits from trial where a Member, Delegate, or the Resident Commissioner was convicted by a court of record for a crime related to the subject of the investigation by the Committee on Ethics.

Consensus Calendar. Subsection (r) creates a Consensus Calendar, and mandates that the Speaker must designate, and the House must consider, at least one measure on the Consensus Calendar during any week in

which the House convenes (except at the beginning and the end of a Congress). The designation is accomplished via an announcement from the chair immediately prior to a measure's consideration. Measures may be considered in any manner otherwise available under the rules to satisfy this requirement.

This subsection also provides that, to be eligible for placement on the Consensus Calendar, a measure must accumulate 290 cosponsors, and must not have been reported by its primary committee of jurisdiction. Once this cosponsorship threshold is reached the sponsor of the measure may, while the House is in session, submit to the Clerk a written motion to place the measure on the Consensus Calendar. If the above-mentioned conditions have been met, the Clerk will note the motion's submission in the Congressional Record of that day, and enter the motion on a comprehensive list of Consensus Calendar Motions (which will be viewable on the Clerk's website). Once a measure that was the subject of a properly filed motion has maintained 290 cosponsors for a cumulative total of 25 legislative days, it is placed on the Consensus Calendar, where it remains until it is considered in the House or reported by its primary committee. The 25-legislative day count begins on the legislative day after a proper motion is filed, and the required 25 legislative days need not run contiguously to be counted. Any day on which the measure has less than 290 cosponsors shall not count towards the 25-day cumulative total. A Consensus Calendar motion is considered withdrawn if the measure that is the subject of such motion is reported by its primary committee before the measure has been placed on the Consensus Calendar. However, once the measure has been placed on the Consensus Calendar it remains there even if it falls below 290 cosponsors after such placement.

Recorded Votes in Rules Committee Reports. Subsection (s) provides that the requirement for recorded votes to be depicted in committee reports applies to reports from the Committee on Rules on a rule, joint rule, or the order of business only to the maximum extent practicable, due to the constricted timeframe under which such reports are prepared and filed. This change is intended to ensure special rules—and thus the floor schedule—cannot be delayed due to a typographical error in the recorded votes depiction.

72-Hour Text Availability. Subsection (t) requires that legislative text be made publicly available for a full 72 hours before it is considered in the House. Previously, legislative text could not be considered before "the third day" on which it had been available to Members, Delegates, and the Resident Commissioner. The new 72-hour availability requirement would apply to the same types of text to which the former three-day availability rules applied: reports accompanying measures or matters (clause 4(a)(1) of rule XIII); unreported bills and joint resolutions (clause 11 of rule XXI); conference reports (clause 8(a)(1)(A) of rule XXII); and amendments reported from conference in disagreement (clause 8(b)(1)(A) of rule XXII). In all cases, the 72-hour clock would begin to run at the time that the relevant text is made available electronically. The additional language inserted in clause 4(a)(1) of rule XIII regarding the proposed text of a report is intended to ensure that, in the case of reports, the 72-hour clock will begin to run at the time the proposed content of a report (other than any supplemental, minority, additional, or dissenting views described in clause 2(1) of rule XI) is made available electronically. It is important to note that the 72-hour availability period for a committee report is calculated differently than the two-day period

for filing supplemental, minority, additional, or dissenting views. As a result, there is the potential that the two periods could conflict if proposed report text is made available prior to the filing of the report. Therefore, any committee making the report available electronically must also make any such views available electronically promptly after they are submitted to the committee to avoid the possibility that the House would consider a measure prior to the availability of the complete accompanying report.

**Macroeconomic Analysis.** Subsection (u) removes the requirement that the Congressional Budget Office and Joint Committee on Taxation make assumptions, to the extent practicable, regarding changes in macroeconomic variables (often called “dynamic scoring”) when preparing estimates on the budgetary effects of major legislation.

**Discharge Petitions.** Subsection (v) amends the discharge petition process. The subsection expands the number of days on which motions to discharge, following a perfected discharge petition, may be considered by removing the provision that currently restricts motions to discharge to the second and fourth Mondays of a month. Instead, the subsection requires the Speaker to schedule the consideration of a privileged motion to discharge within two legislative days after the day on which a Member who signed the discharge petition announces to the House an intention to offer a motion to discharge. A motion to discharge may only be called up by the Member who gave notice under this rule.

**Private Calendar.** Subsection (w) expands the availability of the discretionary call of the Private Calendar beyond the third Tuesday of a month, permitting the Speaker or a designee to call up eligible private measures on any day with sufficient notice. The subsection requires the measure to have been on the Private Calendar for at least seven days, after which the Speaker or a designee may announce to the House an intention to call up the measure. That measure then may be called up two legislative days after the legislative day on which the announcement is made, after the disposal of such business on the Speaker's table as requires reference only. The level of specificity in timing is intended to ensure that the Official Objectors are able to be on the Floor at the appropriate day and time.

**Religious Headdress.** Subsection (x) clarifies and maintains the existing prohibition on wearing hats in the Hall of the House, while making express that this prohibition does not include religious headwear. The language for this clarification is modeled on the statutory provision providing for proper decorum during the Pledge of Allegiance, 4 U.S.C. 4.

**Quorum in the Committee of the Whole.** Subsection (y) clarifies that Delegates and the Resident Commissioner count when establishing a quorum in the Committee of the Whole and when determining if the requisite number are present to request a recorded vote therein. The subsection also instructs the Chair to include Delegates and the Resident Commissioner when determining if Members are provided adequate opportunity to vote. This change conforms clause 6 of rule XVIII to the changes made to the House rules in subsection (b).

**Two-Minute Voting in the Committee of the Whole.** Subsection (z) provides the Chair of the Committee of the Whole with additional discretion to reduce votes to two minutes, if in the discretion of the Chair Members, Delegates, and the Resident Commissioner would be afforded an adequate opportunity to vote.

**Postponability of Certain Votes.** Subsection (aa) provides that any vote on an

amendment in the House is postponable, as is a vote on ordering the previous question thereon.

**Discretion for Five-Minute Votes.** Subsection (bb) provides the Speaker with additional discretion to reduce votes to 5 minutes, if in the discretion of the Speaker Members would be afforded an adequate opportunity to vote.

**Net Increase in Budget Authority.** Subsection (cc) removes the point of order prohibiting amendments to general appropriation bills that propose a net increase in the level of budget authority in a bill. This will allow amendments that increase spending without offsetting that increase, so long as the amendment does not cause the bill to exceed 302(a) or 302(b) budget allocations.

**Removing Supermajority Vote.** Subsection (dd) removes the requirement that the House agree by at least a 3/5 supermajority in order to raise revenue through additional Federal income taxes. The subsection also removes the requirement that any such measure receives an automatic record vote, and provides a technical fix to a cross-reference in clause 5(a)(2) of rule XXI.

**Pay-As-You-Go Point of Order.** Subsection (ee) reinstates the PAYGO rule from the 111th Congress, with changes to conform with the recent practice of tying the measurement timeline to the calendar year, rather than the last completed budget resolution. As in the 111th Congress, this provision establishes a point of order against any measure that has a net effect of increasing the deficit or reducing the surplus for the current fiscal year, the budget year, and up to nine fiscal years following that budget year. The subsection stipulates that the net budgetary effects of a measure will be determined by the non-partisan Congressional Budget Office (CBO) but provides that if a measure is considered pursuant to a special order that instructs the Clerk of the House to add the measure to another measure passed by the House, then the net budgetary effects of the entire package will be considered. Finally, the subsection provides for exemptions, given an emergency designation.

**Banning Discrimination on the Basis of Sexual Orientation or Gender Identity.** Subsection (ff) adds to the Code of Official Conduct a prohibition on discrimination by any Member, Delegate, Resident Commissioner, officer, or employee of the House on the basis of sexual orientation or gender identity.

**Banning Sexual Relationships Between Members and Committee Staff.** Subsection (gg) extends the prohibition on sexual relationships between members (including Delegates and the Resident Commissioner) and their employees to include members who serve on a committee on which a staffer works, even if that staffer is not his or her direct employee.

**Service of Indicted Members in Leadership and on Committees.** Subsection (hh) adds to the Code of Official Conduct the standard that a Member, Delegate, or Resident Commissioner who has been indicted or formally charged with criminal conduct for a felony offense punishable by at least two years in prison should resign from any committee on which he or she serves, and step aside from any party caucus or conference leadership position the Member, Delegate, or Resident Commissioner holds, until he or she is acquitted or the charges are dismissed or reduced below the previously described threshold.

**Banning Members, Officers, and Employees from Sitting on Corporate Boards.** Subsection (ii) prohibits Members, Delegates and the Resident Commissioner, officers, and employees of the House from serving as an officer or director of any public company, effec-

tive January 1, 2020. The subsection also requires the Committee on Ethics to develop regulations by December 31, 2019, addressing other types of prohibited service or positions that could lead to conflicts of interest.

**Suspension of the Debt Limit.** Subsection (jj) provides that when the House adopts a budget resolution, a separate joint resolution suspending the Federal debt limit through September 30 of the budget year is deemed to have passed the House by the same vote and is engrossed separately and sent to the Senate.

#### Section 103. *Separate Orders.*

**Deposition Authority.** Subsection (a) provides the Permanent Select Committee on Intelligence and each standing committee of the 116th Congress (except for the Committee on Rules) the authority to order the taking of a deposition by a member or counsel of such committee. Members, Delegates, and the Resident Commissioner may participate in all such depositions, but their presence is not required. Depositions taken under this authority are subject to regulations issued by the chair of the Committee on Rules and printed in the Congressional Record.

**Providing for Transparency with Respect to Memorials Submitted Pursuant to Article V of the Constitution of the United States.** Subsection (b) carries forward provisions from the 115th Congress that clarify the procedures of the House regarding the receipt of Article V memorials from the States by directing the Clerk to make each memorial, designated by the chair of the Committee on the Judiciary, electronically available, organized by State of origin and year of receipt, and indicate whether the memorial was designated as an application or rescission.

In carrying out this subsection, it is expected that the chair of the Committee on the Judiciary will be solely charged with determining whether a memorial purports to be an application of the legislature of a state calling for a constitutional convention or rescission of prior applications. The Clerk's role will be entirely administrative. The chair of the Committee on the Judiciary will only designate memorials from state legislatures (and not petitions from individuals or other parties), as it is only state legislatures that are contemplated under Article V of the Constitution.

In submitting each memorial to the Clerk, the chair of the Committee on the Judiciary will include a transmission letter that indicates it has been designated under this subsection of House Resolution 6. The Clerk will make publicly available the memorial and the transmission letter from the chair. Ancillary documentation from the state or other parties is not expected to be publicized.

The chair of the Committee on the Judiciary is also permitted to designate memorials from Congresses prior to the 116th Congress to be made publicly available under the same procedure.

**Limitation on Advance Appropriations.** Subsection (c) prohibits fiscal year 2019 general appropriation bills or measures continuing appropriations for fiscal year 2019 from making advance appropriations, apart from exceptions designated by the chair of the Committee on the Budget.

**Exercise Facilities for Former Members.** Subsection (d) continues the prohibition on access to any exercise facility that is made available exclusively to Members, Delegates, the Resident Commissioner, former Members, former Delegates, former Resident Commissioners, officers, and former officers of the House and their spouses to any former Member, former Delegate, former Resident Commissioner, former officer, or spouse who is a lobbyist registered under the Lobbying Disclosure Act of 1995.

Numbering of Bills. Subsection (e) reserves the first 10 numbers for bills (H.R. 1 through H.R. 10) for assignment by the Speaker and the second 10 numbers (H.R. 11 through H.R. 20) for assignment by the Minority Leader.

Inclusion of Citations for Proposed Repeals and Amendments. Subsection (f) continues from the 115th Congress a requirement, to the maximum extent practicable, for parallel citations for amendatory instructions to Public Laws and Statutes at Large that are not classified in the U.S. Code.

Broadening Availability of Legislative Documents in Machine-Readable Formats. Subsection (g) continues from the 115th Congress a requirement to instruct the appropriate officers and committees to continue to advance government transparency by taking further steps to publish documents of the House in machine-readable formats.

Subcommittees. Subsection (h) waives clause 5(d) of rule X to allow the Committee on Agriculture up to six subcommittees, which is consistent with authorities in the 114th and 115th Congresses, and the Committee on Financial Services up to seven subcommittees.

Requiring Committee Hearing and Markup on Bills and Joint Resolutions. Subsection (i) provides, effective March 1, 2019, a point of order against the consideration of a bill or joint resolution pursuant to a special order of business reported by the Committee on Rules if such measure has not been reported by at least one committee. The provision also provides a point of order against any bill or joint resolution reported by committee if the report does not contain a list of relevant committee and subcommittee hearings, which includes the designation of at least one such hearing that was used to develop or consider the underlying measure. Finally, the provision provides exceptions to the points of order for continuing resolutions, measures that contain specified emergency designations pursuant to the Balanced Budget and Emergency Deficit Control Act, and measures on the Consensus Calendar designated for consideration pursuant to clause 7(a) of rule XV.

Member Day Hearing Requirement. Subsection (j) requires each standing committee (except for the Committee on Ethics) to hold a Member Day Hearing during the first session of the 116th Congress to hear testimony from Members, Delegates, and the Resident Commissioner—whether or not they are a member of the committee—on proposed legislation within its jurisdiction. The subsection permits the Committee on Rules to hold its Member Day Hearing during the second session, in order to receive testimony on proposed changes to the standing rules for the next Congress.

Empaneling Investigative Subcommittee of the Committee on Ethics. Subsection (k) reinstates House Resolution 451 from the 110th Congress, directing the Committee on Ethics to empanel an investigative subcommittee or issue a report within 30 days of the date a Member, Delegate, or the Resident Commissioner is indicted or criminal charges are filed. The subsection updates any references in House Resolution 451 to the Committee on Standards of Official Conduct to be references to the Committee on Ethics.

War Powers Resolution. Subsection (l) expressly provides that any motion to discharge a measure introduced pursuant to section 6 or section 7 of the War Powers Resolution would not be subject to a motion to table. House action on similar House procedures has made it unclear as to whether such a motion to table would be available. The order serves to provide certainty for all Members, Delegates, and the Resident Commissioner on this procedure.

Budget Matters. Subsection (m) reestablishes that the allocations, aggregates, and

other appropriate levels contained in the statement of the chair of the Committee on the Budget of May 10, 2018, as adjusted during the 115th Congress, are effective pending the adoption of an FY19 budget resolution. The subsection also provides that the provisions of House Concurrent Resolution 71 from the 115th Congress, effective pursuant to section 30104(f)(1) of the Bipartisan Budget Act of 2018, will no longer be in effect except for sections 5201, 5202, 5203, and 5401.

Legal Issues Related to the Patient Protection and Affordable Care Act. Subsection (n) authorizes the Speaker, on behalf of the House, to intervene, otherwise appear, or take any other steps in *Texas v. United States*, No. 4:18-cv-00167-0 (N.D. Tex.), or any other case involving the constitutionality or legality of any provision of the Patient Protection and Affordable Care Act, including provisions ensuring affordable health coverage for those with preexisting conditions.

Legal Issues Related to the Supplemental Nutrition Assistance Program. Subsection (o) directs the Office of General Counsel of the House of Representatives to explore all possible legal options for responding to any rulemaking by the United States Department of Agriculture, on or after December 20, 2018, to the Supplemental Nutrition Assistance Program involving requirements for able-bodied adults without dependents.

Congressional Member Organization Transparency Reform. Subsection (p) allows participating Members to enter into agreements with eligible Congressional Member Organizations for the purpose of payment of salaries and expenses and expands the definition of Congressional Member Organizations from the 114th and 115th Congresses. The subsection requires that for the organization to be eligible during the 116th Congress, the organization must register with the Committee on House Administration, designate a single Member to be responsible for the administration of the organization, have at least 3 employees assigned to perform some work for the organization, and had at least 15 Members during the 115th Congress using a portion of their Members' Representational Allowance (MRA) to pay for the salaries and expenses of the organization.

Non-Disclosure Agreements. Subsection (q) provides that Non-Disclosure Agreements required by offices as a condition of employment for paid or unpaid staff or contractors cannot require notice or approval for employees to communicate with the Committee on Ethics, the Office of Congressional Workplace Rights, or any other office or entity designated by the Committee on House Administration; and that Non-Disclosure Agreements must also provide clear guidance to that effect.

Requiring Members to Pay for Discrimination Settlements. Subsection (r) requires a Member, Delegate, or the Resident Commissioner to reimburse the Treasury for any settlement of a complaint related to a claim alleging a violation by the Member of sections 201(a), 206(a), or 207 of the Congressional Accountability Act of 1995, which cover discrimination based on race, color, religion, sex (which the Equal Employment Opportunity Commission recognizes as including sexual orientation and gender identity), national origin, disability, or an employee's service in the uniformed services, and retaliation for claims alleging such discrimination.

Mandatory Anti-Harassment and Anti-Discrimination Policies for House Offices. Subsection (s) requires each House office to adopt an anti-harassment and anti-discrimination policy. Identical language was passed by the House in House Resolution 724 in the 115th Congress. It requires the Committee on House Administration to issue regulations to carry out the subsection by April 1, 2019.

Displaying Statement of Rights and Protections Provided to House Employees. Subsection (t) directs the Committee on House Administration to issue regulations requiring each House office to prominently display a statement of the rights and protections provided to House employees under the Congressional Accountability Act of 1995, including procedures available to employees for responding to and adjudicating allegations of workplace rights violations. Identical language was passed by the House in the 115th Congress in House Resolution 630.

#### Section 104. Committees, Commissions, and House Offices.

House Democracy Partnership. Subsection (a) reauthorizes the House Democracy Assistance Commission, now known as the House Democracy Partnership.

Tom Lantos Human Rights Commission. Subsection (b) reauthorizes the Tom Lantos Human Rights Commission. The subsection carries forward and makes modest modifications to provisions from the 115th Congress to reaffirm that the commission's budget is in addition to and separate from the House Committee on Foreign Affairs' budget, and to ensure equal distribution of funding between the commission's co-chairs to reflect the bipartisan structure of the commission. It authorizes \$52,000 for staff and resources in the first quarter of 2019.

Office of Congressional Ethics. Subsection (c) reauthorizes the Office of Congressional Ethics (OCE) and carries forward provisions from the 115th Congress without substantive revision.

Office of Diversity and Inclusion. Subsection (d) establishes the Office of Diversity and Inclusion in the House of Representatives. The subsection instructs the Speaker, in consultation with the Minority Leader, to appoint a Director from recommendations provided by the chair of the Committee on House Administration, in consultation with the ranking minority member. The subsection establishes a 60-day deadline after the appointment of the Director for the Office to submit an operational plan to the Committee on House Administration. Within 90 days of submitting the operational plan, the Office is required to submit a diversity plan to the Committee on House Administration for review and approval.

The diversity plan must include: (1) policies to direct and guide House offices to recruit, hire, train, develop, advance, promote and retain a diverse workforce; (2) the development of a survey to evaluate diversity in House offices; (3) a framework for the House of Representatives diversity report; and (4) a proposal for the composition of an Advisory Council to inform the work of the Office.

The subsection also requires the Office to submit a House of Representatives diversity report at the end of each session of Congress to the Speaker, the Majority and Minority Leaders, and the chairs and ranking minority members of the Committee on House Administration and the Subcommittee on the Legislative Branch of the Committee on Appropriations.

Office of the Whistleblower Ombudsman. Subsection (e) establishes an Office of the Whistleblower Ombudsman and authorizes the Speaker, in consultation with the chairs and ranking minority members of the Committees on House Administration and Oversight and Reform, to appoint a Whistleblower Ombudsman. The subsection also instructs the Whistleblower Ombudsman, under the direction of the Committee on House Administration and in consultation with other committees at the request of their chairs, to develop best practices for whistleblower intake for House offices and provide trainings to House offices on how to

safely receive information from whistleblowers.

Select Committee on the Climate Crisis. Subsection (f) establishes a Select Committee on the Climate Crisis to investigate, study, make findings, and develop recommendations on policies, strategies, and innovations to achieve substantial and permanent reductions in pollution and other activities that contribute to the climate crisis. The Select Committee is authorized to hold hearings and may report to the House or any committee the results of its investigations and studies, together with any detailed findings and policy recommendations it deems advisable. The subsection requires that it issue all policy recommendations to the relevant standing committees by March 31, 2020 and submit all reports to the House by December 31, 2020.

The Speaker is directed to appoint 15 Members, Delegates, or the Resident Commissioner to serve on the Select Committee and to designate one of its members to serve as the chair. Six of the 15 members must be appointed on the recommendation of the Minority Leader.

The Select Committee will be governed by Rules X and XI, except as provided in the subsection. The subsection does not extend subpoena and deposition authority to the Select Committee, but authorizes the Select Committee to submit subpoena and deposition recommendations to the relevant standing committees.

#### Section 105. Orders of Business.

Subsection (a) allows the Speaker to recognize Members, Delegates, or the Resident Commissioner for the reading of the Constitution on any legislative day during the first session of the 116th Congress.

Subsection (b) grants the Speaker authority to consider bills under suspension of the rules through the legislative day of January 17, 2019.

Subsection (c) grants the House authority, through the legislative day of January 8, 2019, to adopt a report from the Committee on Rules through a majority vote on the same day it is filed, if the resolution reported is related to a measure making or continuing appropriations for the fiscal year ending September 30, 2019.

#### TITLE II. SELECT COMMITTEE ON THE MODERNIZATION OF CONGRESS.

Title II establishes a Select Committee on the Modernization of Congress to investigate, study, make findings, hold public hearings, and develop recommendations on modernizing Congress. Topics for investigation include: (1) rules to promote a more modern and efficient Congress; (2) procedures including the schedule and calendar; (3) policies to develop the next generation of leaders; (4) staff recruitment, diversity, retention, and compensation and benefits; (5) administrative efficiencies; (6) technology and innovation; and (7) the Franking Commission.

The title requires the Select Committee to provide interim status reports to the Committee on House Administration and the Committee on Rules. It authorizes the Select Committee to report the results of investigations and studies to the House on a rolling basis, along with detailed findings and policy recommendations, and requires a final such report at the end of the first session of the 116th Congress. All policy recommendations must be agreed to by at least 2/3 of the Select Committee's members.

The Speaker is directed to appoint 12 Members, Delegates, or the Resident Commissioner to serve on the Select Committee, including two members serving in their first term, two members of the Committee on Rules, and two members from the Committee

on House Administration. Six of the 12 members must be appointed on the recommendation of the Minority Leader, including one member from each of the three described categories. The Speaker is directed to designate a chair, and, on the recommendation of the Minority Leader, a vice chair.

The Select Committee will be governed by Rules X and XI, except as provided in the subsection. The subsection does not extend subpoena and deposition authority to the Select Committee, but authorizes the Select Committee to submit subpoena and deposition recommendations to the relevant standing committees. The Select Committee is required to hold a Member Day Hearing.

#### TITLE III. INTERVENTION IN LITIGATION INVOLVING PATIENT PROTECTION AND AFFORDABLE CARE ACT.

Title III authorizes the Speaker, on behalf of the House, to intervene, otherwise appear, or take any other steps, in the case *Texas v. United States*, No. 4:18-cv-00167-O (N.D. Tex.), in any appellate proceedings arising from such case. In addition, Title III authorizes the Speaker, in consultation with the Bipartisan Legal Advisory Group, to intervene, otherwise appear, or take any other steps in any other cases involving the Patient Protection and Affordable Care Act, to protect the institutional interests of the House and to defend such act and the amendments made by such Act to other provisions of law, and any amendments to such provisions, including the provisions ensuring affordable health coverage for those with pre-existing conditions.

The title directs the Office of General Counsel of the House of Representatives to represent the House in any such litigation and authorizes the Office of General Counsel to employ the services of outside counsel, including pro bono counsel, or other outside experts.

The title also requires the chair of the Committee on House Administration to print in the Congressional Record the aggregate amounts expended on outside counsel and other experts within 30 days of the end of each quarter.

This title is included to protect the institutional interests of the House of Representatives in litigation involving the Patient Protection and Affordable Care Act, given that the Department of Justice has not only refused to defend provisions of the law, but has affirmatively argued that certain provisions are unconstitutional.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. GOTTHEIMER), someone we worked with very closely on this rules package.

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

Mr. Speaker, I rise today in support of our new rules package that will help get more broadly based bipartisan legislation to the floor for debate and a vote.

Both in New Jersey and in Washington, D.C., people are frustrated that Congress can't get things done. Whether it is completing the critical Gateway project back home in between New York and New Jersey, getting healthcare premiums down, cutting red tape, or lowering our taxes, commonsense ideas with broad bipartisan support often never make it to the House floor because a handful of splinter obstructionists use old-school tricks to block commonsense ideas.

After years of hearing these complaints in diners and town halls at

home, a group I co-chair called the Problem Solvers Caucus, comprised of half Democratic and half Republican Members, 7 months ago called for a reform package to break the gridlock.

Especially in this era of a divided Congress, where we have a Democratic House and a Republican Senate and White House, to get things done, Congress will have to work together to deliver legislation with broad support. Whether that is fixing our infrastructure or getting healthcare costs down, we are going to have to work together.

Today, we will take the first step with both Republicans and Democrats voting on the rules package that includes many of the Problem Solvers' break the gridlock ideas, including the new Consensus Calendar and modernizing the motion to vacate and discharge petition.

The changes that we are making will also allow a full 3 days for us to actually read legislation before we vote on it, letting us have a full understanding of what we are voting on—just commonsense. We are also requiring hearings and markups on major legislation, again, all things that just seem like common sense that we should be doing.

I am deeply proud of this Chamber, and I thank Speaker PELOSI and Chairman MCGOVERN and their excellent teams for their hard work in reforming the House. I thank my co-chair of the Problem Solvers Caucus, Congressman TOM REED from New York, and the whole Problem Solvers Caucus for this big step in their work for a more cooperative, productive, and bipartisan House of Representatives.

□ 1830

Mr. COLE. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN).

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, I thank Chairman MCGOVERN for his leadership and this opportunity.

As the only Member representing Puerto Rico in this Congress, I represent 3.2 million American citizens living on the island, and there are 5.4 million Puerto Ricans living on the mainland.

Today, while we are discussing this resolution that will give Delegates and the Resident Commissioner the opportunity to vote in the Committee of the Whole, one issue that triggers me being here is that our vote would only count if the cast votes are not deciding votes. So we can vote in the Committee of the Whole, as the rule is providing, but if the casting votes are in contest, then you need to do a second round of votes without the territories.

That is like a symbolic vote, and that is the reason the people of Puerto Rico want to become a State. That is the only way we can achieve four Members of Congress representing Puerto Rico in the House, two Members on the Senate side, not just using a symbolic vote in this House.

As a matter of an example, a few minutes ago our names, the territories'

Delegates names were on the board, but we can't vote on regular bills. We can't vote on anything else. So it will look like we are not present during the debates. It will look like we are not present on the floor of the House whenever there is a real discussion on the floor, but our names are still there. We can't vote "yes"; we can't vote "no."

Mr. Speaker, I think it is not a symbolic vote. This is a good step, but we should have the full right to vote.

Mr. McGOVERN. Mr. Speaker, I include in the RECORD a statement on the interpretation of clause 8 of Rule II.

STATEMENT BY CHAIRMAN McGOVERN ON CIVIL ENFORCEMENT OF SUBPOENAS PURSUANT TO HOUSE RULE II(8)(B)

I want to speak regarding House Rule II(8)(b). Pursuant to this provision, the Bipartisan Legal Advisory Group (BLAG) is delegated the authority to speak for the full House of Representatives with respect to all litigation matters. A vote of the BLAG to authorize litigation and to articulate the institutional position of the House in that litigation, is the equivalent of a vote of the full House of Representatives. For example, in the 115th Congress, the BLAG, pursuant to Rule II(8)(b), authorized House Committees to intervene in ongoing litigation. The BLAG has been delegated this authority for all litigation matters, and I want to be clear that this includes litigation related to the civil enforcement of a Committee subpoena. If a Committee determines that one or more of its duly issued subpoenas has not been complied with and that civil enforcement is necessary, the BLAG, pursuant to House Rule II(8)(b), may authorize the House Office of General Counsel to initiate civil litigation on behalf of this Committee to enforce the Committee's subpoena(s) in federal district court.

Mr. McGOVERN. Mr. Speaker, I include in the RECORD a list of all Members and caucuses who offered ideas and proposals for H. Res. 6, and I thank these Members for their contributions.

LIST OF MEMBERS AND CAUCUSES WHO SUBMITTED IDEAS AND PROPOSALS TO H. RES. 6

Mr. Allred of Texas, Mr. Bera of California, Mr. Beyer of Virginia, Ms. Bordallo from Guam, Mr. Brown of Maryland, Mr. Carbajal of California, Ms. Castor of Florida, Mr. Cicilline of Rhode Island, Mr. Coffman of Colorado, Mr. Connolly of Virginia, Mr. Cooper of Tennessee, Mr. Costa of California, Mr. Cummings of Maryland, Mr. Curbelo of Florida, Mr. Deutch of Florida, Ms. Dingell of Michigan, Ms. Esty of Connecticut, Mr. Faso of New York, Mr. Fitzpatrick of Pennsylvania, Mr. Gallagher of Wisconsin.

Mr. Gonzalez of Texas, Ms. Gonzalez-Colon from Puerto Rico, Mr. Gottheimer of New Jersey, Mr. Grijalva of Arizona, Mr. Hastings of Florida, Mr. Himes of Connecticut, Mr. Hoyer of Maryland, Ms. Johnson of Texas, Mr. Joyce of Ohio, Mr. Katko of New York, Mr. Khanna from California, Mr. Kilmer of Washington, Mr. Lance of New Jersey, Mr. Langevin of Rhode Island, Mr. Lipinski of Illinois, Ms. Lofgren of California, Ms. Lowey of New York, Ms. Omar of Minnesota, Ms. Murphy of Florida, Mr. Nadler of New York.

Mr. Nolan of Minnesota, Ms. Norton from the District of Columbia, Mr. O'Halleran of Arizona, Mr. Panetta of California, Ms. Pelosi of California, Mr. Peters of California, Ms. Plaskett from the U.S. Virgin Islands, Mr. Polis of Colorado, Mr. Pocan of Wisconsin, Ms. Radewagen from America Samoa, Mr. Raskin of Maryland, Mr. Reed of New York, Ms. Rice of New York, Mr. Rich-

mond of Louisiana, Ms. Rosen of Nevada, Progressive Caucus, Congressional Black Caucus, Congressional Hispanic Caucus, Democratic Women's Working Group, New Democrat Coalition, Blue Dog Coalition, Congressional Asian Pacific Coalition, Problem Solvers Caucus.

Mr. McGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the chairman of the Rules Committee and I thank the team, all the opportunities that we had to engage in this rules package.

It is a new day, Mr. Speaker, a new day because I am glad that we have opened some opportunity for our Delegates and Commissioners to be able to participate on behalf of their millions of constituents, which did not occur under Republican rule. That is a wonderful new step.

But I do acknowledge the fact that we are \$2 trillion in debt and that the deficit has increased under this administration, and here we are now asking for \$5.2 billion for a border wall.

I am glad that this rules package is transparent and fiscally responsible, but I am most excited about the responsibility for the Patient Protection and Affordable Care Act because, unfortunately, my State, the State of Texas, is leading an ill-fated legislation litigation that would undermine the right of Americans to have good healthcare. It will undermine the protection for those with a preexisting condition. It will undermine the fact that Texas was a poster child for uninsured Americans.

Twenty-five percent of our State was uninsured, and this legislation indicates that our Speaker can intervene on any legislation and/or litigation that interferes with or undermines protecting the American people's healthcare. That is what they voted for. That is why they sent us to the United States Congress. That is why we are here.

And for the many people that suffer that I see in my district, again, the poster child for uninsured Americans, now we have, in this rules package, the ability of our Speaker to stand up for the American people and to fight for the healthcare that they so desire.

So if there is anything in here that I can support—and there are many, many things of transparency—the fact that we now can stand up to protect the Patient Protection and Affordable Care Act is one for this Nation. It is a new day, and our people will survive because of that.

Mr. COLE. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Mr. Speaker, I thank the gentleman from Oklahoma, and I congratulate him on being the ranking member of the Rules Committee. I also congratulate the new chairman of the Rules Committee.

Mr. Speaker, I do speak in opposition to the rule. This authorization for the Speaker of the House to intervene in

any lawsuit, particularly the one in Texas, is not a good idea, not something that I think that we should be pursuing.

The Affordable Care Act has multiple problems. We are forcing people to buy insurance they can't afford, don't understand, and can't use. They are functionally uninsured, and they are out a ton of money to do that.

In addition, the work requirements that the Department of Agriculture is working on after the farm bill was passed, this is something that is important for the administration. We have more jobs than we have workers. People should be working, and it is time to get people back to work.

Finally, the addition of the Gephardt rule but the removal of the requirement that the Senate concur with the House budget before the Gephardt rule goes into effect, this is a dangerous policy and one this House ought to reject.

Mr. McGOVERN. Mr. Speaker, may I inquire how much time I have left.

The SPEAKER pro tempore. The gentleman from Massachusetts has 1¾ minutes remaining.

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

Mr. COLE. Mr. Speaker, may I make the same inquiry as to my time.

The SPEAKER pro tempore. The gentleman from Oklahoma has 8 minutes remaining.

Mr. COLE. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Kansas (Mr. ESTES).

Mr. ESTES. Mr. Speaker, I rise today in strong opposition to H. Res. 6.

Among the many rule changes included, this bill opens the door for Democrats to raise taxes by removing the current requirement of a three-fifths majority of the House of Representatives to pass a tax increase.

At a time when our Nation's debt is \$22 trillion, increasing taxes and government spending will only succeed in further bankrupting our children and grandchildren. For generations, Americans have worked to leave the country better off for their kids and grandkids. Mortgaging our kids' future will not do that.

Following implementation of the Tax Cuts and Jobs Act, our economy has experienced historic growth. Instead of building upon that progress, this bill would allow the Democrats to raise taxes with a simple majority vote, stopping our economy in its tracks.

It is a shame that my colleagues have spent their first day in the majority seeking to change the rules to allow for tax and debt increases. Once this bill is passed, it is all but certain that the Democrats will then use the mechanisms to raise taxes on families in Kansas and across our Nation to pay for increased government spending.

This is a dangerous precedent that should be widely opposed, and I urge my colleagues to vote against this bill.

Mr. McGOVERN. Mr. Speaker, I would just remind the gentleman, in



the last 2 years, the Republicans have exploded the debt by \$2 trillion.

I reserve the balance of my time.

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

Mr. Speaker, in closing, I want to begin by urging all Members to oppose this measure. While the rule package includes some provisions Republicans can certainly support, it, unfortunately, includes too many provisions that we cannot.

The rule package today removes important fiscal responsibility measures from House rules, establishes a partisan climate committee, and grants the Speaker the power to intervene in a lawsuit over the legality of the ACA. Those are all things that my conference, quite frankly, is unanimously opposed to.

I do want to address, just in passing, my friend's discussion about the deficit. I will remind him, when President Obama was in office, that deficit was doubled, actually increased at a faster rate, particularly when my friends were empowered in the first opening 2 years, than it ever has in any peacetime in American history.

The deficit is all too high. I agree with my friends very much on that. I am glad they are born-again deficit hawks. That means they are going to be serious about entitlement reform, because we all know what drives the deficit here, and that is simply the demographic reality of an aging population and an overextended bunch of entitlements.

I actually have a bipartisan bill, which I would encourage my friends to look at, which doesn't dictate an outcome but actually sets up the same sort of process that Democrats and Republicans worked on together in 1983, the last time Social Security was at risk, came to a bipartisan compromise, developed something that restored the fiscal sanity. That is legislation my friend in the former Congress, Mr. DELANEY, and I had for three Congresses. We could never get anybody interested in it on either side of the aisle.

So if my friends want to engage in a virtuous debate about dealing with the deficit, I am all for it. I actually have a bipartisan remedy that I would invite them to look at, and I think it would yield us a very good result and start us down that road. But that is for another day. I want to end on a positive note.

I again want to congratulate my friend from Massachusetts (Mr. MCGOVERN) on his elevation to chairman of the Rules Committee. I know very much, from having worked with him for many years, that he will keep his word because he always has, that he will operate in a manner that is above-board and that is fair and respectful to all, and that he will seriously do what he is committed to do, and that is entertain suggestions from all quarters. I actually have no doubt that he will do that, and I genuinely look forward to having the opportunity to work with him on the committee that he chairs during the next 2 years.

He is going to do, certainly, not only a good job for the people of his conference, but I believe a good job for the people of this institution and for the American people as well.

Mr. Speaker, despite my affections, I do urge a "no" vote on the previous question and "no" on the underlying measure.

I yield back the balance of my time.

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

Mr. Speaker, I want to thank the gentleman from Oklahoma for his kind words, and I hope he knows how much I respect him and how much I admire him.

Mr. Speaker, there are so many people who played a role in crafting these rules, from our historymaking Speaker, who gave us the opportunity to solicit Member feedback, and the many colleagues who spoke with me about their suggestions, to the office of the Parliamentarian and the Office of Legislative Counsel, to our incredible Rules staff. All made important contributions to this package. I want to thank everyone for their involvement. Their work and dedication made these historic rules possible.

We have a unique moment here to implement real reforms, to say no to business as usual and create a better legislative process and make progress on the majority's agenda, while making this House look like the real world. Let's seize this opportunity.

I urge all my colleagues to vote "yes" on this package. Let's restore integrity to this place and get to work on behalf of the people we represent.

And that is not just the view of the majority. I know that many in the minority share that view. We can do better. I look forward to working with the gentleman from Oklahoma and others on the Republican side of the aisle as we move forward in this new session.

Mr. Speaker, I urge everybody to vote "yes" on this great rules package, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 5, the previous question is ordered on the portion of the divided question comprising title I.

The question is on that portion of that divided question.

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

Mr. COLE. 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 234, nays 197, not voting 1, as follows:

[Roll No. 7]

YEAS—234

Adams	Bishop (GA)	Bustos
Aguilar	Blumenauer	Butterfield
Allred	Blunt Rochester	Carbajal
Axne	Bonamici	Cárdenas
Barragán	Boyle, Brendan	Carson (IN)
Bass	F.	Cartwright
Beatty	Brindisi	Case
Bera	Brown (MD)	Casten (IL)
Beyer	Brownley (CA)	Castor (FL)

Castro (TX)	Huffman	Phillips
Chu, Judy	Jackson Lee	Pingree
Cioccine	Jayapal	Pocan
Cisneros	Jeffries	Porter
Clark (MA)	Johnson (GA)	Pressley
Clarke (NY)	Johnson (TX)	Price (NC)
Clay	Kaptur	Quigley
Cleaver	Katko	Raskin
Clyburn	Keating	Reed
Cohen	Kelly (IL)	Rice (NY)
Connolly	Kennedy	Richmond
Cooper	Kildee	Rose (NY)
Correa	Kilmer	Rouda
Costa	Kim	Roybal-Allard
Courtney	Kind	Ruiz
Cox (CA)	Kirkpatrick	Ruppersberger
Craig	Krishnamoorthi	Rush
Crist	Kuster (NH)	Ryan
Crow	Lamb	Sánchez
Cuellar	Langevin	Sarbanes
Cummings	Larsen (WA)	Scanlon
Cunningham	Larson (CT)	Schakowsky
Davids (KS)	Lawrence	Schiff
Davis (CA)	Lawson (FL)	Schneider
Davis, Danny K.	Lee (CA)	Schrader
Dean	Lee (NV)	Schrier
DeFazio	Levin (CA)	Scott (VA)
DeGette	Levin (MI)	Scott, David
DeLauro	Lewis	Serrano
DelBene	Lieu, Ted	Sewell (AL)
Delgado	Lipinski	Shalala
Demings	Loebuck	Sherman
DeSaulnier	Lofgren	Sherrill
Deutch	Lowenthal	Sires
Dingell	Lowe	Slotkin
Doggett	Luján, Ben Ray	Smith (WA)
Doyle, Michael	Luria	Soto
F.	Lynch	Spanberger
Engel	Malinowski	Speier
Escobar	Maloney,	Stanton
Eshoo	Carolyn B.	Stevens
Espallat	Maloney, Sean	Suozi
Evans	Matsui	Swalwell (CA)
Finkenauer	McAdams	Takano
Fitzpatrick	McBath	Thompson (CA)
Fletcher	McCollum	Thompson (MS)
Foster	McEachin	Titus
Frankel	McGovern	Tlaib
Fudge	McNerney	Tonko
Gallego	Meeks	Torres (CA)
Garamendi	Meng	Torres Small
Garcia (IL)	Moore	(NM)
Garcia (TX)	Morelle	Trahan
Golden	Moulton	Trone
Gomez	Mucarsel-Powell	Underwood
Gonzalez (TX)	Murphy	Van Drew
Gottheimer	Nadler	Vargas
Green (TX)	Napolitano	Veasey
Grijalva	Neal	Vela
Haaland	Neguse	Velázquez
Harder (CA)	Norcross	Visclosky
Hastings	O'Halleran	Wasserman
Hayes	Omar	Schultz
Heck	Pallone	Waters
Higgins (NY)	Panetta	Watson Coleman
Hill (CA)	Pappas	Welch
Himes	Pascrell	Wexton
Horn, Kendra S.	Payne	Wild
Horsford	Perlmutter	Wilson (FL)
Houlahan	Peters	Yarmuth
Hoyer	Peterson	

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Abraham	Burgess	Estes
Aderholt	Byrne	Ferguson
Allen	Calvert	Fleischmann
Amash	Carter (GA)	Flores
Amodel	Carter (TX)	Fortenberry
Armstrong	Chabot	Foxx (NC)
Arrington	Cheney	Fulcher
Babin	Cline	Gabbard
Bacon	Cloud	Gaetz
Baird	Cole	Gallagher
Balderson	Collins (GA)	Gianforte
Banks	Collins (NY)	Gibbs
Barr	Comer	Gohmert
Bergman	Conaway	Gonzalez (OH)
Biggs	Cook	Gooden
Bilirakis	Crawford	Gosar
Bishop (UT)	Crenshaw	Granger
Bost	Curtis	Graves (GA)
Brady	Davidson (OH)	Graves (LA)
Brooks (AL)	Davis, Rodney	Graves (MO)
Brooks (IN)	DesJarlais	Green (TN)
Buchanan	Diaz-Balart	Griffith
Buck	Duffy	Grothman
Bucshon	Duncan	Guest
Budd	Dunn	Guthrie
Burchett	Emmer	Hagedorn

Harris	McCarthy	Sensenbrenner
Hartzler	McCaul	Shimkus
Hern, Kevin	McClintock	Simpson
Herrera Beutler	McHenry	Smith (MO)
Hice (GA)	McKinley	Smith (NE)
Higgins (LA)	McMorris	Smith (NJ)
Hill (AR)	Rodgers	Spano
Holding	Meadows	Stauber
Hollingsworth	Meuser	Stefanik
Hudson	Miller	Steil
Huizenga	Mitchell	Steube
Hunter	Moolenaar	Stewart
Hurd (TX)	Mooney (WV)	Stivers
Johnson (LA)	Mullin	Taylor
Johnson (OH)	Newhouse	Thompson (PA)
Johnson (SD)	Norman	Thornberry
Jordan	Nunes	Timmons
Joyce (OH)	Ocasio-Cortez	Tipton
Joyce (PA)	Olson	Turner
Kelly (MS)	Palazzo	Upton
Kelly (PA)	Palmer	Wagner
Khanna	Pence	Walberg
King (IA)	Perry	Walden
King (NY)	Posey	Walker
Kinzinger	Ratcliffe	Walorski
Kustoff (TN)	Reschenthaler	Waltz
LaHood	Rice (SC)	Watkins
LaMalfa	Riggleman	Weber (TX)
Lamborn	Roby	Webster (FL)
Latta	Roe, David P.	Wenstrup
Lesko	Rogers (AL)	Westerman
Long	Rogers (KY)	Williams
Loudermilk	Rooney (FL)	Wilson (SC)
Lucas	Rose, John W.	Wittman
Luetkemeyer	Rouzer	Womack
Marchant	Roy	Woodall
Marino	Rutherford	Wright
Marshall	Scalise	Yoho
Massie	Schweikert	Young
Mast	Scott, Austin	Zeldin

NOT VOTING—1

Smucker

□ 1913

Messrs. JOYCE of Ohio and SCHWEIKERT changed their vote from “yea” to “nay.”

Mr. ROUDA and Ms. SEWELL of Alabama changed their vote from “nay” to “yea.”

So the portion of the divided question compromising title I was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mrs. BEATTY). Pursuant to section 3 of House Resolution 5, further proceedings will be postponed.

#### ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. JEFFRIES. Madam Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 7

*Resolved*, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

- (1) COMMITTEE ON APPROPRIATIONS.—Mrs. Lowey, Chair.
- (2) COMMITTEE ON THE BUDGET.—Mr. Yarmuth, Chair.
- (3) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Pallone, Chair.
- (4) COMMITTEE ON FINANCIAL SERVICES.—Ms. Waters, Chair.
- (5) COMMITTEE ON RULES.—Mr. McGovern, Chair.
- (6) COMMITTEE ON WAYS AND MEANS.—Mr. Neal, Chair.

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

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Ms. CHENEY. Madam Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 8

*Resolved*, That the following named Members be, and are hereby, elected to the following committees of the House of Representatives:

- (1) COMMITTEE ON APPROPRIATIONS.—Ms. Granger.
- (2) COMMITTEE ON THE BUDGET.—Mr. Womack.
- (3) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Walden.
- (4) COMMITTEE ON FINANCIAL SERVICES.—Mr. McHenry.
- (5) COMMITTEE ON RULES.—Mr. Cole.
- (6) COMMITTEE ON WAYS AND MEANS.—Mr. Brady of Texas.

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

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### CONSOLIDATED APPROPRIATIONS ACT, 2019

GENERAL LEAVE

Mrs. LOWEY. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material on H.R. 21, and further, that I may insert in the CONGRESSIONAL RECORD today such material as I may deem explanatory of H.R. 21.

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

There was no objection.

Mrs. LOWEY. Madam Speaker, pursuant to House Resolution 5, I call up the bill (H.R. 21) making appropriations for the fiscal year ending September 30, 2019, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 5, the bill is considered read.

The text of the bill is as follows:

H.R. 21

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Consolidated Appropriations Act, 2019”.

#### SEC. 2. REFERENCES TO ACT.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

#### SEC. 3. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act, printed in the House section of the Congressional Record on or about January 3, 2019 and submitted by the Chair of the Committee on Appropriations of the House of Representatives, shall have the same effect with respect to allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

#### DIVISION A—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes, namely:

##### TITLE I

##### DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

##### MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96-487 (16 U.S.C. 3150(a)), \$1,196,143,000, to remain available until expended, including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), except that amounts from permit processing fees may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations: *Provided*, That of the amounts made available under this heading, \$2,000,000 shall be made available to carry out the Colorado River Basin salinity control program.

In addition, \$39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2019, so as to result in a final appropriation estimated at not more than \$1,196,143,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

##### LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94-579, including administrative expenses and acquisition of lands or waters, or interests therein, \$26,016,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

##### OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and