MAJORITY WHIP

Mr. LARSON of Connecticut. Madam Speaker, as chairman of the Democratic Caucus, I have been directed to report to the House that the Democratic Members have selected as their majority whip the gentleman from South Carolina, the son of a preacher man, the Honorable JAMES E. CLYBURN.

MINORITY WHIP

Mr. PENCE. Madam Speaker, as Chair of the Republican Conference, I am directed by that conference to notify the House of Representatives officially that the Republican Members have selected as minority whip the gentleman from Virginia, the Honorable ERIC CANTOR.

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

Mr. BECERRA. Madam Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1

Resolved, That Lorraine C. Miller of the State of Texas, be, and is hereby, chosen Clerk of the House of Representatives;

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

That Daniel P. Beard of the State of Maryland be, and is hereby, chosen Chief Administrative Officer of the House of Representatives; and

That Father Daniel P. Coughlin of the State of Illinois, be, and is hereby, chosen Chaplain of the House of Representatives.

Mr. PENCE. Madam 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.

A motion to reconsider was laid on the table.

AMENDMENT OFFERED BY MR. PENCE

Mr. PENCE. Madam Speaker, I offer an amendment to the remainder of the resolution.

The Clerk read as follows:

Amendment offered by Mr. PENCE:

That Paula Nowakowski of the State of Michigan be, and is hereby, chosen Clerk of the House of Representatives;

That Steve Stombres of the Commonwealth of Virginia be, and is hereby, chosen Sergeant at Arms of the House of Representatives; and

That Jo-Marie St. Martin of the State of Tennessee be, and is hereby, chosen Chief Administrative Officer of the House of Representatives.

The SPEAKER. The question is on the amendment offered by the gentleman from Indiana.

The amendment was rejected.

The SPEAKER. The question is on the remainder of the resolution offered by the gentleman from California.

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 presented themselves in the well of the House and took the oath of office as follows:

Do you solemnly swear or affirm 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.

□ 1430

NOTIFICATION TO THE SENATE

Mr. HOYER. Mr. Speaker, I offer a privileged resolution 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 Nancy Pelosi, a Representative from the State of California, has been elected Speaker; and Lorraine C. Miller, a citizen of the State of Texas, has been elected Clerk of the House of Representatives of the One Hundred Eleventh Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE TO NOTIFY PRESIDENT

Mr. HOYER. Mr. Speaker, I offer a privileged resolution 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.

APPOINTMENT AS MEMBERS OF COMMITTEE TO NOTIFY THE PRESIDENT, PURSUANT TO HOUSE RESOLUTION 3

The SPEAKER pro tempore (Mr. ROSS). Without objection, pursuant to House Resolution 3, the Chair announces the Speaker's appointment of the following Members to 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 assembled and that Congress is ready to receive any communication that he may be pleased to make:

The gentleman from Maryland (Mr. HOYER) and

The gentleman from Ohio (Mr. BOEHNER)

There was no objection.

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. DINGELL. Mr. Speaker, I offer a privileged resolution 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 Representative has elected Nancy Pelosi, a Representative from the State of California, Speaker; and Lorraine C. Miller, a citizen of the State of Texas, Clerk of the House of Representatives of the One Hundred Eleventh Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RULES OF THE HOUSE

Mr. HOYER. Mr. Speaker, I offer a privileged resolution 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 Tenth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Tenth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Eleventh Congress, with amendments to the standing rules as provided in section 2, and with other orders as provided in sections 3, 4, and 5.

SEC. 2. CHANGES TO THE STANDING RULES.

(a) INSPECTOR GENERAL AUDITS.—Amend clause 6(c)(1) of rule II to read as follows:

''(1) provide audit, investigative, and advisory services to the House and joint entities in a manner consistent with government-wide standards;''.

(b) HOMELAND SECURITY.—In clause 3(g) of rule X, designate the existing text as subparagraph (1) and add thereafter the following new subparagraph:

''(2) In addition, the committee shall review and study on a primary and continuing basis all Government activities, programs, and organizations related to homeland security that fall within its primary legislative jurisdiction.''.

(c) ADDITIONAL FUNCTIONS OF THE COMMITTEE ON HOUSE ADMINISTRATION.—In clause 4(d)(1) of rule X—

(1) redesignate subdivisions (B) and (C) as subdivisions (C) and (D) and insert after subdivision (A) the following new subdivision:

''(B) oversee the management of services provided to the House by the Architect of the Capitol, except those services that lie within the jurisdiction of the Committee on Transportation and Infrastructure under clause 1(r);''; and

(2) in subdivision (D) (as redesignated) strike ''(B)'' and insert ''(C)''.

(d) TERMS OF COMMITTEE CHAIRMEN.—In clause 5 of rule X—

(1) amend paragraph (a)(2)(C) to read as follows:

''(C) A Member, Delegate, or Resident Commissioner may exceed the limitation of subdivision (B) if elected to serve a second consecutive Congress as the chair or a second consecutive Congress as the ranking minority member.''; and

(2) in paragraph (c)—

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

(B) strike subparagraph (2).

(e) CALENDAR WEDNESDAY.—

(1) In clause 6 of rule XV—

(A) in paragraph (a)—

(i) strike ''the committees'' and insert ''those committees''; and

(ii) strike ''unless two-thirds'' and all that follows and insert ''whose chair, or other member authorized by the committee, has announced to the House a request for such call on the preceding legislative day.''; and

(B) strike paragraphs (c), (d), and (f) (and redesignate paragraph (e) as paragraph (c)).

(2) In clause 6(c) of rule XIII, strike subparagraph (1) and the designation ''(2)''.

(f) POSTPONEMENT AUTHORITY.—In clause 1 of rule XIX, add the following new paragraph:

''(c) Notwithstanding paragraph (a), when the previous question is operating to adoption or passage of a measure pursuant to a special order of business, the Chair may postpone further consideration of such measure in the House to such time as may be designated by the Speaker.''.

(g) INSTRUCTIONS IN THE MOTION TO RECOMMIT.—In clause 2(b) of rule XIX—

(1) designate the existing sentence as subparagraph (1);

(2) in subparagraph (1) (as so designated)—

(A) strike ''if''; and

(B) strike ''includes instructions, it''; and

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

''(2) A motion to recommit a bill or joint resolution may include instructions only in the form of a direction to report an amendment or amendments back to the House forthwith.''.

(h) CONDUCT OF VOTES.—In clause 2(a) of rule XX, strike ''A record vote by electronic device shall not be held open for the sole purpose of reversing the outcome of such vote.''.

(i) GENERAL APPROPRIATION CONFERENCE REPORTS.—In clause 9 of rule XXI—

(1) insert after paragraph (a) the following new paragraph (and redesignate succeeding paragraphs accordingly):

''(b) It shall not be in order to consider a conference report to accompany a regular general appropriation bill unless the joint explanatory statement prepared by the managers on the part of the House and the managers on the part of the Senate includes—

''(1) a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the conference report or joint statement (and the name of any Member, Delegate, Resident Commissioner, or Senator who submitted a request to the House or Senate committees of jurisdiction for each respective item included in such list) that were neither committed to the conference committee by either House nor in a report of a committee of either House on such bill or on a companion measure; or

''(2) a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.''; and

(2) in paragraph (c) (as redesignated)—

(A) in the first sentence, after ''paragraph (a)'' insert ''or (b)''; and

(B) amend the second sentence to read as follows:

''As disposition of a point of order under this paragraph or paragraph (b), the Chair shall put the question of consideration with respect to the rule or order or conference report, as applicable.''.

(j) PAYGO.—

(1) Amend clause 10 of rule XXI to read as follows:

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

''(A) the current fiscal year, the budget year set forth in the most recently completed concurrent resolution on the budget, and the four fiscal years following that budget year; or

''(B) the current fiscal year, the budget year set forth in the most recently completed concurrent resolution on the budget, and the nine fiscal years following that budget year.

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

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

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

''(A) a bill or joint resolution;

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

''(C) a conference report; or

''(D) an amendment between the Houses.

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

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

(2) In clause 7 of rule XXI, strike ''the period comprising the current fiscal year and the five fiscal years beginning with the fiscal year that ends in the following calendar year or the period comprising the current fiscal year and the ten fiscal years beginning with the fiscal year that ends in the following calendar year'' and insert ''period described in clause 10(a)''.

(k) DISCLOSURE BY MEMBERS OF EMPLOYMENT NEGOTIATIONS.—In clause 1 of rule XXVII, strike ''until after his or her successor has been elected,''.

(l) GENDER NEUTRALITY.—

(1) In the standing rules—

(A) strike ''chairman'' each place it appears and insert ''chair''; and

(B) strike ''Chairman'' each place it appears and insert ''Chair'' (except in clause 4(a)(1)(B) of rule X).

(2) In rule I—

(A) in clause 1 strike ''his'';

(B) in clause 7, strike ''his'' and insert ''such'';

(C) in clause 8—

(i) in paragraph (b)(1) strike ''his''; and

(ii) in paragraph (b)(3)(B), strike ''his election and whenever he deems'' and insert ''the election of the Speaker and whenever''; and

(D) in clause 12—

(i) in paragraph (c) strike ''he'' and insert ''the Speaker''; and

(ii) in paragraph (d) strike ''his opinion'' and insert ''the opinion of the Speaker''.

(3) In rule II—

(A) in clause 1—

(i) strike ''his office'' and insert ''the office'';

(ii) strike ''his knowledge and ability'' and insert ''the knowledge and ability of the officer''; and

(iii) strike ''his department'' and insert ''the department concerned'';

(B) in clause 2—

(i) in paragraph (b) strike ''he is required to make'' and insert ''required to be made by such officer'';

(ii) in paragraph (g) strike ''his temporary absence or disability'' and insert ''the temporary absence or disability of the Clerk''; and

(iii) in paragraph (i)(1) strike ''Whenever the Clerk is acting as a supervisory authority over such staff, he'' and insert ''When acting as a supervisory authority over such staff, the Clerk''; and

(C) in clause 3—

(i) in paragraph (a) strike ''him'' and insert ''the Sergeant-at-Arms'';

(ii) in paragraph (b) strike ''him'' and insert ''the Sergeant-at-Arms'';

(iii) in paragraph (c) strike ''his employees'' and insert ''employees of the office of the Sergeant-at-Arms''; and

(iv) in paragraph (d)—

(I) strike ''; and'' and insert ''and,''; and

(II) strike ''he''.

(4) In rule III—

(A) in clause 1 strike ''he has'' and insert ''having''; and

(B) in clause 2(a)—

(i) strike ''his vote'' and insert ''the vote of such Member''; and

(ii) strike ''his presence'' and insert ''the presence of such Member''.

(5) In rule IV—

(A) in clause 4(a) strike ''he or she'' and insert ''such individual''; and

(B) in clause 6(b) strike ''his family'' and insert ''the family of such individual''.

(6) In rule V—

(A) strike ''administer a system subject to his direction and control'' each place it appears and insert ''administer, direct, and control a system'';

(B) strike ''he'' each place it appears and insert ''the Speaker''; and

(C) in clause 3 strike ''his'' and insert ''the''.

(7) In rule VI, strike ''he'' each place it appears and insert ''the Speaker''.

(8) In clause 7 of rule VII, strike ''his office'' each place it appears and insert ''the office of the Clerk''.

(9) In clause 6(b) of rule VIII, strike ''he'' and insert ''the Speaker''.

(10) In clause 2(a)(1) of rule IX, strike ''his'' and insert ''an''.

(11) In rule X—

(A) in clause 4(f)(1), strike ''President submits his budget'' and insert ''submission of the budget by the President'';

(B) in clause 5—

(i) in paragraph (a)(4)—

(I) strike ''his designee'' each place it appears and insert ''a designee''; and

(II) strike ''his respective party'' each place it appears and insert ''the respective party of such individual'';

(ii) in paragraph (b)(1) strike ''he was''; and

(iii) in paragraph (c) strike ''chairmanship'' and insert ''chair'';

(C) in clause 8—

(i) strike ''his expenses'' each place it appears and insert ''the expenses of such individual''; and

(ii) strike ''he'' each place it appears;

(D) in clause 10(a) strike ''he is''; and

(E) in clause 11—

(i) in paragraph (a)(3) strike ''member of his leadership staff to assist him in his capacity'' and insert ''respective leadership staff member to assist in the capacity of the Speaker or Minority Leader'';

(ii) in paragraph (e)(1) strike ''his employment or contractual agreement'' and insert ''the employment or contractual agreement of such employee or person''; and

(iii) in paragraph (g)(2)—

(I) in subdivision (B)—

(aa) strike ''he'' and insert ''the President''; and

(bb) strike ''his''; and

(II) in subdivision (C) strike ''his''.

(12) In rule XI—

(A) in clause 2—

(i) in paragraph (c)(1) strike ''he'' and insert ''the chair''; and

(ii) in paragraph (k)(9) strike ''his testimony'' and insert ''the testimony of such witness'';

(B) in clause 3—

(i) in paragraph (a) strike ''his duties or the discharge of his responsibilities'' each place it appears and insert ''the duties or the discharge of the responsibilities of such individual'';

(ii) in paragraph (b)—

(I) in subparagraph (2)(B) strike ''he'' and insert ''such Member, Delegate, or Resident Commissioner''; and

(II) in subparagraph (5) strike ''disqualify himself'' and insert ''seek disqualification'';

(iii) in paragraph (g)—

(I) in subparagraph (1)(B) strike ''he is'';

(II) in subparagraph (1)(E) strike ''his or her employment or duties with the committee'' and insert ''the employment or duties with the committee of such individual''; and

(III) in subparagraph (4)—

(aa) strike ''his or her personal staff'' and insert ''the respective personal staff of the chair or ranking minority member''; and

(bb) strike ''he'' and insert ''the chair or ranking minority member'';

(iv) in paragraph (p)—

(I) in subparagraph (2) strike ''his counsel'' and insert ''the counsel of the respondent'';

(II) in subparagraph (4)—

(aa) strike ''his or her counsel'' and insert ''the counsel of the respondent''; and

(bb) strike ''his counsel'' and insert ''the counsel of the respondent'';

(III) in subparagraph (7) strike ''his counsel'' and insert ''the counsel of a respondent''; and

(IV) in subparagraph (8) strike ''him'' and insert ''the respondent''; and

(v) in paragraph (q) strike ''his or her'' and insert ''the''.

(13) In rule XII—

(A) in clause 2(c)(1) strike ''he'' and insert ''the Speaker''; and

(B) in clause 3 strike ''he shall endorse his name'' and insert ''the Member, Delegate, or Resident Commissioner shall sign it''.

(14) In clause 6(d) of rule XIII, strike ''his''.

(15) In clause 4(c)(1) of rule XVI strike ''his discretion'' and insert ''the discretion of the Speaker''.

(16) In rule XVII—

(A) in clause 1(a) strike ''himself to `Mr. Speaker' '' and insert ''the Speaker'';

(B) in clause 6 strike ''his discretion'' and insert ''the discretion of the Chair''; and

(C) in clause 9 strike ''he'' each place it appears and insert ''such individual''.

(17) In clause 6 of rule XVIII, strike ''he'' each place it appears and insert ''the Chair''.

(18) In rule XX—

(A) in clause 5—

(i) in paragraph (b) strike ''him'' and insert ''the Sergeant-at-Arms'';

(ii) in paragraph (c)(3)(B)(I) strike ''his'' and insert ''a''; and

(iii) in paragraph (d) strike ''he'' and insert ''the Speaker''; and

(B) in clause 6(b)—

(i) strike ''he'' and insert ''the Member''; and

(ii) strike ''his'' and insert ''such''.

(19) In clause 7(c)(1) of rule XXII, strike ''his''.

(20) In rule XXIII—

(A) in clause 1 strike ''conduct himself'' and insert ''behave'';

(B) in clause 3—

(i) strike ''his beneficial interest'' and insert ''the beneficial interest of such individual''; and

(ii) strike ''his position'' and insert ''the position of such individual''

(C) in clause 6—

(i) in paragraph (a)—

(I) strike ''his campaign funds'' and insert ''the campaign funds of such individual''; and

(II) strike ''his personal funds'' and insert ''the personal funds of such individual''; and

(ii) in paragraph (c) strike ''his campaign account'' and insert ''a campaign accounts of such individual'';

(D) in clause 8—

(i) in paragraph (a) strike ''he'' and insert ''such employee''; and

(ii) in paragraph (c)—

(I) in subparagraph (1)(A) after ''his spouse'' insert ''the spouse of such individual''; and

(II) in subparagraph (1)(B) strike ''his spouse'' and insert ''the spouse of such employee'';

(E) in clause 10—

(i) strike ''he is a'' and insert ''such individual is a'';

(ii) strike ''his innocence'' and insert ''the innocence of such Member''; and

(iii) strike ''he is reelected'' and insert ''the Member is reelected''; and

(F) in clause 12(b)—

(i) strike ''advises his employing authority'' and insert ''advises the employing authority of such employee''; and

(ii) strike ''from his'' and insert ''from such''; and

(G) in clause 15 strike ''his or her family member'' each place it appears and insert ''a family member of a Member, Delegate, or Resident Commissioner''.

(21) In rule XXIV—

(A) in clause 1—

(i) in paragraph (a) strike ''his use'' and insert ''the use of such individual''; and

(ii) in paragraph (b)(1) strike ''his principal campaign committee'' and insert ''the principal campaign committee of such individual'';

(B) in clause 7 strike ''he was'';

(C) in clause 8 strike ''he is'' and insert ''such individual is''; and

(D) in clause 10 strike ''he was'' and insert ''such individual was''.

(22) In rule XXV—

(A) in clause 2(b) strike ''his name'' and insert ''the name of such individual'';

(B) in clause 4—

(i) in paragraph (c) strike ''his residence or principal place of employment'' and insert ''the residence or principal place of employment of such individual''; and

(ii) in paragraph (d)(1)—

(I) in subdivision (B) strike ''he'' and insert ''such individual'';

(II) in subdivision (C) strike ''him'' and insert ''such individual''; and

(III) in subdivision (D)—

(aa) strike ''he or his family'' and insert ''such individual or the family of such individual''; and

(bb) strike ''him'' and insert ''such individual'';

(C) in clause 5—

(i) strike ''his official position'' each place it appears and insert ''the official position of such individual'';

(ii) strike ''his actual knowledge'' each place it appears and insert ''the actual knowledge of such individual'';

(iii) strike ''his duties'' each place it appears and insert ''the duties of such individual'';

(iv) in paragraph (a)(3)(D)(ii)(I) strike ''his relationship'' and insert ''the relationship of such individual''; and

(v) in paragraph (a)(3)(G)(i) strike ''his spouse'' and insert ''the spouse of such individual'';

(D) in clause 6—

(i) strike ''he acts'' and insert ''acting''; and

(ii) strike ''he is''; and

(E) in clause 8 strike ''his or her'' and insert ''the''.

(23) In clause 1 of rule XXVI, strike ''him'' and insert ''the Clerk''.

(24) In clause 2 of rule XXVII, strike ''he or she'' and insert ''such individual''.

(25) In clause 2 of rule XXIX, strike ''the masculine gender include the feminine'' and insert ''one gender include the other''.

(m) TECHNICAL AND CODIFYING CHANGES.—

(1) In clause 2(h) of rule II, strike ''not in session'' and insert in lieu thereof ''in recess or adjournment''.

(2) In clause 4(b) of rule IV, strike ''regulations that exempt'' and insert in lieu thereof ''regulations to carry out this rule including regulations that exempt''.

(3) In clause 5(c) of rule X—

(A) strike ''temporary absence of the chairman'' and insert in lieu thereof ''absence of the member serving as chair''; and

(B) strike ''permanent''.

(4) In clause 7(e) of rule X, strike ''signed by'' and all that follows, and insert in lieu thereof ''signed by the ranking member of the committee as it was constituted at the expiration of the preceding Congress who is a member of the majority party in the present Congress.''.

(5) In clause 8(a) of rule X, strike ''clauses 6 and 8'' and insert in lieu thereof ''clause 6''.

(6) In clause 2(a) of rule XIII —

(A) in subparagraph (1), strike ''as privileged''; and

(B) in subparagraph (2), insert ''(other than those filed as privileged)'' after ''reported adversely''.

(7) In clause 5(c)(3) of rule XX, strike ''clause 5(a) of rule XX'' and insert ''paragraph (a)''.

(8) In clause 6(c) of rule XX, after ''yeas and nays'' insert ''ordered under this clause''.

(9) In clause 7(c)(3) of rule XXII, strike ''motion meets'' and insert in lieu thereof ''proponent meets''.

(10) In clause 1(b)(2) of rule XXIV, strike ''office space, furniture, or equipment, and'' and insert in lieu thereof ''office space, office furniture, office equipment, or''.

(11) In clause 5(i)(2) of rule XXV, strike ''paragraph (1)(A)'' and insert ''subparagraph (1)(A)''.

SEC. 3. SEPARATE ORDERS.

(a) BUDGET MATTERS.—

(1) During the One Hundred Eleventh Congress, references in section 306 of the Congressional Budget Act of 1974 to a resolution shall be construed in the House of Representatives as references to a joint resolution.

(2) During the One Hundred Eleventh Congress, in the case of a reported bill or joint resolution considered pursuant to a special order of business, a point of order under section 303 of the Congressional Budget Act of 1974 shall be determined on the basis of the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be.

(3) During the One Hundred Eleventh Congress, a provision in a bill or joint resolution, or in an amendment thereto or a conference report thereon, that establishes prospectively for a Federal office or position a specified or minimum level of compensation to be funded by annual discretionary appropriations shall not be considered as providing new entitlement authority within the meaning of the Congressional Budget Act of 1974.

(4)(A) During the One Hundred Eleventh Congress, except as provided in subsection (C), a motion that the Committee of the Whole rise and report a bill to the House shall not be in order if the bill, as amended, exceeds an applicable allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974, as estimated by the Committee on the Budget.

(B) If a point of order under subsection (A) is sustained, the Chair shall put the question: ''Shall the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted notwithstanding that the bill exceeds its allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974?''. Such question shall be debatable for 10 minutes equally divided and controlled by a proponent of the question and an opponent but shall be decided without intervening motion.

(C) Subsection (A) shall not apply—

(i) to a motion offered under clause 2(d) of rule XXI; or

(ii) after disposition of a question under subsection (B) on a given bill.

(D) If a question under subsection (B) is decided in the negative, no further amendment shall be in order except—

(i) one proper amendment, which shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole; and

(ii) pro forma amendments, if offered by the chair or ranking minority member of the Committee on Appropriations or their designees, for the purpose of debate.

(b) CERTAIN SUBCOMMITTEES.—Notwithstanding clause 5(d) of rule X, during the One Hundred Eleventh Congress—

(1) the Committee on Armed Services may have not more than seven subcommittees;

(2) the Committee on Foreign Affairs may have not more than seven subcommittees; and

(3) the Committee on Transportation and Infrastructure may have not more than six subcommittees.

(c) EXERCISE FACILITIES FOR FORMER MEMBERS.—During the One Hundred Eleventh Congress—

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

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

(d) NUMBERING OF BILLS.—In the One Hundred Eleventh Congress, the first 10 numbers for bills (H.R. 1 through H.R. 10) shall be reserved for assignment by the Speaker.

(e) MEDICARE COST CONTAINMENT.—Section 803 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 shall not apply during the One Hundred Eleventh Congress.

SEC. 4. COMMITTEES, COMMISSIONS, AND HOUSE OFFICES.

(a) SELECT COMMITTEE ON ENERGY INDEPENDENCE AND GLOBAL WARMING.—

(1) ESTABLISHMENT; COMPOSITION.—

(A) ESTABLISHMENT.—There is hereby established a Select Committee on Energy Independence and Global Warming (hereinafter in this section referred to as the ''select committee'').

(B) COMPOSITION.—The select committee shall be composed of 15 members appointed by the Speaker, of whom 6 shall be appointed on the recommendation of the Minority Leader. The Speaker shall designate one member of the select committee as its chair. A vacancy in the membership of the select committee shall be filled in the same manner as the original appointment.

(2) JURISDICTION; FUNCTIONS.—

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

(B) INVESTIGATIVE JURISDICTION.—The sole authority of the select committee shall be to investigate, study, make findings, and develop recommendations on policies, strategies, technologies and other innovations, intended to reduce the dependence of the United States on foreign sources of energy and achieve substantial and permanent reductions in emissions and other activities that contribute to climate change and global warming.

(3) PROCEDURE.—(A) Except as specified in paragraph (2), the select committee shall have the authorities and responsibilities of, and shall be subject to the same limitations and restrictions as, a standing committee of the House, and shall be deemed a committee of the House for all purposes of law or rule.

(B)(i) Rules X and XI shall apply to the select committee where not inconsistent with this resolution.

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

(4) FUNDING.—To enable the select committee to carry out the purposes of this section—

(A) the select committee may use the services of staff of the House; and

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

(5) REPORTING.—The select committee may report to the House from time to time the results of its investigations and studies, together with such detailed findings and recommendations as it may deem advisable. All such reports shall be submitted to the House by December 31, 2010.

(b) HOUSE DEMOCRACY ASSISTANCE COMMISSION.—House Resolution 24, One Hundred Tenth Congress, shall apply in the One Hundred Eleventh Congress in the same manner as such resolution applied in the One Hundred Tenth Congress.

(c) TOM LANTOS HUMAN RIGHTS COMMISSION.—Sections 1 through 7 of House Resolution 1451, One Hundred Tenth Congress, shall apply in the One Hundred Eleventh Congress in the same manner as such provisions applied in the One Hundred Tenth Congress, except that —

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

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

(d) OFFICE OF CONGRESSIONAL ETHICS.—Section 1 of House Resolution 895, One Hundred Tenth Congress, shall apply in the One Hundred Eleventh Congress in the same manner as such provision applied in the One Hundred Tenth Congress, except that the Office of Congressional Ethics shall be treated as a standing committee of the House for purposes of section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)).

(e) EMPANELLING INVESTIGATIVE SUBCOMMITTEE OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT.—The text of House Resolution 451, One Hundred Tenth Congress, shall apply in the One Hundred Eleventh Congress in the same manner as such provision applied in the One Hundred Tenth Congress.

(f) CONTINUING AUTHORITIES FOR THE COMMITTEE ON THE JUDICIARY AND THE OFFICE OF GENERAL COUNSEL.—

(1) The House authorizes—

(A) the Committee on the Judiciary of the 111th Congress to act as the successor in interest to the Committee on the Judiciary of the 110th Congress with respect to the civil action Committee on the Judiciary v. Harriet Meirs et al., filed by the Committee on the Judiciary in the 110th Congress pursuant to House Resolution 980; and

(B) the chair of the Committee on the Judiciary (when elected), on behalf of the Committee on the Judiciary, and the Office of General Counsel to take such steps as may be appropriate to ensure continuation of such civil action, including amending the complaint as circumstances may warrant.

(2)(A) The House authorizes—

(i) the Committee on the Judiciary to take depositions by a member or counsel of the committee related to the investigation into the firing of certain United States Attorneys and related matters; and

(ii) the chair of the Committee on the Judiciary (when elected), on behalf of the Committee on the Judiciary, to issue subpoenas related to the investigation into the firing of certain United States Attorneys and related matters including for the purpose of taking depositions by a member or counsel of the committee.

(B) Depositions taken under the authority prescribed in this paragraph shall be governed by the procedures submitted for printing in the Congressional Record by the chair of the Committee on Rules (when elected) or by such other procedures as the Committee on the Judiciary shall prescribe.

(3) The House authorizes the chair of the Committee on the Judiciary (when elected), on behalf of the Committee on the Judiciary, and the Office of General Counsel to petition to join as a party to the civil action referenced in paragraph (1) any individual subpoenaed by the Committee on the Judiciary

of the 110th Congress as part of its investigation into the firing of certain United States Attorneys and related matters who failed to comply with such subpoena or, at the authorization of the Speaker after consultation with the Bipartisan Legal Advisory Group, to initiate judicial proceedings concerning the enforcement of subpoenas issued to such individuals.

SEC. 5. SPECIAL ORDERS OF BUSINESS.

(a) LILLY LEDBETTER FAIR PAY ACT.—Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 11) to amend title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans With Disabilities Act of 1990, and the Rehabilitation Act of 1973 to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes. All points of order against the bill and against its consideration are waived except those arising under clause 9 or 10 of rule XXI. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (2) one motion to recommit.

(b)(1) PAYCHECK FAIRNESS ACT.—Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 12) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes. All points of order against the bill and against its consideration are waived except those arising under clause 9 or10 of rule XXI. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (2) one motion to recommit.

(2) In the engrossment of H.R. 11, the Clerk shall—

(A) add the text of H.R. 12, as passed by the House, as new matter at the end of H.R. 11;

(B) conform the title of H.R. 11 to reflect the addition to the engrossment of H.R. 12;

(C) assign appropriate designations to provisions within the engrossment; and

(D) conform provisions for short titles within the engrossment.

(3) Upon the addition of the text of H.R. 12 to the engrossment of H.R. 11, H.R. 12 shall be laid on the table.

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Maryland is recognized for 1 hour.

Mr. HOYER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. BOEHNER), or his designee, pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for purposes of debate only.

Mr. Speaker, 2 years ago Democrats were elected to the majority with a pledge that under our leadership the House would dedicate itself to integrity and accountability. We believe we kept that promise.

Today, gifts from lobbyists are banned, the use of corporate jets is prohibited, the earmark process is transparent, all House employees are trained in ethics, and an independent Office of Congressional Ethics has been established.

But we also understand that holding this House to high standards is not simply the work of one session or one resolution or, indeed, one Congress. It is a project for all of us to renew year after year. I would like to touch on some of the most important new standards for the 111th Congress: a new rules package that will ensure that the House does the people's work ethically and efficiently.

First, we understand that ''revolving door'' between the public and private sectors can compromise the independence of judgment that voters want and deserve. That is why these new rules will prevent ''lame duck'' Members from negotiating employment contracts in secret before their terms expire.

Secondly, the rules will no longer set term limits for committee Chairs. I understand that our Republican colleagues once wrote term limits into the rules in an effort against the entrenched power. But it is now clear that that effort fell victim to what conservatives like to call the law of unintended consequences.

With chairmanships up for grabs so frequently, fundraising ability became one of the most important for job qualification, and legislative skill was sacrificed to political considerations.

Third, these rules limit the abuse of motions to recommit. We invite good-faith efforts to improve legislation. And in these hard times, we need the Republican Party to be constructive partners in policy making. We welcome it. But we all understand which motions are not offered in good faith. Those are the motions that attempt to kill bills through parliamentary tricks and waste our constituents' time on ''gotcha'' politics.

Fourth, we are continuing our work to reform earmarks, removing loopholes that allow Members to make some earmarks in secret.

Fifth and finally, these rules confirm our commitment to fiscal responsibility.

A binge of borrowing has weakened our economy, tied our hands in a financial crisis, and saddled our children and grandchildren with $9 trillion in foreign-owned debt. That recklessness must end, and these rules will help end it.

Mr. Speaker, these rules embody our vision for the House as an institution: a place that debates constructively, spends wisely, and lives in the actions of all its Members and all its staff by a standard we can be proud of.

That is our vision for this House, and I urge my colleagues to adopt these rules.

Mr. Speaker, I ask unanimous consent that the balance of my time be controlled by the chairwoman of the Rules Committee, the distinguished gentlewoman from New York, Chairwoman SLAUGHTER.

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

There was no objection.

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

I want to begin by thanking the gentleman from Maryland for his statement and yielding me the time to present the opening day's rules package for the 111th Congress.

Mr. Speaker, rarely has our great Nation faced such grave challenges. Millions of Americans are without jobs and consequently also without health insurance. Our troops are fighting two wars overseas. And as our economy spirals downward, Americans from coast to coast are struggling to make ends meet.

But there is reason to hope. In fewer than 14 days, a new President will be sworn in. And President-elect Barack Obama, the House Democrats and I, and my Republican friends are committed to rolling up our sleeves and getting to work immediately to solve the critical challenges that face our Nation.

On this day I am honored to address the House at the beginning of the 111th Congress to present the rules package that will govern this body as we work to meet the needs of American families over the next 2 years.

It is the responsibility of the majority to protect and enhance the integrity of the institution, and that is what this rules package does. Through building upon the important rules changes that Democrats implemented during the last Congress, we are keeping our commitment to the American people to restore accountability and honesty to government.

In the 110th Congress, Democrats put forth critical measures to restore transparency to the House. We banned gifts from lobbyists. We prohibited the use of corporate jets. We mandated ethics training for all House employees. We ensured transparency for earmarks by requiring the full disclosure of earmarks in all bills and conference reports. We established an independent Office of Congressional Ethics. And today we are building on our commitment to the American people to further strengthen the integrity of this institution in the 111th Congress.

By closing the loophole that allowed ''lame duck'' Members to negotiate employment contracts in secret, we are opening the doors of Congress and shedding light upon the process. By codifying the additional earmark reforms adopted mid-term in the 110th Congress, coupled with the ongoing rules that required the Members' signatures and their reasons for their requests, we are permanently strengthening earlier comprehensive reforms,

resulting in even further transparency and accountability in the earmark process.

By making commonsense changes to the motion to recommit, we are helping Congress to function more effectively while preserving the minority's legitimate right to present their policy alternatives through offering a motion that amends the bill or a ''straight'' motion that sends the bill back to committee without amendment.

By removing reference to term limits for committee Chairs from this package, we take away what was from the first a political consideration to eliminate that from the official House rules where they don't belong. And by maintaining strong PAYGO rules, we are demonstrating our strong commitment to fiscal discipline.

These important measures make good sense to protect the integrity of this institution and to enable Congress to help America get back on track. Today, we are not only harnessing the belief that we can continue to restore integrity and accountability to Congress, we are also laying down a strong foundation for House action on the grave challenges that face this great Nation.

Mr. Speaker and my friends on both sides of the aisle, the American people know exactly what's at stake over the next few years, which is why they have resoundingly raised their voices for change, and Democrats are listening. We are ready to help put Americans back to work by investing in job creation initiatives, strengthening our economy. We are ready to fix our broken health care system so that every citizen can get quality, affordable health care that they desperately need and are entitled to. We are ready to cultivate a clean energy economy by turning wind into energy, energy investments into innovation, and innovation into good-paying American jobs.

We are ready to begin responsibly withdrawing troops from Iraq, ready to ensure quality education for our young people, ready to continue making the tough choices that the American people elected us to make.

Yet in order for us to begin addressing these pressing challenges, we must ensure that Congress continues to put integrity and accountability at the heart of our daily actions. I can think of no better way to do that than by adopting these amendments to the House rules.

Mr. Speaker, it will be a long and difficult journey to strengthen our economy, to reform the health care system, and create a clean energy future worthy of our children and grandchildren. But the rules package before us today is an important first step, one that will ensure integrity in Congress as we move forward on this pivotal path.

It is time to reinvigorate America. It's time to make history. And let us begin.

Mr. Speaker, I urge adoption of this commonsense rules package to allow the House to operate more effectively and productively in solving the challenges facing our great Nation while strengthening our integrity in Congress.

SECTION-BY-SECTION OF RULE CHANGES—111TH CONGRESS

The changes in the standing rules of the House made by House Resolution 5 include the following:

SEC. 2. CHANGES TO THE STANDING RULES.

(a) INSPECTOR GENERAL AUDITS.—

In response to the recommendation of the chairman and ranking minority member of the Committee on House Administration, this provision amends clause 6(c)(1) of rule II to clarify the non-traditional audit work that the Inspector General does in the areas of business process improvements, services to enhance the efficiency of House support operations, and risk management assessments. The change also will allow the Inspector General to implement guidance and standards published in the Government Accountability Office's Government Auditing Standards.

(b) HOMELAND SECURITY.—

This provision amends clause 3(g) of rule X to direct the Committee on Homeland Security to review and study on a primary and continuing basis all Government activities, programs, and organizations relating to homeland security within its primary legislative jurisdiction.

Nothing in this rule shall affect the oversight or legislative authority of other committees under the Rules of the House.

The change in clause 3 of rule X clarifies the Committee on Homeland Security's oversight jurisdiction over government activities relating to homeland security within its primary legislative jurisdiction, including the interaction of all departments and agencies with the Department of Homeland Security. Consistent with the designation of the Committee on Homeland Security as the committee of oversight in these vital areas, the House expects that the President and the relevant executive agencies will forward copies of all reports in this area, in addition to those already covered by clause 2(b) of rule XIV, to the Committee on Homeland Security to assist it in carrying out this important responsibility.

This change is meant to clarify that the various agencies have a reporting relationship with the Homeland Security Committee on matters within its jurisdiction in addition to the agencies' reporting relationships with other committees of jurisdiction.

(c) ADDITIONAL FUNCTIONS OF THE COMMITTEE ON HOUSE ADMINISTRATION.—

This provision amends clause 4(d) of rule X to give the Committee on House Administration oversight of the management of services provided to the House by the Architect of the Capitol, except those services that lie within the jurisdiction of the Committee on Transportation and Infrastructure under clause 1(r).

(d) TERMS OF COMMITTEE CHAIRMEN.—

This provision strikes clause 5(c)(2) of rule X to eliminate term limits for committee and subcommittee chairs and includes a conforming amendment to clause 5(a)(2)(C) of rule X to provide an exception to the Budget Committee tenure limitations for a chair or ranking minority member serving a second consecutive term in the respective position.

(e) CALENDAR WEDNESDAY.—

This provision amends clause 6 of rule XV to require the Clerk to read only those committees where the committee chair has given notice to the House on Tuesday that he or she will seek recognition to call up a bill under the Calendar Wednesday rule. This will replace the requirement that the Clerk read the list of all committees, regardless of whether a committee intends to utilize the rule. The provision makes conforming changes to clause 6 of rule XV and clause 6 of rule XIII, including the deletion of the requirement of a two-thirds vote to dispense with the proceedings under Calendar Wednesday.

(f) POSTPONEMENT AUTHORITY.—

This provision adds a new paragraph (c) to clause 1 of rule XIX to give permanent authority to the Chair to postpone further consideration of legislation prior to final passage when the previous question is operating to adoption or passage of a measure pursuant to a special order of business. This codifies a practice that has become routine during the 110th Congress.

(g) INSTRUCTIONS IN THE MOTION TO RECOMMIT.—

This provision amends clause 2(b) of rule XIX to provide that a motion to recommit a bill or joint resolution may include instructions only in the form of a direction to report a textual amendment or amendments back to the House forthwith. The provision makes no change to the straight motion to recommit.

(h) CONDUCT OF VOTES.—

In response to the bipartisan recommendation of the Select Committee to Investigate the Voting Irregularities of August 2, 2007, this provision deletes the following sentence in clause 2(a) of rule XX: ''A record vote by electronic device shall not be held open for the sole purpose of reversing the outcome of such vote.''

(i) GENERAL APPROPRIATION CONFERENCE REPORTS.—

This provision codifies House Resolution 491, 110th Congress, which was adopted by unanimous consent. The provision provides a point of order against any general appropriations conference report containing earmarks that are included in conference reports but not committed to conference by either House and not in a House or Senate committee report on the legislation. A point of order under the provision would be disposed of by the question of consideration, which would be debatable for 20 minutes equally divided.

(j) PAYGO.—This provision amends clause 10 of rule XXI to make the following changes:

(1) A technical amendment to align the PAYGO rules of the House with those of the Senate so that both houses use the same CBO baselines;

(2) The changes would also allow one House-passed measure to pay for spending in a separate House-passed measure if the two are linked at the engrossment stage; and

(3) The changes would also allow for emergency exceptions to PAYGO for provisions designated as emergency spending in a bill, joint resolution, amendment made in order as original text, conference report, or amendment between the Houses (but not other amendments).

The new clause 10(c)(3) of rule XXI provides that the Chair will put the question of consideration on a bill, joint resolution, an amendment made in order as original text by a special order of business, a conference report, or an amendment between the Houses that includes an emergency PAYGO designation. The Chair will put the question of consideration on such a measure without regard to a waiver of points of order under clause 10 of rule XXI or language providing for immediate consideration of such a measure.

The intent of this exception to pay-as-you-go principles is to allow for consideration of measures that respond to emergency situations. Provisions of legislation may receive an emergency designation if such provisions are necessary to respond to an act of war, an

act of terrorism, a natural disaster, or a period of sustained low economic growth. A measure that includes any provision designated as emergency shall be accompanied by a report or a joint statement of managers, as the case may be, or include an applicable ''Findings'' section in the legislation, stating the reasons why such provision meets the emergency requirement according to the following criteria.

In general, the criteria to be considered in determining whether a proposed expenditure or tax change meets an emergency designation include: (1) necessary, essential, or vital (not merely useful or beneficial); (2) sudden, quickly coming into being, and not building up over time; (3) an urgent, pressing, and compelling need requiring immediate action; (4) unforeseen, unpredictable, and unanticipated; and (5) not permanent, but rather temporary in nature. With respect to the fourth criterion above, an emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not ''unforeseen.''

(k) DISCLOSURE BY MEMBERS OF EMPLOYMENT NEGOTIATIONS.—

This provisions amends clause 1 of rule XXVII to close the loophole in the rule that allowed lame-duck Members, Delegates, and the Resident Commissioner to directly negotiate future employment or compensation without public disclosure. The rule will now apply to all current Members, Delegates, and the Resident Commissioner requiring them, within 3 business days after the commencement of such negotiation or agreement of future employment or compensation, to file with the Committee on Standards of Official Conduct a statement regarding such negotiations or agreement.

(l) GENDER NEUTRALITY.—

This provision amends the Rules of the House to render them neutral with respect to gender. These changes are not intended to effect any substantive changes.

(m) TECHNICAL AND CODIFYING CHANGES.—

Upon the recommendation of the Parliamentarian, this provision contains the following technical and codifying changes:

(1) Clarify that the authority of the Clerk to receive messages on behalf of the House includes both recesses and adjournments (clause 2(h) of rule II);

(2) Restore the Speaker's regulatory authority for all of rule IV (regarding access to the House floor), which was inadvertently narrowed when the House last amended clause 4 of rule IV by the adoption of House Resolution 648, 109th Congress (clause 4(b) of rule IV);

(3) Clarify that the scheme set forth in the rule for temporary management of a committee will apply pending the House filling a permanent vacancy of a chairman (clause 5(c) of rule X);

(4) Clarify that the majority-party Member in the next Congress, who was most senior on the committee in the preceding Congress, has voucher authority pending establishment and repopulation of the committee (clause 7(e) of rule X);

(5) Delete an unnecessary cross reference (clause 8(a) of rule X);

(6) Reinsert the exception, inadvertently dropped in recodification in the 106th Congress, that privileged matters are not automatically laid on the table when reported adversely (unlike nonprivileged matters reported adversely, which are automatically laid on the table) (clause 2(a) of rule XIII);

(7) Correct an internal cross reference (clause 5(c)(3) of rule XX);

(8) Clarify the availability of a motion to adjourn during merger of a quorum call and the yeas and nays to include only the clause 6 version of the yeas and nays (clause 6(c) of rule XX);

(9) Correct a grammatical error in the rule to clarify that notice to instruct conferees at a stalled conference is given by a ''proponent'' and not by a ''motion.'' (clause 7(c)(3) of rule XXII);

(10) Clarify that the rule prohibiting campaign funds for official expenses applies to ''office space, office furniture, or office equipment'' (clause 1(b)(2) of rule XXIV); and

(11) Corrects an internal cross reference (clause 5(i)(2) of rule XXV).

SEC. 3. SEPARATE ORDERS.

(a) BUDGET MATTERS.—

(1)–(3) These three provisions retain instructions on the interpretation of sections 303, 306, and 401 of the Congressional Budget Act, that have been in place since the 106th, 107th, and 109th Congresses, respectively.

(4) This provision would retain the point of order against the motion to rise and report an appropriations bill to the House where the bill, as proposed to be amended, exceeded its 302(b) budget allocation. The point of order was created in the 109th Congress and continued in the 110th Congress.

(b) CERTAIN SUBCOMMITTEES.—

This provision would continue to waive the requirements of clause 5(d)(1) of rule X, which limits the number of subcommittees for each committee to five, for the following committees: Armed Services, Foreign Affairs, and Transportation and Infrastructure.

(c) EXERCISE FACILITIES FOR FORMER MEMBERS.—

This provision continues the standing order of the House, first adopted in the 109th Congress, which prohibits former Members, spouses of former Members, and former officers of the House from using the Members gym if those individuals are registered lobbyists.

(d) NUMBERING OF BILLS.—

This provision continues the practice of reserving the first 10 bill numbers for designation by the Speaker throughout the 111th Congress.

(e) MEDICARE COST CONTAINMENT.—

This provision turns off Section 803 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 during the 111th Congress.

SEC. 4. COMMITTEES, COMMISSIONS, AND HOUSE OFFICES.

(a) SELECT COMMITTEE ON ENERGY INDEPENDENCE AND GLOBAL WARMING.—

This provision continues the Select Committee on Energy Independence and Global Warming through the 111th Congress.

(b) HOUSE DEMOCRACY ASSISTANCE COMMISSION.—

This provision continues the House Democracy Assistance Commission.

(c) TOM LANTOS HUMAN RIGHTS COMMISSION.—

This provision continues the Tom Lantos Human Rights Commission except that it allows the Commission to collaborate closely with professional staff members of other relevant committees and to use resources that the Committee on Foreign Affairs is authorized to obtain from other offices of the House.

(d) OFFICE OF CONGRESSIONAL ETHICS.—

This provision continues the Office of Congressional Ethics and provides that the Office shall be treated as a standing committee of the House for purposes of section 202(i) of the Legislative Reorganization Act of 1946, concerning consultants for Congressional committees.

(e) EMPANELLING INVESTIGATIVE SUBCOMMITTEE OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT.—

This provision continues House Resolution 451, 110th Congress, directing the Committee on Standards of Official Conduct to empanel investigative subcommittees within 30 days after the date a Member is indicted or criminal charges are filed.

(f) CONTINUING AUTHORITIES FOR THE COMMITTEE ON THE JUDICIARY AND THE OFFICE OF GENERAL COUNSEL.—

This provision authorizes the Committee on the Judiciary and the House General Counsel to continue the lawsuit derived from the House holding White House Chief of Staff Josh Bolten and former White House Counsel Harriet Miers in contempt of Congress for failure to comply with Judiciary Committee subpoenas, which was initiated in the 110th Congress. With respect to the continued investigation into the firing of certain United States Attorneys, this provision authorizes: (1) the chairman of the Judiciary Committee to issue subpoenas and (2) the taking of depositions by Members or counsel, which shall be governed by rules printed in the Congressional Record by the Rules Committee chair or otherwise prescribed by the Judiciary Committee; and (3) the Judiciary Committee and General Counsel to add as a party to the lawsuit any individual subpoenaed by the Committee in the 110th Congress who failed to comply.

Judiciary Committee Deposition Rules: In accordance with the Committee receiving special authorization by the House for the taking of depositions in furtherance of a Committee investigation, the chair, upon consultation with a designated minority member, may order the taking of depositions pursuant to notice or subpoena. The designated minority member shall be the ranking minority member or, if a ranking minority member has not been elected, the highest ranking member of the Committee as it was constituted at the end of the preceding Congress who is a member of the minority party in the present Congress.

The chair or majority staff shall consult with the designated minority member or minority staff, respectively, at least two days before any notice or subpoena for a deposition is issued. Upon completion of such consultation, all members shall receive written notice that a notice or subpoena for a deposition will be issued.

A notice or subpoena issued for the taking of a deposition shall specify the date, time, and place of the deposition and the method or methods by which the deposition will be recorded. The chair shall designate the number of majority members and majority counsel to conduct the deposition; the designated minority member shall be permitted to appoint an equal number of minority members and an equal number of minority counsel to conduct the deposition.

A deposition shall be taken under oath or affirmation administered by a member or a person otherwise authorized to administer oaths and affirmations.

A deponent shall not be required to testify unless the deponent has been provided with a copy of such rules of procedure then in being prescribed by the Committee, this rule as applicable, section 4 of House Resolution 5, and rule X and rule XI of the Rules of the House of Representatives.

A deponent may be accompanied at a deposition by counsel to advise the deponent of the deponent's rights. Only members and Committee counsel, however, may examine the deponent. No one may be present at a deposition other than members, Committee staff designated by the chair or designated minority member, such individuals as may be required to administer the oath or affirmation and transcribe or record the proceedings, the deponent, and the deponent's counsel (including personal counsel and counsel for the entity employing the deponent if the scope of the deposition is expected to cover actions taken as part of the deponent's employment). Observers or counsel for other persons or entities may not attend.

Questions in a deposition shall be propounded in rounds, alternating between the majority and minority. A single round shall not exceed 60 minutes per side, unless the members or counsel conducting the deposition agree to a different length of questioning. In each round, a member or Committee counsel designated by the chair shall ask questions first, and the member or Committee counsel designated by the designated minority member shall ask questions second.

Any objection made during a deposition must be stated concisely and in a non-argumentative and non-suggestive manner. The deponent may refuse to answer only when necessary to preserve a privilege. In instances where the deponent or counsel has objected to a question to preserve a privilege and accordingly the deponent has refused to answer the question to preserve such privilege, the chair may rule on any such objection after the deposition has adjourned. If the chair overrules any such objection and thereby orders a deponent to answer any question to which a privilege objection was lodged, such order shall be filed with the clerk of the Committee and shall be provided to members and the deponent no less than three days before being implemented.

If a member of the Committee appeals in writing the order of the chair, the appeal shall be preserved for Committee consideration. A deponent who refuses to answer a question after being directed to answer by the chair in writing may be subject to sanction, except that no sanctions may be imposed if the ruling of the chair is reversed on appeal. Consistent with clause 2(k)(8) of rule XI of the Rules of the House of Representatives, the committee shall remain the sole judge of the pertinence of testimony and evidence adduced at its hearings.

Deposition testimony shall be transcribed by stenographic means and may also be video recorded. The Clerk of the Committee shall receive the transcript and any video recording and promptly forward such to minority staff at the same time the Clerk distributes such to other majority staff.

The individual administering the oath, if other than a member, shall certify on the transcript that the deponent was duly sworn. The transcriber shall certify that the transcript is a true, verbatim record of the testimony, and the transcript and any exhibits shall be filed, as shall any video recording, with the clerk of the Committee in Washington, DC. In no case shall any video recording be considered the official transcript of a deposition or otherwise supersede the certified written transcript. Depositions shall be considered to have been taken in Washington, DC, as well as the location actually taken, once filed with the clerk of the Committee for the Committee's use.

After receiving the transcript, majority staff shall make available the transcript for review by the deponent or deponent's counsel. No later than ten business days thereafter, the deponent may submit suggested changes to the chair. The majority staff of the Committee may direct the Clerk of the Committee to note any typographical errors, including any requested by the deponent or minority staff, via an errata sheet appended to the transcript. Any proposed substantive changes, modifications, clarifications, or amendments to the deposition testimony must be submitted by the deponent as an affidavit that includes the deponent's reasons therefor. Any substantive changes, modifications, clarifications, or amendments shall be included as an appendix to the transcript. Majority and minority staff both shall be provided with a copy of the final transcript of the deposition with any appendices at the same time.

SEC. 5. SPECIAL ORDERS OF BUSINESS.

This section consists of a special order of business providing for consideration of the following two bills (the text of each of which is identical to the 110th House-passed versions):

(1) H.R. 11—Lilly Ledbetter Fair Pay Act, to amend title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, and the Rehabilitation Act of 1973 to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes, and

(2) H.R. 12—Paycheck Fairness Act, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

The special order allows for separate consideration of each measure under a closed rule. After adoption of the second bill, the text of H.R. 12 will be added to H.R. 11 and H.R. 12 will be laid on the table.

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

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

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

Mr. DREIER. Mr. Speaker, I begin by thanking my good friend from Rochester, the distinguished Chair of the Committee on Rules, Ms. SLAUGHTER, for yielding me the customary 30 minutes. And I congratulate her and all of our colleagues on their membership in the 111th Congress.

As we have heard from the speeches delivered by the Speaker and the Republican leader, today marks the start of the 111th Congress, a new beginning for the first branch and for the people's House.

As was stated, 2 weeks from today we are going to be making history with the inauguration of Barack Obama. President-elect Obama has already reached out to congressional Republicans, expressing his desire to work with us in this new Congress.

We all know very well what an honorable campaign Mr. Obama ran. While I didn't support his candidacy, I, like many of my colleagues and fellow Americans, was inspired by his message of hope, unity, and change for the future.

□ 1445

He laid out a vision that replaces bitterness with bipartisanship, cynicism with a sincere commitment to a brighter future.

Of course, there is a great divergence of opinion on the details of exactly how we reach that brighter future. Congressional Republicans have our agenda. We feel very strongly about it. We are committed more than ever to the principles for which we stand. But we wholeheartedly agree with Mr. Obama that the way forward is through open, inclusive debate, a strong spirit of bipartisanship and the sincere pursuit of common ground.

Unfortunately, the high-minded rhetoric of the Presidential campaign only highlights the pure cynicism of this rules package that we are considering today. The Democratic leadership of this House is poised to consider, as its very first legislative act of this Congress, a rules package that literally shreds the Obama vision.

I am going to repeat that, Mr. Speaker. The package that we are going to be voting on today literally shreds the Obama vision. Fourteen days before he is even inaugurated into office, the President-elect's plan for unity and bipartisanship is being obstructed by his own party.

This rules package takes the abysmal record of the last Congress and actually makes it more restrictive. You will hear a lot today about arcane procedural tactics and wonder how it has any relevance to the problems that we face as a nation. But these changes, Mr. Speaker, have enormous consequences for the conduct and outcome of our policy debates.

Mr. Speaker, process is substance. As we tackle enormously important issues like, as everyone has said, getting our economy back on track, we cannot achieve a good outcome without a good process. We are very attuned to the concept of history being made right now and 2 weeks from today, so perhaps we should look at history.

The motion to recommit, as we know it today, was granted to the minority 100 years ago following a rebellion against the most dictatorial Speaker of the last century, Joseph Gurney ''Uncle Joe'' Cannon. This motion ensures that the minority gets at least one opportunity, one opportunity to offer an amendment or an alternative. During the Democrats' 40-year reign, they routinely denied Republicans, often dozens of times in a Congress, the single bite at the apple, one opportunity to offer an alternative. Mr. Speaker, when we took the majority in 1995, we guaranteed the right of the motion to recommit, and we never, we never denied it.

This body has always been governed by majority rule. The majority has a number of tools at its disposal, not least of which is the Rules Committee itself, on which I am privileged to serve. That's how they advance their agenda. An effective majority can abide by the rules and traditions of the House and still succeed legislatively.

By contrast, in the 110th Congress, the Democratic leadership chose, instead, to resort to procedural gimmickry to advance their agenda. They had every legislative advantage as the majority party, and yet they felt compelled to trample the traditions of the House, rather than build consensus or engage in actual deliberation. They went so far as to shut down the appropriations process to avoid open debate. Mr. Speaker, as for the motion to recommit, that one single opportunity, that one single opportunity for minority input, the Democratic leadership

frequently resorted to legislative tricks to deny it.

Now, the Democratic leadership is no longer content to shut down debate on an ad hoc basis. They are making it official with this rules package. The underlying resolution contains a host of new procedural gimmicks to stifle debate and to perpetuate partisanship. This resolution changes the rules of the House to formally limit, to formally limit, the motion to recommit. This limitation prevents any bill from being returned to committee for further deliberation. It restricts Members' ability to strip out tax increases. Apparently, the Democratic majority believes tax increases are sacred, but open debate is not sacred.

This rules package also manipulates our budget rules, once again, to protect tax increases, as well as to protect spending increases. You see, Mr. Speaker, the Democratic leadership not only spent the last Congress shutting out Republicans, they also had to find clever ways to shut out fiscally conservative Democrats. Trying to build consensus within their own party was very time consuming. They learned their lesson, though. This rules package guts the budget rules that many Democrats hold so dear.

The laundry list of rules changes goes on. They cut term limits for committee chairmen, they scrap Medicare cost-containment measures. And if all this weren't enough, they include completely closed rules, completely closed rules for the two bills that will be considered later this week without ever having the Rules Committee meet. Apparently, the Democratic leadership scoured the House rules for accountability and transparency measures and systematically dismantled what they found.

So much, Mr. Speaker, for the Obama vision. While he is calling for the most transparent administration in our Nation's history, his congressional Democrats are launching the most closed Congress in history.

But I believe that President-elect Obama is sincere. Since the day he was elected, he has been reaching out to Republicans. He has called many of us individually to express a sincere desire to move beyond the divisiveness of politics and to work together. I can only imagine the chagrin at his own party, their attempt to undermine his best efforts. Today's rules package is a huge step backward. It sets the stage for even more closed, bitter, rancorous debate.

The next major item on the agenda is more than a $1 trillion stimulus package. Republican Leader JOHN BOEHNER has laid out several modest, but critically important, requests for an open process. There should be public hearings. The text should be available online for a full week prior to a vote. There should be no special-interest earmarks.

These are commonsense guidelines that are widely supported by the American people. They understand that our response to the economic crisis is too important to allow it to be slapped together in secret behind closed doors and rammed through the House. Both Democrats and Republicans have a number of good ideas that should be considered and debated.

Today I will be pursuing an economic recovery package that focuses on pro-growth policies. I am introducing a trio of bills aimed at growing our economy by simplifying and reducing the tax burden on individuals and job creators, jump-starting our housing market and reviving the auto industry.

I hope we can move forward on these kinds of policies, but neither I nor my colleagues ask to prejudge the outcome of those debates. We simply ask that that debate take place.

Majority Leader HOYER agrees, and said so on an interview that he had this past Sunday. We can only hope he is able to convince the Speaker to keep the process open and transparent. If her leadership's first legislative act of this Congress is any indication, it won't be a fruitful endeavor.

Mr. Speaker, today's new beginning is nothing more than a new low for the Democratic majority. Their cynicism and manipulation is all the more dismal against the backdrop of President-elect Obama's vision for hope, unity and change for the better. The Democratic majority's actions today do not represent change that fulfills hope. This is change that denies hope.

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

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 5 minutes to the vice chair of the Rules Committee, the gentleman from Massachusetts (Mr. MCGOVERN).

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

Mr. MCGOVERN. I want to thank the gentlelady from New York, the distinguished Chair of the Rules Committee, for yielding me the time.

First, let me congratulate Speaker PELOSI as she begins her second term as Speaker of the House. I also want to congratulate my colleagues for their elections, and I welcome our new colleagues to the House of Representatives.

Our Nation is facing very challenging times. Twelve years ago, when I was first elected to Congress, our economy was still growing, and we were looking at a significant budget surplus. Our world was relatively peaceful. Now, after 8 years of reckless and wasteful spending, and after an ill-advised war, we face a global economic meltdown and international instability that seem to be spreading all too quickly.

In November, the American people elected a new President and larger Democratic majorities in the Congress. The voters sent a very clear message. Things have got to change here in Washington, and Congress has to accomplish things.

We know that Congress will need to act quickly and responsibly in order to pass legislation to help our Nation solve our economic and foreign policy problems. This rules package is designed to help us do just that. This is a good package, and I am pleased to support it today.

There are many important parts this package. I am pleased that this is first rules package that is gender neutral. There are other technical fixes included in this package that will help the House operate more smoothly and efficiently.

One of the major changes, as we have heard, in this package deals with the motion to recommit, which is modernized in this package. Specifically, the minority will no longer be able to offer a ''promptly'' motion to recommit, which sends bills back to committee with no timetable for return, essentially killing the bill.

The minority, however, will have the ability to offer a proper ''forthwith'' motion or a ''straight'' motion. But no longer will the minority be able to abuse the process by offering political amendments designed to either kill a bill without actually voting against it or to provide fodder for a 30-second political ad.

During the 12 years while Democrats were in the minority, we offered only 36 ''promptly'' motions to recommit. Over the past 2 years, Republicans offered 50 of these motions.

Following the 2006 elections that brought Democrats back into the majority in the House, the new Republican minority had two options, either work in a bipartisan way to address the needs of the American people, or obstruct the business of this House through gotcha-style politics. Unfortunately, too often they chose the latter.

The motion to recommit was not designed for this purpose. It was designed to be a tool for legislating, not a political weapon. Repeatedly, the Democratic majority attempted to work with the Republican minority on their motions to recommit, but every time we offered to accept their motion in return for not killing the bill, the Republican minority refused. They chose talking points over accomplishments. They chose to be the party of obstructionism, not offering alternatives, but instead trying to derail the entire process for political gain. It's a cynical way to do business.

That's not legislating, and it's not what the voters sent us here to do. I strongly disagree with those who say modernizing the motion to recommit is undemocratic. Let me be clear, any Member who opposes a bill still has the ability, indeed, the responsibility, to vote ''no.''

Congressional scholar Norm Ornstein said it best, and I quote, ''A minority party deserves the right to be heard and to have alternatives considered, but with those rights comes responsibilities. If the minority uses the opportunity to offer amendments to exploit cynically the opening for political

purposes—through 'gotcha' amendments designed to offer 30-second attack ads against vulnerable majority lawmakers, or through poison pill alternatives designed only to scuttle a bill, not to offer a real alternative—it soon will lose its moral high ground for objecting to majority restriction on debate and amendments.''

Mr. Speaker, I finally would like to point out that in this package is included H. Res. 5, which is the reauthorization of the Tom Lantos Human Rights Commission. The United States must reclaim its moral authority on human rights. I am honored to cochair that commission along with my good friend FRANK WOLF of Virginia, and I look forward to working with him and our other Members to advance the cause of human rights around the world.

Again, I want to thank the gentlelady from New York, our distinguished Chair of the Rules Committee, for the time.

Mr. DREIER. Mr. Speaker, I would like to yield 2 minutes to my good friend from Miami, the hardworking member of the Committee on Rules, Mr. DIAZ-BALART.

I will say as I do that, Mr. Speaker, that we would never have contemplated denying the then-minority what is being denied us under this measure.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, for 100 years, the motion to recommit has really been sacrosanct in this House, and the essence of representative democracy is, yes, rule by the majority with respect to the rights of the minority.

Today, history will record that in this rules package by the majority, the severe limitation of the right of the minority to offer an alternative in legislation, this severe limitation of the motion to recommit, is a sad, unfortunate, and wholly unnecessary step that takes a very strong, a very significant step toward unaccountability.

So it is really a sad day for this House, that the House, the leadership, the majority leadership, would commence this Congress by retrogression, by taking such a significant and unfortunate step towards unaccountability, severely limiting the option, the ability of the minority to offer an alternative known for 100 years and respected in this House as the motion to recommit.

□ 1500

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Mr. Speaker, I thank the gentlewoman, the Chair of the Rules Committee, for yielding the time.

Mr. Speaker, this rules package also contains the first step in the march towards economic recovery in that it allows consideration by this Congress for the Paycheck Fairness Act and the Lilly Ledbetter Act. We are going to reverse a very anachronistic decision by the United States Supreme Court relating to job discrimination based on sex. You see, in this country, working women are still earning only 78 cents for every dollar that a man makes in the same position oftentimes; and despite the attempts by this Congress during the 110th Congress, we were unable to beat back the opposition of the White House.

Well, this is a new day and a new direction for America, because now we will have someone in the White House who will value equal opportunity in employment and education and housing and other fields. Indeed, the President-elect has stated that he intends to invite Ms. Ledbetter to the White House, and he understands that this bill is part of a broader effort to update the social contract, to value equal pay for equal work.

This is something that Congressman ROSA DELAURO, Speaker NANCY PELOSI and Rules Committee Chair LOUISE SLAUGHTER have fought for year after year after year, to realize the economic recovery in our households across America, many headed by single women. This is the important first step this Congress will take as part of the economic recovery and reinvestment.

Mr. DREIER. Will the gentlewoman yield?

Ms. CASTOR of Florida. I yield back the balance of my time.

Mr. DREIER. Mr. Speaker, let me just say that the spirit of the debate here, refusal to yield, is indicative of exactly what this rules package consists of.

With that, Mr. Speaker, I would like to yield 2 minutes to our very good friend from Springfield, Missouri (Mr. BLUNT).

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

Mr. Speaker, I think we are here today on the minority side as perhaps victims of our own success in the last Congress. We clearly were able to use this as the only tool that we often had available to us, and we used it with great success. We used it with great success that didn't destroy the legislative process. In fact, many days the legislative process had already been destroyed. There was no committee markup. There was no hearing. Often the bills came from somewhere, the leader's office, the Speaker's office. We didn't know where they came from because we didn't see them until the day they were headed to the floor or the day before they were headed to the floor. We weren't given amendments, we weren't given substitutes, but we were given 100 years ago these tools in the motions to recommit.

The majority would probably argue that somehow this makes the process unworkable. But there are a number of examples in the last Congress where the process was very workable.

The Public Housing Management Act that was brought to the floor February 26 by Mr. SIRES, Mrs. BACHMANN offered a motion to recommit to block the Federal Government from restricting possession of otherwise legal firearms for these residents. When she offered the motion, the bill was pulled. The committee then met, as the motion would have required them to do, added that provision to the bill, and brought it back to the floor a few days later.

The AmeriCorps bill to authorize and expand AmeriCorps was considered in March of 2008. Mr. KUHL made a motion to recommit that was prompt in nature to prohibit sex offenders and murderers from receiving these grants. The bill was pulled. Six days later, the same bill was brought up including Mr. KUHL's language.

The idea that this ruins the process or the idea that a bill that you have never seen before the day it is coming to the floor or the day before it is coming to the floor, we don't need to have tools to bring new ideas to the floor, is just wrong. I urge that this rules package be defeated.

Ms. SLAUGHTER. Mr. Speaker, I am delighted to yield 4 minutes to the gentleman from Massachusetts (Mr. FRANK), the chair of the Financial Services Committee.

Mr. FRANK of Massachusetts. The former minority whip has just proved the opposite of his case. In the one instance that he refers to where a bill came out of the committee which I chair, we were prepared to accept that amendment on the floor. It was offered promptly. We asked if it could be done, as we often did, as forthwith, and it could have been adopted on the floor. In that case it wasn't 6 days, it took several weeks, because we cannot drop everything and get to a bill.

Now, understand that when a bill is sent back to a committee, all the rules apply. And, by the way, nothing stops you from making this a revolving door, Mr. Speaker. People can keep doing this.

The motion to recommit, Members have said on the other side they want to be able to offer an alternative. Nothing in this proposal in any way diminishes their ability to offer an alternative. They are fully able to offer an alternative as an amendment. What they will be losing here is a legislative Ponzi scheme in which you pretend to be something you are not.

Here is the way it works: If the minority wants under any bill to offer a motion to recommit, as the rule will now read if this passes, they can offer a motion to recommit with a germane amendment that is binding, and if it is adopted, the bill is amended on the spot. But they often don't want to do that. Often their amendments are really disguises for opposition to the bill in general. So they take an amendment that would pass virtually unanimously because it is so popular and say it should be done in a way that sends the bill back to committee rather than to amend the bill.

So let's be very clear. Their ability to offer a motion that is an amendment

to the bill is in no way diminished by this. It is in no way changed. It is exactly the same. What they lose is the ability to take something that would pass overwhelmingly if they would allow a serious vote on it and use it as a way to get a bill sent back to committee for purposes of delay.

Now, the gentleman is right. It doesn't always work. Sometimes the bill survives. Sometimes it doesn't. There is often a traffic jam on the floor. There are also cases where timeliness is important, where the administration may be about to do something we want to stop them from doing and we want to be able to move reasonably quickly.

I will say this with regard to where he said bills came from nowhere. The bills where this tactic, this Ponzi scheme has been used, on bills that have come out of the Financial Services Committee, were not those bills. They were bills where there had been open amendment processes, where I have often gone to the Rules Committee and asked for amendments to be in order.

In fact, in my experience, the committee of jurisdiction leadership has no input into these motions. I have asked. There are amendments offered on the floor that were never offered in committee when they had a chance to be offered, and I will guarantee you that is a fact, because the purpose is not to amend the bill. If you were trying to amend the bill, you offer the motion to recommit in a way that amends it on the floor. That is not good enough for them, because they are not interested in substance. They are interested in this game playing and this charade—well, it is not a charade, because that is talking. They are interested in this pretense whereby you try to slow a bill down because you aren't willing to vote against it.

So if this rules package passes, there will be two options for the minority: They can move to send the bill back to committee, that can still be done, the motion to send it back to committee will still be there; or they can move to amend it on the floor. Their ability to offer an alternative is in no ways changed.

What they can't do is to pretend to be amending the bill by putting forward very popular language that would pass overwhelmingly, but doing it in a way that in effect sends the bill back to committee which doesn't allow the House to adopt that amendment, and then they want to be able to say Members weren't in favor of this noncontroversial piece.

So it is a legislative Ponzi scheme. It is a pretense. It is something that ought to be abolished. It does not add at all to the legitimacy of debate.

Let's adopt this rules change. The minority will have the two options, and that is all that democracy requires.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to my good friend from Richmond, Virginia (Mr. CANTOR), the distinguished Republican whip.

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

Mr. Speaker, you don't have to look far to see that families across this country are gripped with a tremendous amount of fear and uncertainty. They fear for their jobs, if they have one. They fear for their future as they see their 401(k)s, their college savings accounts collapse. They fear that their elected leaders don't get it. They fear that this Congress may very well be incapable of change, incapable of producing the kind of results that they want and to get it right.

Under existing House rules, when a bill is brought to the floor that includes a tax increase, the minority has a right to offer a motion to strike that increase; and the Republican minority had done that on nearly half a dozen occasions over the past 2 years.

With this rule change now, though, House Democrats are trying to push through what we Republicans will no longer have, the ability to say ''no'' to higher taxes. We will not be able to simply strike a tax increase and demand an up or down vote. In fact, the only option we will have would be to replace one tax increase with another. There will be no ability for us to cut taxes to lighten the burden on the middle-class families that are hurting right now.

One can see that this rule change makes it a lot easier for the Democrat majority to in fact hide tax increases inside other larger bills. In fact, that is why all of us are sitting here scratching our heads. If the House Democrats feel a tax increase is necessary, then why wouldn't they allow for a full and open debate? Why not let the American people have a say? Why not let the hardworking people of this country hear why Washington is once again looking to take more of their hard earned money?

Either way, what is clear, this type of partisan rules change flies in the face of a new era of openness and transparency that President-elect Obama has promised. I take the President-elect at his word. I believe he wants transparency, openness, and debate. I believe he wants Washington to begin to do business differently. I believe he is serious in wanting Congress to work together for the good of all of our constituents. But apparently that word hasn't made its way down to the leadership of the House.

Ms. SLAUGHTER. Mr. Speaker, I reserve my time.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to our very good friend from Menomonee Falls, Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. I thank the gentleman very much.

Mr. Speaker, I am beginning my 31st year here, and one of the things that I have learned both being in the majority and being in the minority is that procedural fairness is the antithesis to partisanship. I want to repeat that: Procedural fairness is the antithesis to partisanship. This rules package, and particularly the changes in the motion to recommit, will bring about more partisanship, and I would ask my friends on the majority side to reconsider what they are proposing here.

The previous speakers on the Republican side have stated instances in the last 2 years where it has resulted in excessive partisanship because of changes that have been made to the motions to recommit on an ad hoc basis allowing the majority to pull the bill, their choice, not ours, because they set the schedule, not having motions to recommit on certain bills and not allowing to strike proposed tax increases.

What is wrong with debating these issues? And what is wrong if the majority of this House of Representatives, which is 21 seats more Democratic than the one that just expired, agrees with the Republican minority every once in awhile? What are you afraid of? Are you afraid of losing a few more motions to recommit? If that is the motivation behind this, shame on you, because you are shutting down the process and you are going to result in more partisanship, not less. You are going to result in having the country even more divided, not less, and that goes exactly against what our new President has been trying to do with practically everything he said since he won the election 2 months ago.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK).

□ 1515

Mr. FRANK of Massachusetts. The gentleman from Wisconsin said, why will the majority not in some instances agree with the minority? That's the problem. We are talking about cases where we in the majority have tried to agree with the minority, and they would not be agreed with. They would not take yes for an answer.

This is the issue: if they offer a motion to recommit and it says forthwith, and they win the vote, the bill is amended. If they offer an amendment to a bill, not having offered it in committee, not having gone to the Rules Committee to ask it to be on the floor, if they take a noncontroversial popular issue and offer it as the motion to recommit, but say it should be sent to the committee and reported back promptly, we have tried to agree with them, and they have refused. This literally is a way to not take yes for an answer; it's a way to take something to which the majority would like to agree.

I have been here when I, and when the majority leader has said, in such a

situation, could we get unanimous consent to simply agree to that now, and the minority has said no.

Well, people have a right not to be agreed with. People have a right not to be agreeable. Some indulge that right more than others. But you don't have a right to refuse to be agreed with, and then complain that you weren't agreed with. And that's all that's at stake here.

So, yes, there are times when the majority should say yes to the minority, and that should be determined by the floor. What we're saying is the minority should not manufacture a situation in which there is no way to say yes to them because their goal is patently not to amend that particular bill, because if it was, they would accept the request that that amendment be accepted. Instead, it is to put a bill back to committee because they're afraid to vote against it. That's the issue.

This is used as a way to send bills back to committee to avoid votes. And this leaves, this package, the minority, fully able to offer any motion to recommit or send it back to committee. It just says they can't play games.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to the gentleman from Columbus, Indiana (Mr. PENCE), the Chair of the Republican Conference.

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

Mr. PENCE. Mr. Speaker, the Republican Members of the 111th Congress collectively represent more than 100 million constituents in this Nation. The changes that are being contemplated by the majority today represent an erosion, not of the interests of elected officials, not even of the interests of a political party, but, Mr. Speaker, I say with respect, it represents an erosion of the interests represented in this place of over 100 million Americans.

As I listen to this debate, I can't help but wonder what our constituents who might be looking down from the gallery and looking in from elsewhere are thinking. How does this affect them? Instructions being promptly or forthwith, motions to recommit.

But really what we are here to object to in this rule package is really the death of democracy in the Democratic Congress. What we do not wish to see is a return to the heavy-handed imperial Congress days that ruled Capitol Hill for some 40 years. And walking away from the provision of the current rules that allows the minority to offer a motion to recommit that would be promptly reported back erodes those minority interests. Repealing term limits on committee chairmen erodes the fundamental principles of reform that the American people voted overwhelmingly into this well in 1994.

And so, as we prepare, 2 weeks from today, to receive a new President of the United States of America, as we are just a few hours past bipartisan speeches, it is important to know and to remind the American people that rules matter. The rules on the back of a box of a board game matter, and the rules of the House matter; and they matter because they determine whether or not the interest of all Americans will be represented in this place.

And, sadly, we begin this Congress in an inauspicious way, learning that change does not equal reform, and I urge that we reconsider this rule.

Ms. SLAUGHTER. Mr. Speaker, please let me yield myself 1 or 2 minutes. One minute, I think, would be sufficient. I hadn't planned to do this, but I think the RECORD requires it.

I want to quote from three of our Republican Members for whom I have great affection and an awful lot of respect. The first one, Representative Tom Davis, who is not with us this year, stated the minority's intent to use ''promptly'' motions to kill legislation during debate on a motion to recommit H.R. 1433, the District of Columbia House Voting Rights Act. And let me quote him: ''Let me just say to my colleagues, I think the gun ban in the District is ridiculous, and would join my colleagues in overturning it. The problem is this motion doesn't do that. Instead of bringing it back to the floor forthwith for a vote and send it to the Senate, it simply sends it back to the committee, essentially killing it.''

Representative JOE BARTON of Texas likened motions to recommit promptly to gimmicks during debate on H.R. 3693, the Children's Health Insurance Program: ''I will tell my friends on the majority side, it's not going to be a gimmick. I think it will say forthwith, which means if we adopt it, we vote on it.''

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SLAUGHTER. I yield myself 30 seconds.

During the debate on Representative PAUL RYAN's motion to recommit on H.R. 5501, the Lantos-Hyde HIV/AIDS Act of 2008, Mr. RYAN acknowledged that ''promptly'' motions are intended to kill bills. ''This recommit motion is not intended to kill the bill. This is a forthwith recommit,'' he said.

I will reserve the balance of my time.

Mr. DREIER. Mr. Speaker, may I inquire of the gentlewoman how many speakers she has remaining on her side, and how much time is remaining on both sides for this debate?

Ms. SLAUGHTER. I don't have any further requests for time, or at least not from anybody who is presently on the floor, so I will reserve to close.

The SPEAKER pro tempore. The question regarding the time remaining left for debate, the gentlewoman from New York has 6½ minutes remaining, and the gentleman from California has 10½ minutes remaining.

Ms. SLAUGHTER. I reserve.

Mr. DREIER. At this time, I am happy to yield 2 minutes to my friend from San Antonio, Mr. SMITH.

Mr. SMITH of Texas. Mr. Speaker, I thank the ranking member of the Rules Committee for yielding.

Mr. Speaker, congressional Democrats have proposed changing House rules on motions to recommit. These changes are not about some arcane rule. They are about a pattern of behavior on the part of the Democrats that stifles democracy.

This abuse of power has become a habit with the Democrats. The Democrats brought legislation to the floor under closed rules 64 times in the last 2 years. This means there was no opportunity to offer amendments; 61 bills were brought to the floor with less than 24 hours to review the bill text. This breaks the Democrats' commitment to allow legislation to be reviewed for 24 hours before a vote.

House Democrats are discarding one of the Republican minority's only tools to help improve bills and promote better legislation, the motion to recommit bills promptly. This type of motion to recommit allows a majority of the House to say that a bill should be sent back to committee for more work.

For example, last year Republicans used this tool to guarantee second amendment rights for the people of the District of Columbia. A majority of Members supported this motion and voted to send the bill back to committee.

Why would the Democrats in the future want to ignore the views of a majority of House Members?

Mr. Speaker, changing House rules in a way that silences the voice of the people's elected representatives strangles democracy. Democrats should reconsider these undemocratic changes to House rules.

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to the gentleman from Chester Springs, Pennsylvania (Mr. GERLACH).

Mr. GERLACH. Mr. Speaker, I rise today in opposition to this rules package and, instead, to speak in favor of bipartisanship. We are living in challenging times, and the American people have grown tired of all the partisan bickering that has plagued our body for far too long. Our citizens want us to work together to achieve practical and realistic solutions for all Americans. Unfortunately, we've wasted energy with excessive partisanship in the legislative process that, in turn, has led to an inability to achieve fundamental reforms and legislative successes.

We've just witnessed an historic election where the overarching message was the message of change. We need to listen to our citizens, for they have spoken.

But the real change that we need is for Democrats and Republicans to roll up their sleeves and work together on important legislation such as creating jobs, stimulating the economy and increasing the supply of American-made energy.

This week I intend to introduce a resolution that would encourage and support bipartisanship in the House. Specifically, the resolution would amend

House rules to allow for any amendment to be considered on the floor that has at least one Democrat and one Republican sponsor, is submitted to the House Rules Committee according to the committee's amendment submission deadline, and does not violate any other House rule. By the simple fact that it is a joint Democrat and Republican amendment makes it bipartisan and, therefore, worthy of floor consideration.

I am hopeful that our leadership will not only offer support for this resolution, but will bring it to the floor of the House, giving all of our colleagues the opportunity to debate and discuss its merits.

While this resolution will not completely solve our problem of partisanship, I believe it will be the start of a process to allow us, regardless of party, to work together for real legislative successes.

Ms. SLAUGHTER. I continue to reserve.

Mr. DREIER. Mr. Speaker, at this time, I'd like to yield 1 minute to the gentleman from Roanoke, Virginia (Mr. GOODLATTE).

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

Mr. GOODLATTE. Mr. Speaker, I was here in 1994 when the Republicans gained the majority in the Congress for the first time in 40 years, and remember the reforms that we put into place, term limits on committee chairmen where before chairmen who could barely walk into this Chamber were serving as Chairs of committees simply because of seniority. Well, we've thrown that out today. I guess that's change, but it's really change back.

I was here in 1994, January of 1995, when we changed the rules on motions to recommit to make it easier for the minority to offer motions to recommit. Well, I guess we've changed that because now you've made it more difficult to offer real improvements to legislation by rolling back the motion to recommit.

Yes, we have change in the air, but that change is simply going back. This is not progress for this Congress, and I very much regret that the Democratic leadership has chosen to curtail the rights of the minority and to not bring forward the kind of progress that comes from having term limits on committee chairmen.

The new criteria for determining emergency situations that allow them to waive their own PAYGO rules are laughable. The rule appears to be that spending can be designated as emergency spending if it is necessary, unforeseen, or temporary in nature. I would suspect that the majority believes that all of their spending priorities are necessary.

These rule changes are an abomination, and every taxpayer should be up in arms over these changes and the attitudes they represent. It is common sense to American families that they cannot spend more than they have, and it is unfortunate that common sense seems to elude Congress.

It is clear that Congress must be forced to address its spending addiction. The way to accomplish this is through an amendment to the Constitution to require a balanced budget, which I just introduced a few minutes ago here today, with more than 115 bipartisan cosponsors.

These rules are not reforms.

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve.

Mr. DREIER. Mr. Speaker, at this time, let me just inquire of the Chair how much time is remaining.

The SPEAKER pro tempore. The gentleman from California has 5½ minutes remaining.

Mr. DREIER. At this time I am happy to yield 1 minute to our great, relatively new Member from New Orleans (Mr. SCALISE).

Mr. SCALISE. Mr. Speaker, the first vote in this new Congress gives us a preview of what the leadership is planning to do, repeal reforms that make government more transparent. Over 10 years the House established rules that open up the legislative process to make Congress more accountable. The rules package we see today undermines the accountability we have put in place and encourages the old way of doing business with back-room deals and dictator-like authority.

By ending term limits for committee Chairs, the Democratic majority is severely restricting opportunities for all Members, and is encouraging dictatorial-like authority. Six-year term limits for committee Chairs prevents a dictatorial concentration of power.

Since 2006, Congress has seen some of the lowest approval ratings in history. By giving only a few Members of the House positions of permanent power, we are only going to perpetuate that lack of trust.

Mr. Speaker, the American people deserve better from us on the first day of this new Congress. I rise in opposition to these rules changes that roll back the clock on important reforms.

□ 1530

Ms. SLAUGHTER. I continue to reserve.

Mr. DREIER. Mr. Speaker, I would just like to say that it doesn't appear that we have any other speakers on our side.

Is the gentlewoman prepared to close debate on hers?

Ms. SLAUGHTER. I am.

Mr. DREIER. I yield myself the balance of the time.

Mr. Speaker, we've had a fascinating debate here. I've repeatedly asked my colleagues on the other side of the aisle to yield to me so that we could engage in an exchange on this, and no one chose to yield to me at all, indicating exactly what this rules package is all about. We've repeatedly had academics quoted here over the past hour about the use of ''promptly'' and the fact that it kills legislation. Time and time again from the Chair, the Speaker of the House has ruled that a measure that is recommitted to a committee promptly is not killing the bill. Until the Chair says that, it is not killing the bill.

We know that the last Congress was the single-most restrictive, closed Congress in the history of the Republic, and it is very, very sad to have this sacrosanct right being obliterated that is granted to the minority, as Thomas Jefferson outlined in his manual, talking about the procedures and the rights that the minority should have. It is outrageous in the wake of Barack Obama's pledge to the American people that he wanted to have greater transparency and accountability.

Now, Mr. Speaker, at the conclusion of this debate on the package, I'll be offering a motion to commit, which could be the majority's last opportunity to freely decide the form of the motion to recommit. Included in the motion will be an amendment. This amendment is the minority's attempt to restore some of the Obama vision of openness, inclusiveness and transparency to the underlying rules package.

First, it would restore the motion to recommit, which I've discussed. It is an important tool that ensures that the minority gets at least one chance, one bite at the apple, so that 100 million Americans represented by Members of the minority here can be heard.

Second, it would restore term limits for committee chairmanships.

Third, it would change committee membership ratios so that all committees, except the Rules and Ethics Committees, reflect the ratio of Democrats and Republicans in the House. This would help to ensure that the 100 million Americans, as I said, who are represented by Republicans would have some kind of say in this process.

Fourth and finally, it would require that all committee votes be available online within 48 hours, a proposal from the Republican Study Committee.

At the end of the last Congress, the Appropriations Committee filed reports on bills that had been ordered reported months before. The public should not have to wait to know how their Member voted in committee while committee chairmen dragged their feet. These four improvements are about nothing more than exactly what Barack Obama talked about—transparency, accountability and fairness.

Today's historic rules package rolls back reforms made a century ago this month by a bipartisan working group of Members rising against the repressive rule of Speaker Joe Cannon. Two of the reforms that were codified during that historic revolt on opening day in 1909 were a motion of recommittal for the minority party and an increased threshold to set aside Calendar Wednesday. Ironically, we find ourselves here in the same well 100 years

later, fighting to maintain these simple rights and guarantees which have for a century, Mr. Speaker, safeguarded this House from the rise of another tyrannical Speaker.

So it is in that light that I ask Members to join me in supporting the motion to commit. Let us not undo what has been done. Let us learn from our past. Let us move forward with the hope and comity inspired by Barack Obama. Let's show the world that, in this House, the democratic process is alive and well no matter how large the majority. Vote ''yes'' on the motion to commit.

With that, I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, without any question, all of us who serve in this House love it. We understand our responsibilities to our constituents as well as to this institution. I want to make it absolutely clear, unequivocally clear, that no intention here today is to in any way impede the minority rights. We will defend them to the death.

But we would have to be Alice in Wonderland, saying that she would be able to believe six impossible things before breakfast, if we gave serious thought for one moment to the possibility that a motion to recommit promptly is anything other than a way to kill a bill.

What we are trying to do here is to expedite the process to get the Obama agenda, which apparently we are in solid agreement on, moved forward because the American people are crying out for it. It must be done. We want to do this fairly. We want to do this equitably. I hope we can do it with minds that meet on all of these subjects, but we must remove some of the gimmicks which have done nothing but subvert the will of the House.

So I am really happy to close with this. I hope that everybody in the House—all of the new Members whom I congratulate, people who have been here for some time and those of us who have been moderately here for a long time—will all, please, get together today. There is nothing in here that hurts anyone. We are simply attempting to move forward the business of the United States of America for which we swore an oath not an hour ago.

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

The previous question was ordered.

MOTION TO COMMIT

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

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

The Clerk read as follows:

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

Page 3, strike lines 1 through 13 (relating to terms of committee chairmen) and redesignate subsections (e) and (f) accordingly.

Page 4, strike lines 13 through 25 (relating to instructions in the motion to recommit) and redesignate succeeding subsections accordingly.

At the end of section 2, insert the following new subsections:

(k) FAIRNESS IN COMMITTEE RATIOS.—Clause 5(a)(1) of rule X is amended by inserting the following after the first sentence: ''With respect to all committees other than the Committee on Rules and the Committee on Standards of Official Conduct, the ratio of majority to minority Members serving on such committees shall reflect the ratio of majority to minority Members in the House.''

(l) ENSURING TRANSPARENCY IN COMMITTEE VOTES.—Clause 2(e)(1)(B)(i) of rule XI is amended to read as follows:

''(i) Except as provided in subdivision (B)(ii) and subject to paragraph (k)(7), the result of each such record vote shall be made available by the committee within two business days on the committee's website and for inspection by the public at reasonable times in its offices. Information so available shall include a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting.''.

Mr. DREIER (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as having been read.

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

There was no objection.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to commit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to commit.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 174, nays 249, not voting 7, as follows:

[Roll No. 3]

YEAS—174

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NAYS—249

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gillibrand
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger

Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—7

Boucher
Capuano
Herseth Sandlin
Pelosi
Posey
Solis (CA)
Towns

□ 1608

Messrs. BISHOP of New York, MILLER of North Carolina, SPACE, SCHIFF, DAVIS of Illinois, HONDA, WEINER, MURPHY of Connecticut, GORDON of Tennessee, Ms. JACKSON-LEE of Texas, Ms. WATSON, Ms. CORRINE BROWN of Florida, Mrs. MALONEY, Ms. DEGETTE and Ms. HIRONO changed their vote from ''yea'' to ''nay.''

Messrs. COLE, DANIEL E. LUNGREN of California, GARRETT of New Jersey, AKIN, TIAHRT, BILIRAKIS, SCHOCK, YOUNG of Alaska, SMITH of New Jersey, ROHRABACHER, SESSIONS, STEARNS, JONES and Mrs. CAPITO changed their vote from ''nay'' to ''yea.''

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The question is on the resolution.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 242, nays 181, not voting 7, as follows:

[Roll No. 4]

YEAS—242

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gillibrand
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wu
Yarmuth

NAYS—181

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Michaud
Miller (FL)
Miller (MI)
Minnick
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Pastor (AZ)
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney
Roskam
Ros-Lehtinen
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Waters
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Woolsey
Young (AK)
Young (FL)

NOT VOTING—7

Boucher
Capuano
Melancon
Pomeroy
Sanchez, Loretta
Solis (CA)
Towns

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are less than 2 minutes remaining in this vote.

□ 1631

Ms. WATERS changed her vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. POSEY. Madam Speaker, on rollcall No. 4, had I been present, I would have voted "yea."

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

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

The Clerk read the resolution, as follows:

H. RES. 8

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

(1) COMMITTEE ON AGRICULTURE.—Mr. Peterson of Minnesota, Chairman.

(2) COMMITTEE ON APPROPRIATIONS.—Mr. Obey, Chairman.

(3) COMMITTEE ON ARMED SERVICES.—Mr. Skelton, Chairman.

(4) COMMITTEE ON THE BUDGET.—Mr. Spratt, Chairman.

(5) COMMITTEE ON EDUCATION AND LABOR.—Mr. George Miller of California, Chairman.

(6) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Waxman, Chairman.

(7) COMMITTEE ON FINANCIAL SERVICES.—Mr. Frank of Massachusetts, Chairman.

(8) COMMITTEE ON FOREIGN AFFAIRS.—Mr. Berman, Chairman.

(9) COMMITTEE ON HOMELAND SECURITY.—Mr. Thompson of Mississippi, Chairman.

(10) COMMITTEE ON HOUSE ADMINISTRATION.—Mr. Brady of Pennsylvania, Chairman.

(11) COMMITTEE ON THE JUDICIARY.—Mr. Conyers, Chairman.

(12) COMMITTEE ON NATURAL RESOURCES.—Mr. Rahall, Chairman.