MAJORITY WHIP

Mr. BOEHNER. Mr. Speaker, as chairman of the Republican conference, I am directed by that conference to notify the House officially that the Republican Members have selected as our majority whip the gentleman from Texas, the Honorable TOM DELAY.

MINORITY WHIP

Mr. BOEHNER. Mr. Speaker, as chairman of the Democratic caucus, I have been directed to report to the House that the Democratic members have selected as minority whip the gentleman from Michigan, the Honorable David E. Bonior.

ELECTION OF CLERK OF THE HOUSE, SERGEANT AT ARMS, CHIEF ADMINISTRATIVE OFFICER, AND CHAPLAIN

Mr. BOEHNER. Mr. Speaker, I offer a privileged resolution (H. Res. 1) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1

Resolved, That Robin H. Carle, of the Commonwealth of Virginia, be, and she is hereby, chosen Clerk of the House of Representatives;

That Wilson S. Livingood, of the Commonwealth of Virginia, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That Scott M. Faulkner, of the State of West Virginia, be, and he is hereby, chosen Chief Administrative Officer of the House of Representatives; and

That Reverend James David Ford, of the Commonwealth of Virginia, be, and he is hereby, chosen Chaplain of the House of Representatives.

Mr. FAZIO. Mr. Speaker, I have an amendment to the resolution, but I request there be a division of the question on the resolution so that we may have a separate vote on the Chaplain.

□ 1420

The SPEAKER. The question will be divided.

The question is on agreeing to that portion of the resolution providing for the election of the Chaplain.

That portion of the resolution was agreed to.

AMENDMENT OFFERED BY MR. FAZIO

Mr. FAZIO. Mr. Speaker, I offer an amendment to the remainder of the resolution offered by the gentleman from Ohio [Mr. BOEHNER].

The Clerk read as follows:

Amendment offered by Mr. FAZIO: That Thomas O'Donnell, of the State of Maryland, be, and he is hereby, chosen Clerk of the House of Representatives;

That George Kundanis, of the District of Columbia, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives; and

That Marti Thomas, of the District of Columbia, be, and she is hereby, chosen Chief Administrative Officer of the House of Representatives.

The SPEAKER. The question is on the amendment offered by the gentleman from California [Mr. FAZIO].

The amendment was rejected.

The SPEAKER. The question is on the remainder of the resolution offered by the gentleman from Ohio [Mr. BOEHNER].

The remainder of the resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair will now swear in the officers of the House. The officers will come forward, please.

The officers-elect presented themselves at the bar of the House and took the oath of office.

The SPEAKER. The gentlemen and gentlewomen are now Members of the 104th Congress. Congratulations.

NOTIFICATION TO SENATE OF ORGANIZATION OF THE HOUSE

Mr. ARMEY. Mr. Speaker, I offer a privileged resolution (H. Res. 2) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 2

Resolved, That the Senate be informed that a quorum of the House of Representatives has assembled; that NEWT GINGRICH, a Representative from the State of Georgia, has been elected Speaker; and Robin H. Carle, a citizen of the Commonwealth of Virginia, has been elected Clerk of the House of Representatives of the One Hundred Fourth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE TO NOTIFY THE PRESIDENT OF THE UNITED STATES OF THE ASSEMBLY OF THE CONGRESS

Mr. ARMEY. Mr. Speaker, I offer a privileged resolution (H. Res. 3) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 3

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

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

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

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

The Clerk read the resolution, as follows:

H. RES. 4

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

MAKING IN ORDER IMMEDIATE CONSIDERATION OF HOUSE RESOLUTION ADOPTING THE RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 104TH CONGRESS

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that it be in order immediately to consider in the House a resolution adopting the rules of the House of Representatives for the 104th Congress; that the resolution be considered as read; that the resolution be debatable initially for 30 minutes, to be equally divided and controlled by the majority leader and the minority leader, or their designees; that the previous question be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question, except that the question of adopting the resolution shall be divided among nine parts, to wit: Each of the eight sections of title I, and then title II; each portion of the divided question shall be debatable separately for 20 minutes, to be equally divided and controlled by the majority leader and the minority leader, or their designees, and shall be disposed of in the order stated, but if the yeas and nays are ordered on the question of adopting any portion of the divided question, the Speaker may postpone further proceedings on that question until a later time during the consideration of the resolution; and, pending the question of adopting the ninth portion of the divided question, it shall be in order to move the previous question thereon, and if the previous question is ordered, to move that the House commit the resolution to a select committee, with or without instructions, and that the previous question be considered as ordered on the motion to commit to final adoption without intervening motion.

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

Mr. BONIOR. Reserving the right to object, Mr. Speaker, under my reservation I would like to ask the gentleman

from Texas [Mr. ARMEY] several questions about his unanimous-consent request.

First of all, does the gentleman's request allow us to offer an amendment to ban gifts by lobbyists?

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

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I say to the gentleman, You are entitled under the rules to offer a germane amendment in your motion to commit if it is ruled by the Parliamentarian that such an amendment is germane.

Mr. BONIOR. Further reserving the right to object, Mr. Speaker, I would propound to my distinguished friend from Texas another question:

Is your request an open amendment process which allows Members the opportunity to offer germane amendments? We have the opportunity to offer germane amendments?

Mr. ARMEY. If the gentleman would yield, I am advised by the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules, that the rule is more open than any we have ever had in the past.

Mr. BONIOR. Is the gentleman saying that no amendments are in order under the request and this is a closed rule?

Mr. ARMEY. If the gentleman would yield, there are plenty of amendments in order.

Mr. BONIOR. Does this afford the minority a right to offer an amendment, I would ask the gentleman from Texas?

Mr. ARMEY. Mr. Speaker, if the gentleman would yield, I am again advised by the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules, that my colleague can include any amendment he wants in the motion to commit so long as it meets the test of germaneness.

Mr. BONIOR. Will we have time to debate the motion to commit?

Mr. ARMEY. I believe under the rules of the House it is a nondebatable motion.

Mr. BONIOR. So we can offer the motion and we cannot debate it?

Mr. ARMEY. If the gentleman would yield, there will be about 3½ hours of debate, and it is the judgment of this Member that there will be plenty of opportunity within that time since time will be allocated to the minority for debate purposes to make the points that the gentleman might want to make related to their motion to commit.

□ 1430

It is a common practice that we used many times when we were in the minority exercising our prerogative to make a motion to commit.

Mr. BONIOR. Mr. Speaker, it is my understanding we will not be able to offer amendments on the motion the gentleman has put forward, and that we will not be able, for instance, to offer the amendment that we wish to offer on the gift ban.

In fact, I would ask another question of my friend. Does this request envision a division of the open-amendment process for the Congressional Accountability Act to be considered at the end of the day?

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

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Perhaps at this point I might address the Speaker and express my wonderment as to whether or not the gentleman is going to make an objection.

Mr. BONIOR. Mr. Speaker, reserving my right to object, let me just say that given that the gentleman has informed the House that he is requesting two completely closed rules, two gag rules, I might add, on the first day of the Congress, I object.

The SPEAKER. An objection has been heard.

The Chair now recognizes the distinguished gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, by direction of the House Republican Conference, since there is no Committee on Rules yet, and the Committee on Rules has not met yet to organize and will not until tomorrow, by direction of the Republican Conference, I call up a privileged resolution and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 5

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the resolution (H. Res. 6) adopting the Rules of the House of Representatives for the One Hundred Fourth Congress. The resolution shall be considered as read. The resolution shall be debatable initially for 30 minutes to be equally divided and controlled by the Majority Leader and the Minority Leader or their designees. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question except as specified in sections 2 and 3 of this resolution.

SEC. 2. The question of adopting the resolution shall be divided among nine parts, to wit: each of the eight sections of title I; and title II. Each portion of the divided question shall be debatable separately for 20 minutes, to be equally divided and controlled by the Majority Leader and the Minority Leader or their designees, and shall be disposed of in the order stated.

SEC. 3. Pending the question of adopting the ninth portion of the divided question, it shall be in order to move that the House commit the resolution to a select committee, with or without instructions. The previous question shall be considered as ordered on the motion to commit to final adoption without intervening motion.

The SPEAKER. The resolution is a matter of privilege. The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for the purposes of debate only, I yield 30 minutes to the distinguished minority leader, or in this case the minority whip, or his designee, pending which I yield myself such time as I may consume.

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

Mr. SOLOMON. Mr. Speaker, the resolution before us is a special rule authorized by the Republican Conference providing for the consideration of a resolution adopting the rules of the House for the 104th Congress.

While such a special rule is not unprecedented, I think the last time it was done was back in 1893. So this is an unusual situation. We have never before had an objection to the rules being brought up by unanimous consent.

As returning Members are aware, ordinarily the resolution adopting House rules at the beginning of a Congress is considered as privileged in the House and subject to just 1 hour of debate, with no amendments, and on up-or-down vote following the vote on the previous question and any motion to commit the resolution.

This special rule allows for a different and more expansive consideration of the House rules resolution.

First, instead of just 1 hour of debate, which is customary in this House and traditional over the years, certainly all of the years I have been here, it provides for a total of 3½ hours of debate, equally divided and controlled by the majority and the minority party.

Second, instead of just one vote on adopting the resolution, the special rule allows for nine separate votes, not counting a vote on committing the resolution. I would again call this to the attention of the Members on that side of the aisle. It allows for nine separate votes, not counting a vote on committing the resolution, which I assume the minority would be offering.

This time will be divided as follows:

First, there will be 30 minutes of general debate on the resolution, equally divided between the majority and the minority.

Second, there will follow 20 minutes of debate each on the eight sections contained in title I of the resolution, and that is the Contract with America: The Bill of Accountability Act.

Mr. Speaker, each of these sections will be subject to a separate vote under an automatic division of the question.

Third, there will be additional 20 minutes of debate on title II of the resolution, containing an additional 23 sections, followed by a separate vote on title II. That is nine votes altogether.

It would be in order for the minority, prior to the final vote on adopting title II of this bill, to offer a motion to commit the resolution.

However, I want to point out that this special rule does not allow for a separate previous question vote on title II. So if the minority wishes to have a previous question vote to alter

the terms of this procedure and make in order additional amendments, it must defeat the previous question on this special rule. They have that prerogative.

We are allowing the minority its traditional previous question vote through this rule, but we are not being so generous as to allow the minority two previous question votes. We are going to be here until 10:30, 11:30, possibly even 2 o'clock in the morning, and we want to expedite this as quickly as possible.

I would also point out in that same regard that the previous question is automatically ordered on the adoption of each of the eight sections in title I.

That means that there will be no separate previous question votes on those sections, nor will there be an opportunity to commit any of those sections, with or without instructions.

That does not mean, Mr. Speaker, that the minority will be precluded in its final motion to commit on title II from revisiting any matter that has been adopted in title I. They can still take that opportunity, if they wish. On the contrary, all of the rules of the House that have been adopted to that point are still subject to further amendment in any motion to commit, and any additional amendments to House rules will be in order as well.

In conclusion, Mr. Speaker, we have designed in this procedure the fairest and most open process on a House rules resolution in over a century in this House. We have allowed over three times as much debate as is usual on opening day, and nine times as many votes.

We will be giving Members on both sides of the aisle an opportunity to separately vote on each of the nine items contained in our Contract with America as embodied in title I. And the minority will retain its usual right to alter this procedure further if it defeats the previous question on this rule, and it will retain its usual right to commit the resolution with a final amendment at the conclusion of debate on title II.

I therefore, Mr. Speaker, urge adoption of this special rule.

Mr. Speaker, I reserve the balance of my time, perhaps for a colloquy with the minority whip.

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

Mr. Speaker, last November, the American people voted for change.

They sent a message to this House, a message of anger and frustration.

We, in our party, have heard that message, the message of working families whose incomes are squeezed, working families who are tired of business as usual, who feel that no one speaks for them.

In the days and weeks and months ahead, we, in the Democratic Party intend to be their voice.

When tax cuts are proposed, we intend to make sure that it is working families who benefit, not the wealthiest few.

In our efforts to balance the budget, we intend to make sure that our seniors are not robbed of their right to Social Security or Medicare, that our children are not deprived of their right to education and practical training for good jobs.

And we intend to make sure that when we talk about reforming this House, those reforms are real, concrete, and that they make a difference. We have seen the symbols of change today. In what is the greatest tribute to, this, the world's greatest democratic institution, the gavel has changed hands. Power has shifted.

The Republican Party has promised an agenda of reform. We, Democrats intend to make sure they keep their promises. Today, we deal with the rules of this House. These issues may seem arcane, removed from the lives of average Americans. But what we do today sends a powerful signal. For today, we define the rules and standards that we, as Members of Congress, are determined to live by.

Most Democrats will support most of the reforms that are being offered. Some of them were our own reforms, reforms that were blocked last year, in a cynical move for partisan advantage by the Republican Party. Some of them are of little consequence. Whether they pass or not makes little difference. But, none of these reforms go far enough. They stop short. They are just window dressing, hiding the real shift in power the Republicans intend to bring about.

The American people voted for change last November. They did not vote to create a Congress that is for sale to the highest bidder. They voted for change. But they did not vote for a Congress where leaders take care of their own private profits before they take care of the public business.

They voted for change. But they did not vote for a Congress that is beholden to multimillionaires. And they did not vote to allow Members of Congress to trade on the public trust, and become millionaires themselves. They did not vote for a Congress that is entangled with special interests or tied to the powerful concerns of foreign corporations.

The American people did not vote to open the doors of Congress to the Power Rangers or the powers that be, but to the power of the average American. With this paltry package of reforms, the Republican Party has shown that they just don't get the message.

We are about to witness the biggest takeover by special interests in the history of the U.S. Congress, and this so-called reform package does nothing to stop it. This rules package is nothing more than a string of broken promises.

After the years of whining and complaining on the Republican side about the damages to democracy of closed rules, what is the first thing they offer us? A closed rule. Not just one closed rule, but a closed rule within a closed rule.

Where is democracy, where is open debate, where is the free flow of ideas? Not one amendment will be able to be offered to anything the Republicans do today. Not one amendment.

This would not matter so much, if the Republicans had offered us real reform. But their package leaves out the single most important effort that could help stop the influence of special interests, a ban on gifts from lobbyists.

Last year, the Republicans ran from reform, and blocked passage of the gift ban bill in the Senate. This year, they are going even further. With this closed rule, with this gag rule, they have prevented a gift ban from being offered as a separate amendment.

We need to defeat the previous question on this gag rule, to provide an open rule that will allow us to get to the real issues of reform, including a ban on gifts from special interests.

This is essentially the same gift ban provision that was passed overwhelmingly last year, Republicans claimed to be for it then, now that they are in control, it is time to get real about reform, and pass this ban on gifts.

In recent weeks, it has become clear that there is a serious loophole in even this major reform. We have discovered that there are backdoors to getting gifts. And one of these back doors is through book deals, with lucrative advances and multimillion dollar royalty contracts.

I will be urging my colleagues to defeat the previous question so that we can offer an open rule which will allow an amendment to directly address this issue of whether a Member of Congress should be allowed to earn millions of dollars in book royalties while employed at the taxpayers expense.

We intend to try to offer an amendment that would cap royalties from any individual book to one-third of a Member's annual salary.

Let me make this very clear: by making this proposal today, we are not trying to discourage Members from writing books. Public officials all the way back to ancient Greece have written books, including many esteemed Members of this body.

But at the same time, no Member should be able to use the prestige of this office to cut a special deal.

No Member of Congress should be allowed to use this office—this public trust—for personal gain. No Member of Congress should make a book deal in one day that equals far more than the average American family earns in their entire lifetime.

A one-third cap on royalties is reasonable. It is more than generous. The public expects us to do no less.

We were not elected to this body to get rich; we're here to do the people's business and that is a full time job.

It is important today that we send the word out across America that we are serious about reform, that this

Congress is not for sale, our offices are not open to the highest bidder.

A vote for the previous question and for this gag rule is a vote to shut out real reform. It is a vote to fling open the doors to special interests. It is a vote to continue the old order.

I urge my colleagues, especially those of you for whom this is your very first vote, those of you who ran on the promise of reform, do not side with the special interest. Let us open the door to real reform. Vote no on the previous question and let's come back with a rule that will allow us to ban gifts from lobbyists and to limit the royalties of Members of Congress.

This House of Representatives is not for sale. Say no to gifts. Say no to excessive book deals. Support an open rule.

□ 1440

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

Mr. SOLOMON. Mr. Speaker, let me yield myself such time as I might consume just briefly.

Mr. Speaker, I would just like to point out to my good friend, the gentleman from Michigan [Mr. BONIOR], and he is a good friend and I have deep respect for him, but I believe, DAVID, that you were a member of the task force on the ethics bipartisan task force that allowed Members to take book royalties from legitimate book firms back, what year was that, back in 1981 or 1982, I believe. 1989, it was even more recent.

But let me just address this rule business, because when Speaker GINGRICH called me before him when we were going to talk about the formation of the new Committee on Rules, he instructed me, along with the other eight Republicans that will make up that committee to be as open and fair and accountable as we possibly can. As the gentleman knows, in recent years under the past two Speakers, we have gone to almost a totally structured rule process, where Members on both sides of the aisle have literally been gagged. The House was not allowed to work its will.

The gentleman knows that conservative Democrats on your side of the aisle complained bitterly about it, people like the gentleman from Minnesota, Tim Penny, and the gentleman from Louisiana, BILL TAUZIN, and others, because they were not allowed to offer amendments on this floor.

Speaker GINGRICH has asked me to be as open and fair as we possible can, and to reverse the fact that 70 percent of all of the rules that came to this floor last year were closed or structured or restricted rules. He has asked us to try to make an open rule process the norm, and not the exception. We are going to do that. I am going to follow his instructions. Now, at this point, let me yield to a Member who served on the Speaker's task force to reform this House. I had the privilege of serving with him. We developed these kinds of reforms that we are offering here today, 8 of them in the contract for America, 23 in title II, all of which are additional reforms to the existing 1993 Democrat rules package that is here.

Mr. Speaker, I yield such time as he may consume to a very distinguished member of the committee, the gentleman from California [Mr. DREIER].

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

□ 1450

Mr. DREIER. I thank my friend, the gentleman from Glens Falls, the soon to be chairman of the Committee on Rules, for yielding me this time, Mr. Speaker.

Let me just say that as I have listened to the words from my very dear friend, the gentleman from Mount Clemens, MI [Mr. BONIOR], who has described this as a closed rule, I have to say that it is absolutely preposterous to claim that what is clearly the most open rule on an opening day in recent congressional history is closed. Now, in the past we have regularly seen basically a single up-or-down vote, but as Speaker GINGRICH said in his remarks earlier, we are going to be today casting votes on eight different provisions, providing Members with the opportunity to look at virtually every aspect of the preamble of our contract with America.

As I listen to the arguments about a closed rule here, I cannot help but think about the fact that nearly every single week during the second session of the 103d Congress I stood right there at that desk and asked the majority leader, the gentleman from Missouri [Mr. GEPHARDT], or his representative, the gentleman from Michigan [Mr. BONIOR], or the gentleman from Maryland [Mr. HOYER], or another Member when we could expect the congressional reform package to get to the House floor.

Mr. Speaker, the response was regularly ''Well, we are hoping that we will be able to get it up first in early spring of 1994.'' Then it was late spring, then early summer, then midsummer then before we adjourned for August, and then after August it was before we adjourned. As we all know very well, at the end of the 103d Congress, we got a little speck and nothing more than that when we passed this rule calling for congressional compliance.

It seems to me that as we look at this issue, this issue is a very important one which we have struggled to get our friends who were formerly in the majority to bring to the House floor, and because of their recalcitrance on the issue of congressional reform over the past 2 years, we are on the opening day bringing these reforms as expeditiously as we possibly can. Why? Because we have debated these throughout virtually every campaign. On every measure that dealt with the issue of congressional reform, I attempted to defeat the previous question, to make in order our congressional reform package, which again had been promised for consideration by the leadership in the past.

I believe very strongly that this rule is going to allow us to have free, fair, and open debate on this extraordinarily important issue, on this extraordinarily important day. I say we have got to get the job of congressional reform completed and completed today, so that we can do what the American people are anticipating from us in the next 100 days.

Mr. BONIOR. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Texas [Mr. BRYANT].

(Mr. BRYANT of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Texas. Mr. Speaker, I would say to the gentleman from California, [Mr. DREIER], he also stood at that desk over there every single day and he condemned closed rules as being a violation of the democratic process, and he promised that if he were in charge we would never again see closed rules.

And where are we today? The first day of the first session of Congress, when you are finally in charge, and the very first rule you bring to the House is a closed rule. Now I would just have to say to the gentlemen from California and New York, Mr. DREIER and Mr. SOLOMON, it is a curious thing to see on the first day of the House these two gentlemen, who took up so much of our time talking about closed rules, to be the authors of a closed rule on the first day of this Congress.

It is indeed also curious that, after so much talk about reform, that they would bring to the House floor today a set of rules that excludes any reference to reform of the process we have today under which lobbyists are permitted to buy gifts, meals, and thinly disguised vacation trips for Members of Congress.

I must say it is especially curious inasmuch as in October the Speaker of the House, Mr. GINGRICH, was on ''Meet the Press'' saying, and I quote, ''I am prepared to pass a bill that bans lobbyists from dealing with Members of Congress in terms of gifts.''

Yet here we are on the first day, the first opportunity to do it, and not only is it not a part of the Republican package, we are prohibited from even offering an amendment to the Republican package to prohibit lobbyists from buying gifts, free meals, and thinly disguised vacations for Members of Congress.

They will not allow us to offer that amendment for a very simple reason, because they know that it would pass overwhelmingly.

The Speaker and his leadership allies fought tooth and nail last year to kill the ban on gifts from lobbyists. They tried to keep the bill from being considered in the House, and when that failed, they encouraged a Senate filibuster which succeeded in killing it,

even though twice it passed the House of Representatives overwhelmingly and with a bipartisan majority. They said they were against it because somehow or another it interfered with the grassroots lobbying.

I have an amendment which we will bring up when this previous question is defeated, which says that gifts will no longer be permitted to be given to Members of Congress in the forms of meals, free trips, free costly golf vacations or anything else from members of the lobby, from the lobbyists.

I urge the new Republican Members, today you will decide whether you are in lock-step with this new Republican majority and the Speaker, or you are committed to the public. If you are committed to the public, vote against the previous question. Let us do the public's business today and prohibit lobbyists from giving gifts, free meals, free vacations, free golf trips, and all other manner of freebies to Members of the House of Representatives.

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

The gentleman from Texas mentioned lockstep. Yes, we Republicans are in lockstep. We are in lockstep with the message that was sent by the American people on November 8, and we are going to accomplish the things they asked us to do.

That means shrinking the size of this Congress by one-third, eliminating 600 jobs, and setting the example for what we will do when we take up the 100 days Contract With America in which we will shrink Government and we will grow the private sector. That is what we are laying the groundwork here today for.

Mr. Speaker, I yield 2½ minutes to the very distinguished member from Sanibel, FL [Mr. GOSS], a member of the Committee on Rules.

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

Mr. GOSS. Mr. Speaker, I thank the very distinguished chairman of the Committee on Rules, the gentleman from New York [Mr. SOLOMON], for yielding me this time.

It is the 4th of January, but it seems like the 4th of July, to me. It is Independence Day. It is Independence Day in this House, as we begin to set ourselves free from the shackles of what America knows is the status quo, business as usual.

I hardly need to remind my colleagues about the Dark Ages, when committee chairmen zealously perpetuated their turfs; when Members missed committee meetings because votes were taken by proxy; when committee meetings could be held in the dead of the night behind closed doors, sometimes locked closed doors, locked to the minority; when Members could come to this floor and apparently wilfully disclose classified information without admonition; when large tax bills could pass on the slimmest of margins and huge spending packages could slide through on a voice vote.

The excesses of Congresses past are well documented. On November 8, Americans sent a message. Well, Mr. Speaker, message received. Limiting the terms of committee chairmen, banning proxy voting, establishing truth in budgeting, reducing staff, opening up and streamlining the committee process, mandating recorded votes on spending bills, these changes today will make this a more responsive and responsible House. By laying this groundwork for a new beginning, we take the first concrete steps toward earning back the trust of the people that we are here to serve.

I am pleased that this rules package includes a simple but important requirement that Members wishing access to classified material sign an oath of secrecy, a powerful change that should increase Members' awareness and accountability where national security is at stake.

At the same time, we are taking major steps to bring sunshine into the daily workings of this House's business and to ensure individual Members' accountability for all of their actions. All around, this is a balanced of package of substantive change.

It is not exclusive. There will be more, and I invite the distinguished gentleman from Texas [Mr. BRYANT] to join me in sponsoring my bill that bans lobbyist-paid travel, if he wants further reform. This is the beginning step.

I urge all of my colleagues to join me in support of these new rules today. It is not the final thing, but it is the most important thing we are going to do, because it is going to show America we are serious about making the changes. Of course, there will be more oncoming. Today it is a good agenda. It is an American agenda, and it is today's agenda, so let us pass it.

Mr. BONIOR. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentlewoman from Texas [Ms. SHEILA JACKSON-LEE].

Ms. JACKSON-LEE. Mr. Speaker, I am a proud new Member of the 104th Congress, and I want to speak just for a moment to my fellow new Members, because we all campaigned for reform. I urge you, do not get cold feet.

I come armed with the Constitution of the United States of America that says ''We, the people of the United States, in order to form a more perfect Union,'' among other things, ''secure the blessings of liberty to ourselves and our posterity,'' not to Congress, not to individual congressional Members, but the people want for themselves the right to live and the right to know that their Congress is not owned and bought.

□ 1500

The American people want reform, not phony reform but real reform. They want to know that the ties of special interests are now really broken. They want to know that the days of free meals and free trips and special privileges are over. They are angry and we did hear their voices. We the Democratic Members heard their voices in November, and today we want to start fresh and anew talking about reform. But we need to go a lot further. If we want to send a real signal that we are really changing Washington, we need to ban gifts from lobbyists and special interests. As Members of Congress, we should not be using public office for private gain. We are here to make change, not to protect the old order. Let us begin by having an open debate. What is wrong with amendments allowing us to raise the voice of the American people? No more closed rules, no more status quo. Let the American people realize that we are not for sale.

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

I would just point out to the gentlewoman, I know she is a freshman Member, but in the last Congress, the 103d Congress, 70 percent of every rule that came to this floor under Speaker Foley was a restricted, closed, or modified rule. We are reversing that through your order, sir, and we will have open rules in this House. We will have openness, fairness, and accountability.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. LINDER], the very distinguished new member of the Committee on Rules.

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

I would like to point out that it is clear what the theme of the day is from your side and, that is, gifts from lobbyists and that is going to appeal not to the people in this body but to the people watching this on C–SPAN.

It is worth noting that after 40 years of rule, including the last 2 when the Democrats had control of both the House and the Senate and also the White House, that this should have been able to have been passed. But this rule is not about gifts from lobbyists. That is a bill to come. This rule does not include amendments for campaign finance reform or parking at Washington National or indeed paid travel from lobbyists. This rule has to do with process, process of how Congress acts, the committees, the staffs, the way we budget. We will deal with those issues at a later date in separate bills. We have done that in the past. We have cooperated in trying to get campaign finance reform to the floor, in trying to get lobbying reform to this House, all in stand-alone, individual bills. Let us be honest about it.

We understand your point of view in the minority, trying to distract Americans' attention from the issue of the day, which is passing a rule by which we live for the next 2 years. This rule deals with process, how Congress conducts itself. Let us contain our comments to that point.

Mr. BONIOR. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas [Mr. DOGGETT].

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

Mr. DOGGETT. Mr. Speaker, like our Republican colleagues as a new Member of this Congress, I came seeking constructive change, and of that change I was most eager to join with our Republican colleagues the concept of opening this House.

Yet at this first opportunity for change, this Republican rules package fails. I do not know what they call a rule in California or New York where you get no amendment and no alternative, but in Texas we call that closed government.

You propose two completely closed rules, two rules that do not allow one new Member, one old Member, one Republican, one Democrat to offer any amendment to this package. More than that, you have done what is unprecedented perhaps in the history of this country, and that is to provide a closed rule within a bill that is brought up under a closed rule.

This is not open government. This is not reform. It is more closed government as usual. This is barring the door, slamming the door shut and actually then barring that door for people to participate in the process of democracy.

It was only a few months ago that the distinguished gentleman from California [Mr. DREIER] suggested that when a closed rule is foisted on this House, the Members are denied the opportunity to represent their constituents. That is no less true today.

You have said that this is a new chapter in the history of this House, but you have made it an edited, indeed a censored chapter. You have said you have changed the course of business in this House, but I would submit, to use the words of the distinguished gentleman from New York, that it is merely shortchange.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume, just to say to Members on that side of the aisle how refreshing it is now to see Members from the Democratic Party standing up and fighting for those minority rights that we fought for for 40 years on this floor. We welcome you into this debate and we are going to open up this House today.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Ohio [Mr. REGULA], one of the senior Members of this House.

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

Mr. REGULA. Mr. Speaker, today is truly a momentous occasion. After serving in the minority for 11 terms, new and historic horizons are being opened as Republicans become the majority party in the House of Representatives for the first time in 40 years.

We are beginning the first day of the 104th Congress with a full schedule of much-needed internal reforms in the House of Representatives. We will vote on eight separate reforms including a reduction of committee staff by one-third, requiring that committee meetings be open to the public and requiring that members of committees be present for votes in their committees.

This new openness in the committee process is important because it is the first step in establishing the accountability that the American people are demanding of the Congress. The most important decisions on legislation are often made during committee deliberations. Members of committees become experts in the areas of the committee's jurisdiction and other Members rely on their judgment.

One of the most important reforms we are voting on today is the ban of proxy voting in committees. Proxy voting allows another Member to cast a vote on legislation for a Member who is absent. Of the 22 standing committees in the last Congress, only 4 banned absentee voting. I am a member of the Appropriations Committee which has never allowed the use of proxy voting. All Members should be present to vote on issues before the committee.

Accountability to the American public begins in the committee system by Members being present for meetings and votes, and those meetings being open to the public. We must assure all of our constituents of the seriousness with which we approach our work of deliberating the issues of importance to our country. Only then can the integrity of the Congress be reestablished.

Today's action can be defined in five words: ''Accountability in the People's House.''

Mr. BONIOR. Mr. Speaker, for purposes of debate only, I yield 1 minute to the distinguished gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I rise to voice my opposition to the closed rule on the Republican rules package. This package contains many important reforms that I support, but it does not contain the most crucial reform, a ban on gifts from lobbyists. The gift ban is central to our ability to break the bond between the special interests and the Congress. That is what the public clamored for, separate special interests from the institution of the Congress.

The Democratic proposal would ban all gifts to Members of Congress. It bans meals, entertainment, and travel. It says no more business as usual.

On this first day of the 104th Congress when so many hopes are pinned on people reclaiming their Government, it is tie to end the special interests' influence over Congress. It is time to say no. No to dinners, no to golf junkets, no to the old style perks and privileges. The only privilege we need is the privilege to serve in this body.

The new Republican majority claims that they are leading a revolution to reform this institution. That is what they told the American public. But keeping closed rules, protecting perks and privileges is just more hypocrisy.

Support real change. Open the rule and support a gift ban.

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

Mr. BONIOR. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Speaker, there is a reason why the Republicans oppose the Democratic rules change in this closed rule. Our rules change makes every rules change proposed by the Republicans today pale in comparison. Theirs are plastic and papier mache. Ours have the hard steel of real change because they address the key issue of the integrity of Congress.

Today as we speak on this floor with a few Members, so many others are enjoying this wonderful first day of service in Congress. They came here promising to represent their districts, not the special interests. Our rules change addresses that straightforwardly. It prohibits and limits any gifts from lobbyists and special interest groups so that new Members and old Members alike will not be ensnared in these special interest tangles. And equally important, Mr. Speaker, it closes or at least restricts a dangerous loophole.

By the rules of the House I cannot go out and give a speech and earn one dollar. But I can go out, and in the name of writing a book, supposedly earn legally millions of dollars. That kind of ridiculous loophole puts this House in jeopardy and every Member of it.

I would suggest that we stick with the Democratic changes and defeat the previous question.

Mr. DREIER. Mr. Speaker, I am happy to yield 1 minute to a very distinguished new Member, the gentleman from South Carolina [Mr. GRAHAM].

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

Mr. GRAHAM. Mr. Speaker, I came from South Carolina, a State that a few years ago sent about 18 people to jail because they took shirts, they took shoes, they took golf trips, and they sold their vote. If Members want to reform me, I challenge them to do so. But everything in its time. For 40 years Democrats have had control of this body to do that.

What the American people need to know, and what I want constituents to know at home is what we are talking about doing the first day is to change the way this institution operates. NEWT GINGRICH, the new Speaker of the House, has done something that no Speaker of the House has ever done in this body, Republican or Democrat. He has instituted a measure to limit his own term as Speaker. I congratulate him for doing that. Leadership and reform begins at the top, and that is what he has demonstrated, and on behalf of the freshman class we thank him for doing something other than talk.

Also in this rule is a provision that would limit committee chairmen to

serve 6 years. If we want to change America, that is a great place to start, and that is what we are talking about today, changing this institution to breathe new life into it.

Mr. Speaker, ideas do matter, and they are going to have a new day.

Mr. BONIOR. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from New York [Mr. LAFALCE].

Mr. LAFALCE. Mr. Speaker, approximately 1 hour ago you addressed every Member of this body and the House, you addressed the entire United States of America and you said this is the 104th Congress. Think of it, 208 years. For 208 years, Mr. Speaker, we have existed under the rule of the majority.

Two hundred eight years ago, Mr. Speaker, as a student of history you know that the Constitutional Convention adopted the Constitution rejecting the Articles of Confederation that have a super majority requirement. By a rules change, with no committee hearings, with only 20 minutes of debate, you want to strike a blow at the most fundamental tenet of constitutional principle: rule of the majority, and revert to the Articles of Confederation.

Mr. Speaker, how can you do this on the first day of your tenure in office?

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from Cleveland, OH [Mr. HOKE].

Mr. HOKE. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, it is hard not to be somewhat amused by the shenanigans that are going on on the floor right now when we are being told that we are completely shackling the rights of the minority by not allowing them to have the central reform that should be in this rules package; that is, the gift and lobby reform.

It has to be pointed out that for 40 years Democrats have had the opportunity to pass this fundamental gift and lobby reform, and yet they have not been able to do it in a timely way that got through both the House and the Senate and was signed into law. For them now to claim that somehow, somehow this is preventing them from doing this when they know substantively we will get to this later, the question I have is why did they choose the gift and lobby reform as opposed to fundamental campaign finance reform, that is the elimination of special interest contributions, They know and I know that about $250,000 plus goes into every single incumbent's campaign on a cyclical basis. That is real influence that is being purchased by special interest groups, and yet there is only one group, one group in the entire Congress, not the House Republicans, not the Senate Democrats, not the Senate Republicans that do not want to limit that genuine purchasing of influence, and that group is the House Democrats.

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

Mr. Speaker, let me refresh my friend from Cleveland's memory. We did pass the gift rule ban last Congress and it was killed in the other body by the Republican Party.

I also would like to refresh my friend's memory and suggest to him that we did pass campaign finance reform and it was killed also by Republicans.

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

Mr. BONIOR. I will not yield at this point. I would yield in a second to my friend using his time.

So we have complied with the wishes of the American people on two basic, fundamental reforms which is banning gifts and reducing the influence of outside interests in campaign reform. We passed them in this House not very long ago, a few months ago, sent them over to the Senate and they were killed by Republicans.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mr. DREIER. Mr. Speaker, I yield 5 seconds to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, I rise in support of congressional reform and in support of several parts of the proposed rules package. No Member in this Chamber has a premium on what's best for this Nation. We all have a contract with America.

The contract to which each Member is bound, is to work in the best interests of the American people.

On election day, we offered our services to this great country, and voters from Rocky Mount, NC, to the Silicone Valley of California, accepted our offer. We all have a contract with America.

That contract involves being open to the challenge of change. I will vote for several of the reforms offered in this rules package. However, I will vote against those proposals that are considered dangerous to the stability of the American people or undermine the Constitution of this country.

We must get beyond partisan politics and move to the high ground of principle—serving all Americans.

But, real reform must include an end to gag rules. There are important amendments that would be offered, amendments designed to improve and perfect this rules package, but Members are muzzled because the majority has insisted on a closed rule for this debate.

No Member can offer an amendment such as the gift ban. That is an issue that we debated and supported last Congress. As I am informed, the gift ban we passed would have included royalties from books. If we are to be leaders, we must also lead in following the rules under which we are governed. In this House, we have resolved that no Member should be enriched beyond what the people pay. That resolve should not end with the Speaker, it should begin with him.

I will support those thoughtful reforms that have been offered by the majority. But, I will continue to stand up as part of the loyal opposition when I believe pomposity, audacity and duplicity confront us.

No party or person has an exclusive on such things as family values and personal responsibility. Those are standards I absolutely hold dear. And no party or person should be able to take the right to speak and participate from any of us. Too many have sacrificed for that precious liberty. We all, 435 Representatives, have a contract with America. Let no one forget.

Mr. DREIER. Mr. Speaker, as we continue with this freest and most open debate in congressional history, I yield 2 minutes to my friend, the gentleman from Greensboro, NC [Mr. COBLE].

□ 1520

Mr. COBLE. I thank the gentleman from Claremont, CA, for having yielded me this time.

Reform the House? We Republicans have previously engaged in this exercise of attempting to reduce the number of staff positions and the number of committees. So this is not a case of first impression.

But each time we proposed these reductions, they fell upon deaf ears, and the Democrat leadership rejected our attempts to streamline the Congress, and in so doing serve as better stewards for taxpayers.

During this session, pending passage of this proposal today, there will be 25 fewer subcommittees, 3 fewer standing committees. This will save taxpayers hundreds of thousands of dollars.

I am advised that we have eliminated 80 positions on one committee alone. I am not uncaring nor insensitive about this result, but these positions should never have been created in the first place. In applying retroactive psychology, Mr. Speaker, if our Democrat leadership friends had accepted our previous proposals which would have saved taxpayers millions of dollars, we Republicans may not be in the majority today.

But in this town, pride of authorship is jealously guarded, and many people are reluctant to permit any good change unless they can claim the credit therefor.

Today we Republicans again are offering proposals of change which we have previously attempted to no avail. On this day, Mr. Speaker, we will, indeed, prevail.

Mr. BONIOR. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, the American people sent us a message in November. They want less government, less bureaucracy, more ethics, and more accountability. They did not vote for arrogant government, and they did not vote for coronations of any one party or individual.

This rule is a gag rule, no amendments to the Republican rules package. While the Speaker's first statement was gracious, the first act of this new Republican majority is not about re-

form. It is about congressional retreat. For all of their talk about reforming the old guard, Republicans today are doing something that probably no other Congress in history has ever done. They have proposed a closed rule within a bill brought up under a closed rule.

Mr. Speaker, let us have openness and accountability.

Mr. DREIER. Mr. Speaker, as we continue with the most open and free debate in the history of congressional history on any opening day, I yield 2 minutes to my very good friend, the gentleman from Glenwood Springs, CO [Mr. MCINNIS], a new member of the Committee on Rules.

Mr. MCINNIS. Mr. Speaker, I thank the gentleman from California for yielding me this time.

Mr. Speaker, you know, we are talking about today new management versus old management, and it is often tough for old management to get used to the new management ideas. So what you have to do on the old management side of the aisle, you have to take a look and say, ''How are we going to debate these rascals over there that want new management, that want accountability to the American people? How can we explain the fact we have allowed ghost voting, that we have had poor management for 40 years, allowed misleading budget information, allowed mostly closed rules, 70 percent last year? How can we explain to the American people there is no sunshine law in Congress? How can we explain these things so those rascals under the new management do not disclose the problems the American people recognized this last November?'' The way you do it is you bring in distraction. You do not talk about the positive elements of this rule, which are manyfold, elimination of committee staff, no more ghost voting, no more false budget numbers. You have got to bring in distraction.

So let us talk about gifts. I guess if it was your rule change maybe we ought to talk about inherited money and see if we have the same kind of merits.

Do not distract us. Work for improvement. Work for progress. Join the new management.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. There are to be no demonstrations in the gallery. Those in the gallery are here as guests of the House.

Mr. BONIOR. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. PETERSON].

Mr. PETERSON of Florida. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to this closed rule.

I agree with many of the reforms, but there are many, many opportunities for us to perfect this package. We are passing up an opportunity to close forever the huge ethical loophole in congressional activities, the potential for compromise by special interests. We can do so by banning gifts and by restricting the benefits from lobbyists and by restricting the benefits one can receive from our writings as we do now from our speeches.

The American people sent us a message in November. They said they wanted personal accountability. They certainly do not wish for us to enrich ourselves as we serve them.

Let us seize this opportunity to clean up this huge ethical loophole and truly reform congressional activities on this first open day of the debate of the 104th Congress.

Mr. BONIOR. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, Members of the House, as a Member of this House on the Democratic side of the aisle who for 20 years never brought a bill to the floor under a closed rule, I am sure that I speak with credibility that this change is supposed to be about opening up this debate, and in fact that has not happened.

The test is not whether this is more open than what we did on opening day. The test is whether or not this rule is open or closed, and this rule is, in fact, closed.

What is your fear of having an open rule on congressional reform? That we would overreform the House of Representatives? Hard to conceived of that. What is your fear of having an open rule when you in fact have the votes to beat down any amendment that you do not like? What is your fear, that we would overreform? I do not think so.

Your fear is we would offer what is not in here. The point is this: It is what you do not put in these rules that disturbs us and disturbs the American public, and that is breaking the link between lawyers, lobbyists, money, and legislators, ending the gifts that can be given to legislators and recognizing when the freshman Members took the oath here today, they were given a voting card, not a right to receive gifts to NFL games, to lunches and to dinners.

Mr. DREIER. Mr. Speaker, as we continue with debate on the most open, open reform package that has come to this floor on an opening day, I yield 30 seconds to a very hard-working member of the Joint Committee on the Organization of Congress, my friend and classmate, the gentleman from Cape Girardeau, MO [Mr. EMERSON].

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

Mr. EMERSON. Mr. Speaker, I thank the gentleman for yielding me this time.

You know, I have been somewhat amused sitting here listening to our colleagues on the minority side talking about open rules. I hope members of the American public know that we are in the process of reforming the Rules of the House of Representatives here today, that are going to bring a higher level of reform to this body than it has experienced in generations.

I am amused by some of the rhetoric here and chagrined really at what I consider to be the nitpicking. It ill serves you, I think, to be so petty in your quibbling when we are bringing about major reform to this body.

Mr. BONIOR. Well, with all due respect to my friend—and he is my friend—the gentleman from Missouri, breaking the ban and the link between lobbyists and lawyers and the power in this town in this institution we do not consider as petty.

Mr. Speaker, I yield 1 minute to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, if the debate is free, and truly free, then why cannot we offer significant amendments for reform?

Here is a list of what we can vote for; there is not a list of what we cannot vote for, because you will not permit us to offer certain amendments, and I offer this observation.

But today there is no longer an opportunity for Members to fully participate in offering amendments to reform the House as it should be reformed. Students of history should note BOB WISE did not say this, the distinguished chairman of the Committee on Rules, the gentleman from New York [Mr. SOLOMON] said that on opening day of 1991.

Why is it that those who say they want change—and we all want change—will not permit us to bring to this floor a ban on gifts from lobbyists, a ban on dinners from lobbyists? Is this something radical? It has passed the House twice before. Why can we not bring to the floor the amendment to limit royalties and address another area of concern to the House? If you want change, then you have to vote for it. If you want change, then you have to work for it. If you want change, then you have to let true change flourish, and you have to let us offer these amendments.

This is not true change, this is not reform that you are doing. You said you wanted open rules; make them open.

Mr. DREIER. Mr. Speaker, as we continue debate under the most open process in congressional history, I yield 1½ minutes to my friend, the gentleman from Roanoke, VA [Mr. GOODLATTE].

Mr. GOODLATTE. I thank the gentleman for yielding.

Mr. Speaker, this is a new day in the people's House, and a new day calls for new rules, and we are going to deliver those today.

Let me say to our friends on the other side of the aisle who are claiming our reforms today do not go far enough, for 40 years you ran this place behind closed doors, keeping every perk, privilege, and partisan advantage. Now, suddenly, you are trying to tell the American people you have now become reformers. Well, I realize everyone should have ambitious New

Year's resolutions, but this one is just too hard to swallow. Today, despite the resistance from the minority party, we are going to bring more reform to the House in 12 hours than the other party brought in 40 years of iron-fisted rule.

We are wiping out three full standing committees and over 20 subcommittees; we are slashing bloated committee staffs, imposing term limits on the Speaker and committee chairmen and eliminating proxy voting.

Finally, we are going to start making Congress live by the laws that American businesses and families live by. I think I can speak for many Americans when I say it is about time.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The gallery will not participate in the proceedings of the House. The gallery may watch as guests of the House.

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

Mr. Speaker, I am sorry that the gentleman who just spoke could not join us today, as he was one who in fact did vote on the gift ban in the last Congress when the issue was before us. I am sorry he did not join us today, when this party in fact has real power but I guess that is not in the cards.

Mr. Speaker, for purposes of debate only, I yield 1 minute to the distinguished gentleman from Pennsylvania [Mr. MASCARA].

Mr. MASCARA. I thank the gentleman from Michigan for yielding to me.

Mr. Speaker, I too am proud to be a Member of the 104th Congress. Like many of my new colleagues, I campaigned on the issue of reform. I want to urge other Members to not get cold feet now.

Our task today is very simple: It is to prove to the American people that we care more about the public interest than we do about the special interests; it is to provide that Congress is not for sale.

Mr. Speaker, we are not royalty and, therefore, we do not need gifts. We do not need free trips or free meals or special privileges. We are stewards of the public trust. Our constituents elected us to work hard, to make tough decisions, and to stand up for what is right.

As Members of Congress, we represent the public interest, not private profits.

We are here to make change, not to protect the old order. Let us begin by having a open debate about the real needs of our constituents. No more closed rules, no more status quo.

Mr. DREIER. Mr. Speaker, as we proceed with the most open debate in congressional history, I would like to yield 1 minute to my friend, the gentleman from Ocala, FL [Mr. STEARNS].

Mr. STEARNS. I thank the gentleman.

Good afternoon, Mr. Speaker—it is a wonderful afternoon.

I thank my colleague from California.

My colleague from Florida on the other side of the aisle talked about seizing the opportunity. He agrees with a lot of the reforms that we are going to present here shortly, but he is complaining about the parliamentary procedure. So I say to him why did he not, he and his party, bring all of these forward during the last 40 years? Let us take this opportunity to look at one of these, the Congressional Accountability Act, that we are going to pass here on opening day.

What we are saying is that it will not be business as usual around here, and we intend to make Congress operate in a more fair and open manner.

Thomas Jefferson said, ''When a man assumes public trust, he should consider himself as public property.'' By enacting this new set of rules for the House, we are stating unequivocally we believe in practicing what we preach.

We must continue providing the bold and decisive leadership that brought us to this moment here in history.

I urge my colleague from Florida who talked about seizing the opportunity: Let us move forward.

Mr. BONIOR. Mr. Speaker, I yield myself such time as I may consume, just to answer my friend the gentleman from Florida [Mr. STEARNS]. He raised the issue why did we not do this before? In fact, we did the very reform that the gentleman from Florida spoke about, and that was congressional accountability.

We authored the legislation, we passed it in this body. It was killed by the Republicans in the other body. We cane back, incorporated it in a rule which was governable for the rest of the session.

So, to suggest to this Chamber and to the folks who are listening that we did not do that is just not the case.

Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from California [Mr. BECERRA].

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

Mr. BECERRA. Mr. Speaker and Members, I do not think this is a debate about whether this is the most open of open rules or closed rules in the history of this Congress, because it is a completely closed rule.

If I had in my hand today an amendment to try to preserve for us the right to ban the gifts from lobbyists, I would not be able to do that right now. So let me quote to you some words that I think are most eloquently stated, back in May 25, 1993, ''With closed rules, voices all across America are silenced. Republicans want the people to have choices, and that can only be done by having open rules.'' Those very eloquent words were uttered by our new Speaker, Mr. NEWT GINGRICH.

I would urge all of my colleagues in this House to recognize the words uttered by our new Speaker, that we should have open rules. This is a closed rule, it is not a good way to start this first year of this new Congress.

Mr. DREIER. Mr. Speaker, as we continue with the most open debate in congressional history on opening day, I yield 1½ minutes to the chairman emeritus of the Committee on Rules, my friend the gentleman from Kingsport, TN [Mr. QUILLEN].

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

Mr. QUILLEN. Mr. Speaker, I thank the gentleman for yielding me this time. I have been a member of the House for 32 years and a member of the Rules Committee for 30 of those years, always in the minority until now. I have probably spoken out on the House floor against closed rules more times than any other Member of this body.

But even as a member of the minority, I have always believed that there were certain issues such as this that should be decided under a restricted or closed rule. To the best of my recollection, the resolutions establishing the rules of the House have been considered under a completely closed rule—with a straight up or down vote. This rule will allow Members the opportunity to vote on nine separate portions of the rules package. This is certainly a much more open process than any that I have seen in my 32 years.

I think the minority should appreciate that the Republican majority chose to open up consideration of this rules package instead of following the traditional closed process that the Democrats embraced and promoted when they controlled the House.

Mr. BONIOR. Mr. Speaker, I have one speaker remaining.

□ 1540

Mr. DREIER. Mr. Speaker, I yield 30 seconds to the gentleman from Omaha, NE [Mr. CHRISTENSEN], a new Member who has joined us.

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

Mr. CHRISTENSEN. Mr. Speaker, as a new Member of the Republican majority, I look forward to working with my colleagues in the Democrat Party to make sure that these reforms come to place, but we have to remember that the American people sent us to do change. They sent us here to send a message and to make sure that the opening day activities included in the Contract With America were enacted, and that is making Congress live under the same laws that the rest of the American people have to live under. That is cutting one out of every three congressional staffers, and that is looking at an audit and getting that started.

What I ask is: ''Let's get to the business the American people sent us here to do, and that's the Contract With America.''

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Miami, FL [Mr. DIAZ-BALART], a new member of the Committee on Rules.

Mr. DIAZ-BALART. Mr. Speaker, I admit that there are great parliamentary debaters on the other side of the aisle. Accordingly, I submit that they must do much better than this, to divert the attention of the American people from what we are doing today. What we are doing today is requiring all laws that apply to the rest of the country to apply to Congress. We are cutting the number of committee staff by a third. We are limiting the terms of committee chairs and subcommittee chairmanships to 6 years. We are banning the scandalous practice, scandalous practice, called proxy voting where Members did not have to go to a committee, and then the chairman, even if they did not have anybody there, did not have any of the Democrats there, they would ultimately win because he had the proxies of all the Members here, truly scandalous, profoundly undemocratic, conduct. That is what we are banning today. That is what we are doing in these rules.

And what the Democrats now are saying is, ''Ah.'' They are using the parliamentary tactic of there is the Christmas gift for all children in the world is missing from this rules package. It is not going to work. That is not going to divert the attention of the American people from what we are doing today, and they are going to know what we are doing, they deserve what we are doing, and we are going to do it today.

Mr. BONIOR. Mr. Speaker, I yield the balance of my time to the distinguished minority leader, the gentleman from Missouri [Mr. GEPHARDT].

The SPEAKER. The gentleman from Missouri [Mr. GEPHARDT] is recognized for 4¼ minutes.

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

Mr. GEPHARDT. Mr. Speaker, I rise to urge every Member of the House to vote ''no'' on the previous question and ''yes'' on the motion to commit.

The Republican leadership would have us believe that they can pass eight or nine bills in a flurry of legislative accomplishment and debate.

In fact, there can be no debate; there can be no discussion; there can be no effort to amend, or strengthen, or truly consider any of their proposals.

This is what we call a closed rule. That means that unless you support every dot and comma in the Republican agenda, it is a closed discussion. And as far as serious public policy is concerned, it is a closed door.

That is a tragedy, because the American people deserve more than rubber-stamp Republicanism.

That is why we must reject this rule, and open the crucial issue of congressional reform to discussion and improvement.

The fact is, Democrats do not want to defeat this rules package. We want real reform. That is why many of the proposals being made today—such as making Congress abide by the laws it writes—have already been passed by the House. And that is why Democrats fought for even tougher reforms, such as a bill to curb the influence of lobbyists, which the Republicans defeated.

The Republican reforms are all well and good—but they simply do not go far enough. They are a handful of procedural and administrative changes here in the House. Many of them are positive. Many of them deserve wide, bipartisan support—and they will have it.

But they do not touch the real problem: the rampant hand of special interests here on Capitol Hill.

If the Republicans were serious about attacking special interests, why would they fight the Democratic proposal to ban gifts from lobbyists?

Do we want to go along and get along, by rubber-stamping this closed rule? Or do we want to rein in the special interests by defeating the rule, and having a real debate about reform?

I urge the latter course. But at the same time, we must all recognize a broader point.

All of this Republican talk of reform—as necessary as it may be, and as productive as it may be—is ultimately a distraction from the real job at hand.

Improving the lives of the hard-working, middle-class families who have seen their incomes erode, and their standard of living slide, for 15 painful years.

No one should pretend that these narrow procedural changes will do anything to raise incomes, to restore economic security, to revive hope and faith in America's future.

And for that matter, no one should pretend that the Contract With America, with its huge tax cuts for the wealthy, and inevitable explosion of the Federal deficit—will improve people's lives, either.

Come back to my district in St. Louis. Meet some of the families where the husband works during the day, the wife works at night, and they barely ever see each other. Meet some of the families that have given up every minute of family time working two, three, even four jobs—and still cannot make ends meet.

Then ask yourself whether some new procedural change can make a difference in their lives.

My colleagues, I urge you to vote ''no'' on the previous question, and vote ''yes'' on the motion to commit, so we can have serious congressional reform. And then let us get down to the real business of the people.

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

The SPEAKER. The gentleman from California [Mr. DREIER] is recognized for 1 minute.

Mr. DREIER. Mr. Speaker, let me say with all due respect to my colleagues that I have never heard such preposterous arguments in my entire 14 years as a Member of this House, and let me say that this clearly is the most open debate that we have ever experienced on opening day in the history of the U.S. Congress. It is exactly what Speaker GINGRICH has called for, and it is exactly what we are creating.

Now, over the past 2 years I had the privilege, mostly during calendar year 1993, to work with my friends, the gentleman from New York [Mr. SOLOMON], the gentleman from Pennsylvania [Mr. WALKER], the gentleman from Missouri [Mr. EMERSON], the gentleman from Colorado [Mr. ALLARD], the gentlewoman from Washington [Ms. DUNN] as Republican members of the Joint Committee on the Organization of Congress. We were charged with dealing with major reform in this institution. Reform in this institution is going to help working Americans because we are, by nearly 25 percent, reducing the number of committees in this place so we do not have 109 committees and subcommittees with jurisdiction over the Pentagon, 52 subcommittees and full committees with jurisdiction over programs dealing with children and families, and 92 subcommittees and committees dealing with the Environmental Protection Agency. We are creating an institution that is more accountable.

Unfortunately, Mr. Speaker, the majority in years past has prevented us from having the opportunity to even consider those things. On this opening day we are doing it. We are doing it under the most open process in the history of this institution, and I thank my friends for joining with us.

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

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

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

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

The yeas and nays were ordered.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to enunciate a clear policy with respect to the conduct of electronic votes.

As Members are aware, clause 5 of rule XV provides that Members shall have not less than 15 minutes in which to answer an ordinary rollcall vote or quorum call. The rule obviously establishes 15 minutes as a minimum. Still, with the cooperation of the Members, a vote can easily be completed in that time. On occasion, the Chair has announced, and then strictly enforced, a policy of closing electronic votes as soon as possible after the guaranteed period of 15 minutes. Members appreciated and cooperated with the Chair's enforcement of the policy on that occasion.

The Chair desires that those examples be made the regular practice of the House. To that end, the Chair enlists the assistance of all Members in avoiding the unnecessary loss of time in conducting the business of the House. The Chair encourages all Members to depart for the Chamber prompt-

ly upon the appropriate bell and light signal. As in recent Congresses, the cloakrooms should not forward to the Chair requests to hold a vote by electronic device, but should simply apprise inquiring Members of the time remaining on the voting clock.

Although no occupant of the chair would prevent a Member who is in the well of the Chamber before the announcement of the result from casting his or her vote, each occupant of the chair will have the full support of the Speaker in striving to close each electronic vote at the earliest opportunity. Members should not rely on signals relayed from outside the Chamber to assume that votes will be held open until they arrive in the Chamber.

□ 1550

The vote was taken by electronic device, and there were—yeas 232, nays 199, not voting 3, as follows:

[Roll No. 3]

YEAS—232

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—199

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lambert-Lincoln
Lantos
Laughlin
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Reynolds
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—3

Bishop
Gingrich
Jackson-Lee

□ 1605

Mr. STUMP and Mr. DICKEY changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

MOTION TO COMMIT OFFERED BY MR. BONIOR

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

The SPEAKER. The Clerk will report the motion to commit.

The Clerk read as follows:

H. RES. —

Mr. BONIOR moves to commit the resolution H.Res. to a select committee composed of the Majority Leader and the Minority Leader with instructions to report back the same to the House forthwith with only the following amendment:

Strike all after the resolving clause and insert:

That upon the adoption of this resolution it shall be in order to consider in the House the resolution (H.Res.) adopting the Rules of the House of Representatives for the One Hundred Fourth Congress, [captioned Committee Print on H.Res. , bearing the date of January 4, 1995], as modified by the amendment printed in section 4 of this resolution. The resolution, as modified, shall be debatable initially for 30 minutes to be equally divided and controlled by the Majority Leader and the Minority Leader or their designees. The previous question shall be considered as ordered on the resolution, as modified, to final adoption without intervening motion or demand for division of the question except as specified in sections 2 and 3 of this resolution.

Sec. 2. The question of adopting the resolution, as modified, shall be divided among ten parts, to wit: each of the nine sections of title I; and then title II. Each portion of the divided question shall be debatable separately for 20 minutes, to be equally divided and controlled by the Majority Leader and the Minority Leader or their designees, and shall be disposed of in the order stated.

Sec. 3. Pending the question of adopting the tenth portion of the divided question, it shall be in order to move that the House commit the resolution, as modified, to a select committee, with or without instructions. The previous question shall be considered as ordered on the motion to commit to final adoption without intervening motion.

Sec. 4. At the end of Title I add the following new section:

Sec. (109). The Rules of the House of Representatives of the One Hundred Third Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Third Congress, together with such amendments thereto as may otherwise have been adopted, are adopted as the Rules of the One Hundred Fourth Congress, with the following amendment:

BAN ON GIFTS FROM LOBBYISTS

(a) Clause 4 of rule XLIII of the Rules of the House of Representatives is amended to read as follows:

''4. (a)(1) No Member, officer, or employee of the House of Representatives shall accept a gift, knowing that such gift is provided directly or indirectly by a paid lobbyist, a lobbying firm (a person or entity that has 1 or more employees who are lobbyists on behalf of a client other than that person or entity), or an agent of a Foreign principal (as defined in the foreign Agents Registration Act of 1938).

''(2) The prohibition in subparagraph (1) includes the following:

''(A) Anything provided by a lobbyist or a foreign agent which the Member, officer, or employee has reason to believe is paid for, charged to, or reimbursed by a client or firm of such lobbyist or foreign agent.

''(B) Anything provided by a lobbyist, a lobbying firm, or a foreign agent to an entity that is maintained or controlled by a Member, officer, or employee.

''(C) A charitable contribution (as defined in section 170(c) of the Internal Revenue

Code of 1986) made by a lobbyist, a lobbying firm, or a foreign agent on the basis of a designation, recommendation, or other specification of a Member, officer, or employee (not including a mass mailing or other solicitation directed to a broad category of persons or entities).

''(D) A contribution or other payment by a lobbyist, a lobbying firm, or a foreign agent to a legal expense fund established for the benefit of a Member, officer, or employee.

''(E) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a lobbyist, a lobbying firm, or a foreign agent in lieu of an honorarium to a Member, officer, or employee.

''(F) A financial contribution or expenditure made by a lobbyist, a lobbying firm, or a foreign agent relating to a conference, retreat, or similar event, sponsored by or affiliated with an official congressional organization, for or on behalf of Members, officers, or employees.

''(3) The following are not gifts subject to the prohibition in subparagraph (1):

''(A) Anything for which the recipient pays the market value, or does not use and promptly returns to the donor.

''(B) A contribution, as defined in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

''(C) Food or refreshments of nominal value offered other than as part of a meal.

''(D) Benefits resulting from the business, employment, or other outside activities of the spouse of a Member, officer, or employee, if such benefits are customarily provided to others in similar circumstances.

''(E) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.

''(F) Informational materials that are sent to the office of a Member, officer, or employee in the form of books, articles, periodicals, other written materials, audio tapes, videotapes, or other forms of communication.

''(4)(A) A gift given by an individual under circumstances which make it clear that the gift is given for a nonbusiness purpose and is motivated by a family relationship or close personal friendship and not by the position of the Member, officer, or employee shall not be subject to the prohibition in subparagraph (1).

''(B) A gift shall not be considered to be given for a nonbusiness purpose if the Member, officer, or employee has reason to believe the individual giving the gift will seek—

''(i) to deduct the value of such gift as a business expense on the individual's Federal income tax return, or

''(ii) direct or indirect reimbursement or any other compensation for the value of the gift from a client or employer of such lobbyist or foreign agent.

''(C) In determining if the giving of a gift is motivated by a family relationship or close personal friendship, at least the following factors shall be considered:

''(i) The history of the relationship between the individual giving the gift and the recipient of the gift, including whether or not gifts have previously been exchanged by such individuals.

''(ii) Whether the Member, officer, or employee has reason to believe the gift was purchased by the individual who gave the item.

''(iii) Whether the Member, officer, or employee has reason to believe the individual who gave the gift also at the same time gave the same or similar gifts to other Members, officers, or employees.

''(b) In addition to the restriction on receiving gifts from paid lobbyists, lobbying firms, and agents of foreign principals provided by paragraph (a) and except as provided in this Rule, no Member, officer, or employee of the House of Representatives shall knowingly accept a gift from any other person.

''(c)(1) For the purpose of this clause, the term 'gift' means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

''(2) A gift to the spouse or dependent of a Member, officer, or employee (or a gift to any other individual based on that individual's relationship with the Member, officer, or employee) shall be considered a gift to the Member, officer, or employee if it is given with the knowledge and acquiescence of the Member, officer, or employee and the Member, officer, or employee has reason to believe the gift was given because of the official position of the Member, officer, or employee.

''(d) The restrictions in paragraph (b) shall not apply to the following:

''(1) Anything for which the Member, officer, or employee pays the market value, or does not use and promptly returns to the donor.

''(2) A contribution, as defined in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

''(3) Anything provided by an individual on the basis of a personal or family relationship unless the Member, officer, or employee has reason to believe that, under the circumstances, the gift was provided because of the official position of the Member, officer, or employee and not because of the personal or family relationship. The Committee on Standards of Official Conduct shall provide guidance on the applicability of this clause and examples of circumstances under which a gift may be accepted under this exception.

''(4) A contribution or other payment to a legal expense fund established for the benefit of a Member, officer, or employee, that is otherwise lawfully made, if the person making the contribution or payment is identified for the Committee on Standards of Official Conduct.

''(5) Any food or refreshments which the recipient reasonably believes to have a value of less than $20.

''(6) Any gift from another Member, officer, or employee of the Senate or the House of Representatives.

''(7) Food, refreshments, lodging, and other benefits—

''(A) resulting from the outside business or employment activities (or other outside activities that are not connected to the duties of the Member, officer, or employee as an officeholder) of the Member, officer, or employee, or the spouse of the Member, officer, or employee, if such benefits have not been offered or enhanced because of the official position of the Member, officer, or employee and are customarily provided to others in similar circumstances;

''(B) customarily provided by a prospective employer in connection with bona fide employment discussions; or

''(C) provided by a political organization described in section 527(e) of the Internal Revenue Code of 1986 in connection with a fundraising or campaign event sponsored by such an organization.

''(8) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.

''(9) Informational materials that are sent to the office of the Member, officer, or employee in the form of books, articles, periodicals, other written materials, audio tapes, videotapes, or other forms of communication.

''(10) Awards or prizes which are given to competitors in contests or events open to the public, including random drawings.

''(11) Honorary degrees (and associated travel, food, refreshments, and entertainment) and other bona fide, nonmonetary awards presented in recognition of public service (and associated food, refreshments, and entertainment provided in the presentation of such degrees and awards).

''(12) Donations of products from the State that the Member represents that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any individual recipient.

''(13) Food, refreshments, and entertainment provided to a Member or an employee of a Member in the Member's home State, subject to reasonable limitations, to be established by the Committee on Standards of Official Conduct.

''(14) An item of little intrinsic value such as a greeting card, baseball cap, or a T shirt.

''(15) Training (including food and refreshments furnished to all attendees as an integral part of the training) provided to a Member, officer, or employee, if such training is in the interest of the House of Representatives.

''(16) Bequests, inheritances, and other transfers at death.

''(17) Any item, the receipt of which is authorized by the Foreign Gifts and Decorations Act, the Mutual Educational and Cultural Exchange Act, or any other statute.

''(18) Anything which is paid for by the Federal Government, by a State or local government, or secured by the Government under a Government contract.

''(19) A gift of personal hospitality of an individual, as defined in section 109(14) of the Ethics in Government Act.

''(20) Free attendance at a widely attended event permitted pursuant to paragraph (e).

''(21) Opportunities and benefits which are—

''(A) available to the public or to a class consisting of all Federal employees, whether or not restricted on the basis of geographic consideration;

''(B) offered to members of a group or class in which membership is unrelated to congressional employment;

''(C) offered to members of an organization, such as an employees' association or congressional credit union, in which membership is related to congressional employment and similar opportunities are available to large segments of the public through organizations of similar size;

''(D) offered to any group or class that is not defined in a manner that specifically discriminates among Government employees on the basis of branch of Government or type of responsibility, or on a basis that favors those of higher rank or rate of pay;

''(E) in the form of loans from banks and other financial institutions on terms generally available to the public; or

''(F) in the form of reduced membership or other fees for participation in organization activities offered to all Government employees by professional organizations if the only restrictions on membership relate to professional qualifications.

''(22) A plaque, trophy, or other memento of modest value.

''(23) Anything for which, in exceptional circumstances, a waiver is granted by the Committee on Standards of Official Conduct.

''(e)(1) Except as prohibited by paragraph (a), a Member, officer, or employee may accept an offer of free attendance at a widely attended convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar event, provided by the sponsor of the event, if—

''(A) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member's, officer's, or employee's official position; or

''(B) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

''(2) A Member, officer, or employee who attends an event described in subparagraph (1) may accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the House of Representatives.

''(3) Except as prohibited by paragraph (a), a Member, officer, or employee, or the spouse or dependent thereof, may accept a sponsor's unsolicited offer of free attendance at a charity event, except that reimbursement for transportation and lodging may not be accepted in connection with the event.

''(4) For purposes of this paragraph, the term 'free attendance' may include waiver of all or part of a conference or other fee, the provision of local transportation, or the provision of food, refreshments, entertainment, and instructional materials furnished to all attendees as an integral part of the event. The term does not include entertainment collateral to the event, or food or refreshments taken other than in a group setting with all or substantially all other attendees.

''(f) No Member, officer, or employee may accept a gift the value of which exceeds $250 on the basis of the personal relationship exception in paragraph (d)(3) or the close personal friendship exception in section 106(d) of the Lobbying Disclosure Act of 1995 unless the Committee on Standards of Official Conduct issues a written deterministion that one of such exceptions applies.

''(g)(1) The Committee on Standards of Official Conduct is authorized to adjust the dollar amount referred to in paragraph (d)(5) on a periodic basis, to the extent necessary to adjust for inflation.

''(2) The Committee on Standards of Official Conduct shall provide guidance setting forth reasonable steps that may be taken by Members, officers, and employees, with a minimum of paperwork and time, to prevent the acceptance of prohibited gifts from lobbyists.

''(3) When it is not practicable to return a tangible item because it is perishable, the item may, at the discretion of the recipient, be given to an appropriate charity or destroyed.

''(h)(1)(A) Except as prohibited by paragraph (a), a reimbursement (including payment in kind) to a Member, officer, or employee for necessary transportation, lodging and related expenses for travel to a meeting, speaking engagement, factfinding trip or similar event in connection with the duties of the Member, officer, or employee as an officeholder shall be deemed to be a reimbursement to the House of Representatives and not a gift prohibited by this paragraph, if the Member, officer, or employee—

''(i) in the case of an employee, receives advance authorization, from the Member or officer under whose direct supervision the employee works, to accept reimbursement, and

''(ii) discloses the expenses reimbursed or to be reimbursed and the authorization to the Clerk of the House of Representatives within 30 days after the travel is completed.

''(B) For purposes of clause (A), events, the activities of which are substantially recreational in nature, shall not be considered to be in connection with the duties of a Member, officer, or employee as an officeholder.

''(2) Each advance authorization to accept reimbursement shall be signed by the Member or officer under whose direct supervision the employee works and shall include—

''(A) the name of the employee;

''(B) the name of the person who will make the reimbursement;

''(C) the time, place, and purpose of the travel; and

''(D) a determination that the travel is in connection with the duties of the employee as an officeholder and would not create the appearance that the employee is using public office for private gain.

''(3) Each disclosure made under subparagraph (1)(A) of expenses reimbursed or to be reimbursed shall be signed by the Member or officer (in the case of travel by that Member or officer) or by the Member or officer under whose direct supervision the employee works (in the case of travel by an employee) and shall include—

''(A) a good faith estimate of total transportation expenses reimbursed or to be reimbursed;

''(B) a good faith estimate of total lodging expenses reimbursed or to be reimbursed;

''(C) a good faith estimate of total meal expenses reimbursed or to be reimbursed;

''(D) a good faith estimate of the total of other expenses reimbursed or to be reimbursed;

''(E) a determination that all such expenses are necessary transportation, lodging, and related expenses as defined in this paragraph; and

''(F) in the case of a reimbursement to a Member or officer, a determination that the travel was in connection with the duties of the Member or officer as an officeholder and would not create the appearance that the Member or officer is using public office for private gain.

''(4) For the purposes of this paragraph, the term 'necessary transportation, lodging, and related expenses'—

''(A) includes reasonable expenses that are necessary for travel—

''(i) for a period not exceeding 4 days including travel time within the unanimous consent or 7 days in addition to travel outside the United States; and

''(ii) within 24 hours before or after participation in an event in the United States or within 48 hours before or after participation in an event outside the United States,

unless approved in advance by the Committee on Standards of Official Conduct;

''(B) is limited to reasonable expenditures for transportation, lodging, conference fees and materials, and food and refreshments, including reimbursement for necessary transportation, whether or not such transportation occurs within the periods described in clause (A);

''(C) does not include expenditures for recreational activities or entertainment other than that provided to all attendees as an integral part of the event; and

''(D) may include travel expenses incurred on behalf of either the spouse or a child of the Member, officer, or employee, subject to a determination signed by the Member or officer (or in the case of an employee, the Member or officer under whose direct supervision the officer or employee works) that the attendance of the spouse or child is appropriate to assist in the representation of the House of Representatives.

''(5) The Clerk of the House of Representatives shall make available to the public all advance authorizations and disclosures of reimbursement filed pursuant to subparagraph (1) as soon as possible after they are received.''.

SEC. . LIMITATION ON ROYALTY INCOME.

(a) LIMITATION.—Clause 3 of rule XLVII of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

''(g) In calendar year 1995 or thereafter, a Member, officer, or employee of the House may not—

''(1) receive any copyright royalties for any work—

''(A) unless the royalty is received from an established publisher pursuant to usual and customary contractual terms;

''(B) unless the total amount of such royalties for that work does not exceed one-third of that individual's annual pay as a Member, officer, or employee for the year in which the contract is entered into; and

''(C) without the prior notification and approval of the contract for that work by the Committee on Standards of Official Conduct; or

''(2) receive any advance payment for any such work.''.

(b) CONFORMING AMENDMENT.—Clause 3(e)(5) of rule XLVII of the Rules of the House of Representatives is amended to read as follows:

''(5) copyright royalties.''.

(c) EFFECTIVE DATE.—The amendments made by this resolution shall apply only to copyright royalties received by any Member, officer, or employee of the House after adoption of this resolution pursuant to any contract entered into while that individual is such a Member, officer, or employee.

□ 1610

Mr. SPRATT (during the reading). Mr. Speaker, I ask unanimous consent that the motion to commit be considered as read and printed in the RECORD.

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

Mr. BONIOR. Mr. Speaker, reserving the right to object, and I will not object, the point I want to make is that this is a question on the gift ban and on the book royalty at this point.

Mr. Speaker, I withdraw my reservation of objection.

Mr. SOLOMON. Mr. Speaker, reserving the right to object, I would just say to the gentleman, we have just been handed a 20-page document here. This is the motion to recommit?

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

Mr. SOLOMON. I yield to the gentleman from Michigan.

Mr. BONIOR. Mr. Speaker, this is the motion to commit.

Mr. SOLOMON. To commit?

Mr. BONIOR. If the gentleman will yield further, yes. This is what we were talking about for the last hour, the ban on gifts from lobbyists and book royalties.

Mr. SOLOMON. I do not know how that, with no debate, Mr. Speaker, we are going to have time to even know the details of this.

I would urge a no vote.

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman will yield, the gentleman makes a good point about debate. Would the gentleman agree to unanimous consent for about 20 minutes to debate this? Then we can discuss it.

Mr. Speaker, I ask unanimous consent for an additional 20 minutes.

Mr. SOLOMON. Mr. Speaker, I would move regular order.

Mr. FRANK of Massachusetts. Mr. Speaker, I have a unanimous-consent request. What happened to my unanimous-consent request?

Mr. THOMAS of California. Mr. Speaker, reserving the right to object——

Mr. SPRATT. Mr. Speaker, there is a unanimous-consent request to dispense with the reading of the 20-page motion.

The SPEAKER. That is the pending request. There can only be one request pending at a time.

Mr. VOLKMER. Mr. Speaker, reserving the right to object, it is apparent to me that, as one who has been here for several years and has seen what has gone on in past first days of the Congress, I attempted and my staff attempted, beginning back in December, to get a copy of the proposed new House rules for this Congress. We have not been able to.

Mr. THOMAS of California. Regular order, Mr. Speaker.

Mr. VOLKMER. I am reserving the right to object.

The SPEAKER. The gentleman may not reserve the right to object if regular order is requested.

Is there objection to the request to dispense with the reading?

Does the gentleman still tender his request?

Mr. SPRATT. What I seek, Mr. Speaker, is that we dispense with the reading of the motion.

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

There was no objection.

Mr. ACKERMAN. Mr. Speaker, I object.

The SPEAKER. The Member was not on his feet, and it was not timely.

The question is on the motion to commit.

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

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

The yeas and nays were ordered.

The SPEAKER. The Members are reminded that this is a 15-minute vote, with a maximum of 2 additional minutes.

The vote was taken by electronic device, and there were—yeas 196, nays 235, not voting 3, as follows:

[Roll No. 4]

YEAS—196

Abercrombie
Ackerman
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lambert-Lincoln
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Reynolds
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NAYS—235

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Nussle
Oxley
Packard
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—3

Chrysler
Gingrich
Norwood

□ 1626

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. SOLOMON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—yeas 251, nays 181, not voting 2, as follows:

[Roll No. 5]

YEAS—251

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley

Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—181

Abercrombie
Ackerman
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bishop
Bonior
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lambert-Lincoln
Lantos
Laughlin
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Moran
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pomeroy
Poshard
Rahall
Rangel
Reed
Reynolds
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Skelton
Slaughter
Spratt
Stark
Stokes
Studds
Stupak
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—2

Gingrich
Gonzalez

□ 1643

Messrs. ORTIZ, FATTAH, and SKELTON changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

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

S. RES. 1

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

S. RES. 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. 11

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

S. RES. 12

Resolved, That the House of Representatives be notified of the election of the Honorable Sheila P. Burke, of California, as Secretary of the Senate.

RULES OF THE HOUSE

Mr. ARMEY. Mr. Speaker, pursuant to the resolution just agreed to, I call up House Resolution 6 and ask for its immediate consideration.

The Clerk read the title of the resolution.

The text of House Resolution 6 is as follows:

H. RES. 6

Resolved,

TITLE I. CONTRACT WITH AMERICA: A BILL OF ACCOUNTABILITY

SEC. 101. The Rules of the House of Representatives of the One Hundred Third Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Third Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Fourth Congress, with the following amendments:

Committee, Subcommittee, and Staff Reforms

(a) COMMITTEE STAFF REDUCTIONS.—In the One Hundred Fourth Congress, the total number of staff of House committees shall be at least one-third less than the corresponding total in the One Hundred Third Congress.

(b) SUBCOMMITTEE REDUCTIONS.—In clause 6 of rule X, amend paragraph (d) to read as follows:

''(d) No committee of the House shall have more than five subcommittees (except the Committee on Appropriations, which shall have no more than thirteen; the Committee on Government Reform and Oversight, which shall have no more than seven; and the Committee on Transportation and Infrastructure, which shall have no more than six).''.

(c) CONSOLIDATED COMMITTEE STAFF AND BIENNIAL FUNDING.——

(1) In clause 5(a) of rule XI, amend the first sentence to read as follows: ''Whenever any committee, commission, or other entity (except the Committee on Appropriations) is to be granted authorization for the payment of its expenses (including all staff salaries) for a Congress, such authorization initially shall be procured by one primary expense resolution reported by the Committee on House Oversight.''.

(2)(A) In clause 5(b) of rule XI, amend the first sentence to read as follows: ''After the date of adoption by the House of any such primary expense resolution for any such committee, commission, or other entity for any Congress, authorization for the payment of additional expenses (including staff salaries) in that Congress may be procured by one or more supplemental expense resolutions reported by the Committee on House Oversight, as necessary.''.

(B) In clause 5(c)(1) of rule XI—

(i) strike ''the contingent fund'' and insert ''committee salary and expense accounts''; (ii) strike ''any year'' and insert ''any odd-numbered year''; and

(iii) strike ''for that year'' and insert ''for that Congress''.

(C) In clause 5(c)(2) of rule XI, strike ''the contingent fund'' and insert ''committee salary and expense accounts''.

(D) In clause 5(f)(1) of rule XI—

(i) strike ''the contingent fund'' and insert ''committee salary and expense accounts''; and

(ii) strike ''of each year'' and insert ''in each odd-numbered year''.

(3)(A) INTERIM FUNDING RULE.—For the purposes of implementing this section, and notwithstanding the provisions of clause 5(f) of rule XI, at the beginning of the One Hundred Fourth Congress, the committees established by this resolution are authorized, pending the adoption of the primary expense resolution for the One Hundred Fourth Congress, to expend such sums as are necessary to pay compensation for staff services performed for, or to pay other expenses of, the committee consistent with its planned reductions in committee staff.