

(Applause, the Members rising.)

#### SWEARING IN OF MEMBERS

The SPEAKER. According to the precedents, the Chair will swear in all Members of the House at this time.

For what purpose does the gentleman from California rise?

#### PARLIAMENTARY INQUIRIES

Mr. HUNTER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HUNTER. Mr. Speaker, In lieu of requesting Representative-elect SANCHEZ to step aside, is it the fact that a notice of contest filed on behalf of Robert Dornan pursuant to the law is on file with the Clerk?

The SPEAKER. The Chair is advised by the Clerk that a notice of contest pursuant to the statute, section 382 of title 2, United States Code, has been filed with the Clerk. Under section 5 of article I of the Constitution and the statute, the House remains the judge of the elections of its Members. The seating of a Member-elect does not prejudice a contest over final right to the seat.

Mr. HOYER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HOYER. Mr. Speaker, am I correct that the gentlewoman from California [Ms. SANCHEZ], has been duly certified by the Secretary of State as duly elected from the 46th District of California?

The SPEAKER. That is the information that has been submitted to the Chair by the Clerk.

The SPEAKER. If the Members will rise, the Chair will now administer the oath of office.

The Members-elect and Delegates-elect and the Resident Commissioner-elect rose, and the Speaker administered the oath of office to them as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations. You are all now Members of the U.S. Congress.

□ 1445

#### PERSONAL EXPLANATION

Mr. SAM JOHNSON of Texas. Mr. Speaker, due to delayed airline flights, I missed a vote held earlier today to elect the Speaker of the House. Had I been present, I certainly would have voted for the gentleman from Georgia [Mr. GINGRICH].

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. BOEHNER].

#### MAJORITY LEADER

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 their majority leader the gentleman from Texas, the Honorable RICHARD K. ARMEY.

#### MINORITY LEADER

Mr. FAZIO of California. 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 leader the gentleman from Missouri, the Honorable RICHARD A. GEPHARDT.

#### MAJORITY WHIP

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

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 OF CALIFORNIA

Mr. FAZIO of California. 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 of California:

That Marti Thomas, of the District of Columbia, be, and she is hereby, chosen Clerk of the House of Representatives;

That Sharon Daniels, of the State of Maryland, be, and she is hereby, chosen Sergeant at Arms of the House of Representatives; and

That Steve Elmendorf, of the District of Columbia, be, and he 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.

The SPEAKER. Will the officers-elect present themselves in the well of the House?

The officers-elect presented themselves at the bar of the House and took the oath of office as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations. You have been sworn in as officers of the House.

#### 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 Fifth Congress.

The resolution was agreed to.

#### 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.

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

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

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

The Clerk read the resolution, as follows:

#### H. RES. 4

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

The resolution was agreed to.

#### RULES OF THE HOUSE

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

The Clerk read the resolution, as follows:

#### H. RES. 5

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

#### SECTION 1. POSTPONEMENT OF CORRECTIONS VOTES.

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

"(E) the question of agreeing to a motion to recommit a bill considered pursuant to clause 4 of rule XIII;

"(F) the question of ordering the previous question on a question described in subdivision (A), (B), (C), (D), or (E);

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

"(H) the question of agreeing to a motion to suspend the rules."

#### SEC. 2. OBSOLETE REFERENCES TO "CONTINGENT FUND".

(a) In clause 8 of rule I—

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

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

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

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

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

#### SEC. 3. DRUG TESTING IN THE HOUSE.

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

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

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

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

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

#### SEC. 5. BUDGET JURISDICTION CHANGES.

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

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

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

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

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

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

In clause 4(d) of rule X—

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

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

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

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

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

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

House Oversight concerning the amount of such payment."

#### SEC. 8. SPECIAL AUTHORITIES FOR CERTAIN REPORTS.

(a) In clause 1(b) of rule XI—

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

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

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

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

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

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

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

#### SEC. 9. COMMITTEE DOCUMENTS ON INTERNET.

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

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

#### SEC. 10. INFORMATION REQUIRED OF PUBLIC WITNESSES.

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

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

#### SEC. 11. COMMITTEES' SITTINGS.

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

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

In clause 2(j)(2) of rule XI—

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

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

"(B) A committee may adopt a rule or motion permitting an equal number of its majority and minority party members each to question a witness for a specified period not longer than 30 minutes.

"(C) A committee may adopt a rule or motion permitting committee staff for its majority and minority party members to question a witness for equal specified periods."