

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER TO APPOINT A COMMITTEE TO NOTIFY THE PRESIDENT OF THE ASSEMBLY OF THE CONGRESS

Mr. MCCARTHY. 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. 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 California (Mr. MCCARTHY) and

The gentlewoman from California (Ms. PELOSI).

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE ELECTION OF THE SPEAKER AND THE CLERK

Mr. LEWIS. 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 Representatives has elected John A. Boehner, a Representative from the State of Ohio as Speaker, and Karen L. Haas, a citizen of the State of Maryland as Clerk, of the House of Representatives of the One Hundred Fourteenth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RULES OF THE HOUSE

Mr. MCCARTHY. 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 Thirteenth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Thirteenth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Fourteenth 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) COMMITTEES.—

(1) DISCLOSURE OF FOREIGN PAYMENTS TO WITNESSES.—Amend clause 2(g)(5) of rule XI to read as follows:

“(5)(A) Each committee shall, to the greatest extent practicable, require witnesses who appear before it to submit in advance written statements of proposed testimony and to limit their initial presentations to the committee to brief summaries thereof.

“(B) In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of any Federal grants or contracts, or contracts or payments originating with a foreign government, received during the current calendar year or either of the two previous calendar years by the witness or by an entity represented by the witness and related to the subject matter of the hearing.

“(C) The disclosure referred to in subdivision (B) shall include—

“(i) the amount and source of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) related to the subject matter of the hearing; and

“(ii) the amount and country of origin of any payment or contract related to the subject matter of the hearing originating with a foreign government.

“(D) Such statements, with appropriate redactions to protect the privacy or security of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.”

(2) JURISDICTIONAL CHANGES.—

(A) COMMITTEE ON THE JUDICIARY.—In clause 1(1)(7) of rule X, insert before the period “and criminalization”.

(B) COMMITTEE ON APPROPRIATIONS.—In clause 1(b) of rule X, add the following:

“(5) Bills and joint resolutions that provide new budget authority, limitation on the use of funds, or other authority relating to new direct loan obligations and new loan guarantee commitments referencing section 504(b) of the Congressional Budget Act of 1974.”

(3) CLARIFYING THE JURISDICTION OF THE COMMITTEE ON HOUSE ADMINISTRATION.—

(A) Clause 4(d)(1)(A) of rule X is amended by striking “for the” and inserting “for the Chief Administrative Officer and the”.

(B) Clause 4(a) of rule II is amended by striking “the oversight” and inserting “the policy direction and oversight”.

(4) COMMITTEE ACTIVITY REPORTS.—In clause 1(d) of rule XI—

(A) in subparagraph (1), insert “odd-numbered” after “each”;

(B) in subparagraph (2)(A), strike “applicable period” and insert “Congress”;

(C) in subparagraph (2)(B), strike “in the case of the first such report in each Congress.”; and

(D) in subparagraph (3), strike “a regular session of Congress, or after December 15” and insert “the last regular session of a Congress, or after December 15 of an even-numbered year”.

(5) DISSENTING VIEWS.—In the standing rules, strike “supplemental, minority, or additional” each place it appears and insert (in

each instance) “supplemental, minority, additional, or dissenting”.

(6) CONSOLIDATING REQUIREMENTS FOR WRITTEN RULES.—

(A) In clause 2(a)(1) of rule XI—

(i) in subdivision (B) after the semicolon, strike “and”;

(ii) in subdivision (C), strike the period and insert “; and”; and

(iii) add the following new subdivision:

“(D) shall include provisions to govern the implementation of clause 4 as provided in paragraph (f) of such clause.”

(B) In clause 4(f) of rule XI, strike “Each committee shall adopt written rules to govern its implementation of this clause. Such rules shall contain provisions to the following effect” and insert “Written rules adopted by each committee pursuant to clause 2(a)(1)(D) shall contain provisions to the following effect”.

(7) CONFORMING COMMITTEE AND HOUSE BROADCAST STANDARDS.—In clause 4(b) of rule XI, strike “used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office” and insert “used for any partisan political campaign purpose or be made available for such use”.

(8) ELIMINATING THE POINT OF ORDER AGAINST CONSIDERING APPROPRIATIONS MEASURES WITHOUT PRINTED HEARINGS.—In clause 4 of rule XIII, strike paragraph (c).

(9) PERMANENT SELECT COMMITTEE ON INTELLIGENCE.—In clause 11(a)(1) of rule X, strike “20” and insert “22” and strike “12” and insert “13”.

(10) COMMITTEE ON ETHICS.—Clause 3 of rule XI of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

“(s) The committee may not take any action that would deny any person any right or protection provided under the Constitution of the United States.”

(b) BIPARTISAN LEGAL ADVISORY GROUP.—Amend clause 8 of rule II to read as follows:

“8.(a) There is established an Office of General Counsel for the purpose of providing legal assistance and representation to the House. Legal assistance and representation shall be provided without regard to political affiliation. The Speaker shall appoint and set the annual rate of pay for employees of the Office of General Counsel. The Office of General Counsel shall function pursuant to the direction of the Speaker, who shall consult with the Bipartisan Legal Advisory Group.

“(b) There is established a Bipartisan Legal Advisory Group composed of the Speaker and the majority and minority leaderships. Unless otherwise provided by the House, the Bipartisan Legal Advisory Group speaks for, and articulates the institutional position of, the House in all litigation matters.”

(c) COST ESTIMATES FOR MAJOR LEGISLATION TO INCORPORATE MACROECONOMIC EFFECTS.—

(1) Amend rule XIII by adding the following:

“Estimates of major legislation

“8.(a) An estimate provided by the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 for any major legislation shall, to the extent practicable, incorporate the budgetary effects of changes in economic output, employment, capital stock, and other macroeconomic variables resulting from such legislation.

“(b) An estimate provided by the Joint Committee on Taxation to the Director of the Congressional Budget Office under section 201(f) of the Congressional Budget Act of 1974 for any major legislation shall, to the extent practicable, incorporate the budgetary effects of changes in economic output,

employment, capital stock, and other macroeconomic variables resulting from such legislation.

“(c) An estimate referred to in this clause shall, to the extent practicable, include—

“(1) a qualitative assessment of the budgetary effects (including macroeconomic variables described in paragraphs (a) and (b)) of such legislation in the 20-fiscal year period beginning after the last fiscal year of the most recently agreed to concurrent resolution on the budget that set forth appropriate levels required by section 301 of the Congressional Budget Act of 1974; and

“(2) an identification of the critical assumptions and the source of data underlying that estimate.

“(d) As used in this clause—

“(1) the term ‘major legislation’ means any bill or joint resolution—

“(A) for which an estimate is required to be prepared pursuant to section 402 of the Congressional Budget Act of 1974 and that causes a gross budgetary effect (before incorporating macroeconomic effects) in any fiscal year over the years of the most recently agreed to concurrent resolution on the budget equal to or greater than 0.25 percent of the current projected gross domestic product of the United States for that fiscal year; or

“(B) designated as such by the chair of the Committee on the Budget for all direct spending legislation other than revenue legislation or the Member who is chair or vice chair, as applicable, of the Joint Committee on Taxation for revenue legislation; and

“(2) the term ‘budgetary effects’ means changes in revenues, outlays, and deficits.”.

(2) Amend clause 3(h) of rule XIII—

(A) by striking “(1)”, by striking “(A)” and inserting “(1)”, and by striking “(B)” and inserting “(2)”; and

(B) by striking subparagraph (2).

(d) PROVIDING FOR RECONVENING AUTHORITY FOR THE HOUSE OF REPRESENTATIVES.—In clause 12 of rule I, add the following:

“(e) During any recess or adjournment of not more than three days, if in the opinion of the Speaker the public interest so warrants, then the Speaker, after consultation with the Minority Leader, may reconvene the House at a time other than that previously appointed, within the limits of clause 4, section 5, article I of the Constitution, and notify Members accordingly.

“(f) The Speaker may name a designee for purposes of paragraphs (c), (d), and (e).”.

(e) PROVIDING CONFERENCE COMMITTEES WITH TIME TO REACH AGREEMENT.—In clause 7(c)(1) of rule XXII, strike “20” and insert “45” and strike “10” and insert “25”.

(f) CONTENTS OF COMMITTEE REPORTS SHOWING CHANGES TO EXISTING LAW.—Clause 3(e)(1) of rule XIII is amended by striking “accompanying document—” and all that follows and inserting “accompanying document—

“(A) the entire text of each section of a statute that is proposed to be repealed or amended; and

“(B) a comparative print of each amendment to a section of a statute that the bill or joint resolution proposes to make, showing by appropriate typographical devices the omissions and insertions proposed.”.

(g) MANDATORY ETHICS TRAINING FOR NEW MEMBERS.—Clause 3(a)(6)(B)(i) of rule XI is amended by striking “new officer or employee” and inserting “new Member, Delegate, Resident Commissioner, officer, or employee”.

(h) TECHNICAL AND CONFORMING CHANGES.—

(1) UPDATING REFERENCES TO THE JOINT COMMITTEE ON TAXATION.—

(A) In clause 3(h) of rule XIII, strike “Joint Committee on Internal Revenue Taxation” each place it appears and insert (in each instance) “Joint Committee on Taxation”; and

(B) In clause 11(a) of rule XXII, strike “Joint Committee on Internal Revenue Taxation” and insert “Joint Committee on Taxation”.

(2) UPDATING CROSS-REFERENCES.—

(A) In clause 2(i)(2) of rule II, strike “31b-5” and insert “5128”.

(B) In clause 3 of rule XXVI, strike “pursuant to clause 1” and insert “by August 1 of each year”.

SEC. 3. SEPARATE ORDERS.

(a) INDEPENDENT PAYMENT ADVISORY BOARD.—Section 1899A(d) of the Social Security Act shall not apply in the One Hundred Fourteenth Congress.

(b) STAFF DEPOSITION AUTHORITY FOR CERTAIN COMMITTEES.—

(1) During the first session of the One Hundred Fourteenth Congress, the chair of a committee designated in paragraph (3), upon consultation with the ranking minority member of such committee, may order the taking of depositions, including pursuant to subpoena, by a member or counsel of such committee.

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

(3) The committees referred to in paragraph (1) are as follows: the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Science, Space, and Technology, and the Committee on Ways and Means.

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

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

(2) the Clerk shall make such memorials as are designated pursuant to paragraph (1) publicly available in electronic form, organized by State of origin and year of receipt.

(d) SPENDING REDUCTION AMENDMENTS IN APPROPRIATIONS BILLS.—

(1) During the reading of a general appropriation bill for amendment in the Committee of the Whole House on the state of the Union, it shall be in order to consider en bloc amendments proposing only to transfer appropriations from an object or objects in the bill to a spending reduction account. When considered en bloc under this paragraph, such amendments may amend portions of the bill not yet read for amendment (following disposition of any points of order against such portions) and are not subject to a demand for division of the question in the House or in the Committee of the Whole.

(2) Except as provided in paragraph (1), it shall not be in order to consider an amendment to a spending reduction account in the House or in the Committee of the Whole House on the state of the Union.

(3) It shall not be in order to consider an amendment to a general appropriation bill proposing a net increase in budget authority in the bill (unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI).

(4) A point of order under clause 2(b) of rule XXI shall not apply to a spending reduction account.

(5) A general appropriation bill may not be considered in the Committee of the Whole House on the state of the Union unless it includes a spending reduction account as the last section of the bill. An order to report a general appropriation bill to the House shall constitute authority for the chair of the Committee on Appropriations to add such a section to the bill or modify the figure contained therein.

(6) For purposes of this subsection, the term “spending reduction account” means an account in a general appropriation bill that bears that caption and contains only a recitation of the amount by which an applicable allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of new budget authority proposed by the bill.

(e) BUDGET MATTERS.—

(1)(A) During the first session of the One Hundred Fourteenth Congress, pending the adoption of a concurrent resolution on the budget for fiscal year 2015—

(i) the provisions of titles III, IV, and VI of House Concurrent Resolution 25, One Hundred Thirteenth Congress, as adopted by the House, shall have force and effect in the House as though Congress has adopted such concurrent resolution;

(ii) the allocations, aggregates, and other appropriate levels as contained in the statement of the chair of the Committee on the Budget of the House of Representatives in the Congressional Record of April 29, 2014, as adjusted in the One Hundred Thirteenth Congress, shall be considered for all purposes in the House to be the allocations, aggregates, and other appropriate levels under titles III and IV of the Congressional Budget Act of 1974;

(iii) all references in titles IV and VI of House Concurrent Resolution 25, One Hundred Thirteenth Congress, to a fiscal year shall be considered for all purposes in the House to be references to the succeeding fiscal year; and

(iv) all references in titles IV and VI of House Concurrent Resolution 25, One Hundred Thirteenth Congress, to allocations, aggregates, or other appropriate levels in “this concurrent resolution” (or, in the case of section 408 of such concurrent resolution, “this resolution”) shall be considered for all purposes in the House to be references to the allocations, aggregates, or other appropriate levels contained in the statement of the chair of the Committee on the Budget of the House of Representatives printed in the Congressional Record of April 29, 2014, as adjusted in the One Hundred Thirteenth Congress.

(B) The chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels provided for in subparagraph (A)(ii) for any bill or joint resolution, or amendment thereto or conference report thereon, if such measure maintains the solvency of the Highway Trust Fund, but only if such measure would not increase the deficit over the period of fiscal years 2015 through 2025.

(C) The chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels provided for in subparagraph (A)(ii) to take into account the most recent baseline published by the Congressional Budget Office.

(2)(A) During the One Hundred Fourteenth Congress, except as provided in subparagraph (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 subparagraph (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) Subparagraph (A) shall not apply—

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

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

(D) If a question under subparagraph (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.

(f) CONTINUING LITIGATION AUTHORITIES.—

(1) OVERSIGHT AND GOVERNMENT REFORM AND THE OFFICE OF GENERAL COUNSEL.—

(A) The House authorizes—

(i) the Committee on Oversight and Government Reform of the One Hundred Fourteenth Congress to act as the successor in interest to the Committee on Oversight and Government Reform of the One Hundred Thirteenth Congress and the One Hundred Twelfth Congress with respect to the civil action Committee on Oversight and Government Reform, United States House of Representatives v. Eric H. Holder, Jr., in his official capacity as Attorney General of the United States, filed by the Committee on Oversight and Government Reform in the One Hundred Twelfth Congress pursuant to House Resolution 706; and

(ii) the chair of the Committee on Oversight and Government Reform (when elected), on behalf of the Committee on Oversight and Government Reform, 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.

(B) The House authorizes the chair of the Committee on Oversight and Government Reform (when elected), on behalf of the Committee on Oversight and Government Reform and until such committee has adopted rules pursuant to clause 2(a) of rule XI, to issue subpoenas related to the investigation into the United States Department of Justice operation known as "Fast and Furious" and related matters.

(C) The House authorizes the chair of the Committee on Oversight and Government Reform (when elected), on behalf of the Committee on Oversight and Government Reform, 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 Oversight and Government Reform of the One Hundred Thirteenth Congress or the One Hundred Twelfth Congress as part of its investigation into the United States Department of Justice operation known as "Fast and Furious" and related matters who failed to comply

with such subpoena, or any successor to such individual.

(D) The House authorizes the chair of the Committee on Oversight and Government Reform (when elected), on behalf of the Committee on Oversight and Government Reform, and the Office of General Counsel, 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.

(2) THE HOUSE OF REPRESENTATIVES AND THE OFFICE OF GENERAL COUNSEL.—

(A) The House of Representatives of the One Hundred Fourteenth Congress is authorized to act as the successor in interest to the House of Representatives of the One Hundred Thirteenth Congress with respect to the civil action United States House of Representatives v. Sylvia Mathews Burwell, in her official capacity as the Secretary of the United States Department of Health and Human Services, et al., filed by the House of Representatives in the One Hundred Thirteenth Congress pursuant to House Resolution 676; and

(B) The House authorizes the Speaker, on behalf of the House of Representatives, 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.

(C) The authorities provided by House Resolution 676 of the One Hundred Thirteenth Congress remain in full force and effect in the One Hundred Fourteenth Congress.

(3) AUTHORITY TO PROVIDE TESTIMONY.—The House authorizes Michael W. Sheehy to provide testimony in the criminal action United States v. Jeffrey Sterling in accordance with the authorizations provided to Mr. Sheehy by the Permanent Select Committee on Intelligence of the One Hundred Thirteenth Congress and the One Hundred Twelfth Congress.

(g) DUPLICATION OF FEDERAL PROGRAMS.—

(1) The chair of a committee may request that the Government Accountability Office perform a duplication analysis of any bill or joint resolution referred to that committee. Any such analysis shall assess whether, and the extent to which, the bill or joint resolution creates a new Federal program, office, or initiative that duplicates or overlaps with any existing Federal program, office, or initiative.

(2) The report of a committee on a bill or joint resolution that establishes or reauthorizes a program of the Federal Government shall include a statement, as though under clause 3(c) of rule XIII, indicating whether any such program is known to be duplicative of another such program. The statement shall at a minimum explain whether—

(A) any such program was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139; or

(B) the most recent Catalog of Federal Domestic Assistance, published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169), identified other programs related to the program established or reauthorized by the measure.

(h) ESTIMATES OF DIRECT SPENDING.—

(1) It shall not be in order to consider any concurrent resolution on the budget, or amendment thereto or conference report thereon, unless it contains a separate heading entitled "Direct Spending", which shall include a category for "Means-Tested Direct Spending" and a category for "Nonmeans-Tested Direct Spending" and sets forth—

(A) the average rate of growth for each category in the total amount of outlays during the 10-year period preceding the budget year;

(B) estimates for each such category under current law for the period covered by the concurrent resolution; and

(C) information on proposed reforms in such categories.

(2) Before the consideration of a concurrent resolution on the budget by the Committee on the Budget for a fiscal year, the chair of the Committee on the Budget shall submit for printing in the Congressional Record a description of programs which shall be considered means-tested direct spending and nonmeans-tested direct spending for purposes of this subsection.

(i) DISCLOSURE OF DIRECTED RULEMAKINGS.—

(1) The report of a committee on a bill or joint resolution shall include a statement, as though under clause 3(c) of rule XIII, estimating the number of directed rule makings required by the measure.

(2) For purposes of this subparagraph, the term "directed rule making" means a specific rule making within the meaning of section 551 of title 5, United States Code, specifically directed to be completed by a provision in the measure, but does not include a grant of discretionary rule making authority.

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

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

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

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

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

(k) EXERCISE FACILITIES FOR FORMER MEMBERS.—During the One Hundred Fourteenth 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.

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

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

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

(o) TEMPORARY DESIGNATION.—Pending the designation of a location by the Committee on House Administration pursuant to clause 3 of rule XXIX, documents may be made publicly available in electronic form at an electronic document repository operated by the Clerk.

(p) CONGRESSIONAL MEMBER ORGANIZATION TRANSPARENCY REFORM.—

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

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

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

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

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

(B) MAINTENANCE OF LIMITATIONS ON NUMBER OF SHARED EMPLOYEES.—Pursuant to the authority of section 104(d) of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5321(d)), the Committee shall prescribe regulations to provide that an employee of the office of a Member of the House of Representatives who is covered by an agreement entered into under paragraph (1) between the Member and an eligible Congressional Member Organization shall be considered a shared employee of the Member's office and the Organization for purposes of such section, and shall include in such regulations appropriate accounting standards to ensure that a Member of the House of Representatives who enters into an agreement with such an Organization under paragraph (1) does not employ more employees than the Member is authorized to employ under such section.

(C) PARTICIPATION IN STUDENT LOAN REPAYMENT PROGRAM.—Pursuant to the authority of section 105(b) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 4536(b)), relating to the student loan repayment program for employees of the House, the Com-

mittee shall promulgate regulations to provide that, in the case of an employee who is covered by an agreement entered into under paragraph (1) between a Member of the House of Representatives and an eligible Congressional Member Organization and who participates in such program while carrying out duties under the agreement—

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

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

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

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

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

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

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

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

(D) During the One Hundred Thirteenth Congress, at least 30 Members of the House of Representatives used a portion of the Members' Representational Allowance of the Member for the salary and related expenses of an employee who was a shared employee of the Member's office and the organization.

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

(4) SOCIAL SECURITY SOLVENCY.—

(1) POINT OF ORDER.—During the One Hundred Fourteenth Congress, it shall not be in order to consider a bill or joint resolution, or an amendment thereto or conference report thereon, that reduces the actuarial balance by at least .01 percent of the present value of future taxable payroll of the Federal Old-Age and Survivors Insurance Trust Fund established under section 201(a) of the Social Security Act for the 75-year period utilized in the most recent annual report of the Board of Trustees provided pursuant to section 201(c)(2) of the Social Security Act.

(2) EXCEPTION.—Paragraph (1) shall not apply to a measure that would improve the actuarial balance of the combined balance in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for the 75-year period utilized in the most recent annual report of the Board of Trustees provided pursuant to section 201(c)(2) of the Social Security Act.

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

(a) SELECT COMMITTEE ON THE EVENTS SURROUNDING THE 2012 TERRORIST ATTACK IN BENGHAZI.—House Resolution 567, One Hundred Thirteenth Congress, shall apply in the same manner as such resolution applied in the One Hundred Thirteenth Congress, except that notwithstanding clause 2(j)(2)(A) of rule XI, the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi may adopt a rule or motion permitting members of the select committee to question a witness for ten minutes until such time as each member of the select committee who so desires has had an opportunity to question such witness.

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

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

(1) the Office of Congressional Ethics shall be treated as a standing committee of the House for purposes of section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i));

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

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

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

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

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

SEC. 5. ORDER OF BUSINESS.

The Speaker may recognize a Member for the reading of the Constitution on any legislative day through January 16, 2015.

Mr. MCCARTHY (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 California?

There was no objection.

MOTION TO REFER

Ms. NORTON. Mr. Speaker, I rise to offer a motion that is at the desk.

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

The Clerk read as follows:

Ms. NORTON moves to refer the resolution to a select committee of five members, to be appointed by the Speaker, not more than three of whom shall be from the same political party, with instructions not to report back the same until it has conducted a full and complete study of, and made a determination on, whether there is any reason to deny Delegates voting rights in the Committee of the Whole House on the state of the Union in light of the decision of the United States Court of Appeals for the District of Columbia in *Michel v. Anderson* (14 F.3d 623 (D.C. Cir. 1994)) upholding the constitutionality of such voting rights, and the inclusion of such voting rights in the Rules for the 103rd, 110th and 111th Congresses.

MOTION TO TABLE

Mr. MCCARTHY. Mr. Speaker, I have a motion to table at the desk.

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

The Clerk read as follows:

Mr. MCCARTHY moves to lay on the table the motion to refer.

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

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

Ms. NORTON. 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 230, nays 160, not voting 43, as follows:

[Roll No. 3]

YEAS—230

Abraham	Diaz-Balart	Issa
Aderholt	Dold	Jenkins (KS)
Allen	Duffy	Jenkins (WV)
Amash	Duncan (SC)	Johnson (OH)
Amodei	Duncan (TN)	Johnson, Sam
Barletta	Ellmers	Jolly
Barr	Emmer	Jones
Barton	Farenthold	Jordan
Benishkek	Fincher	Joyce
Bilirakis	Fitzpatrick	Katko
Bishop (MI)	Fleming	Kelly (PA)
Black	Flores	King (IA)
Blackburn	Forbes	King (NY)
Blum	Fortenberry	Kinzinger (IL)
Bost	Fox	Kline
Boustany	Franks (AZ)	Knight
Brady (TX)	Frelinghuysen	Labrador
Brat	Garrett	LaMalfa
Bridenstine	Gibbs	Lamborn
Brooks (AL)	Gibson	Lance
Brooks (IN)	Gohmert	Latta
Buchanan	Goodlatte	LoBiondo
Buck	Gosar	Long
Bucshon	Graves (GA)	Love
Burgess	Graves (LA)	Lucas
Byrne	Graves (MO)	Luetkemeyer
Calvert	Griffith	Lummis
Chabot	Guinta	MacArthur
Chaffetz	Guthrie	Marchant
Clawson (FL)	Hanna	Marino
Coffman	Hardy	Massie
Cole	Harper	McCarthy
Collins (GA)	Harris	McCaul
Collins (NY)	Hartzler	McClintock
Comstock	Heck (NV)	McHenry
Conaway	Hensarling	McKinley
Cook	Herrera Beutler	McMorris
Costello (PA)	Hice (GA)	Rodgers
Cramer	Hill	McSally
Crenshaw	Holding	Meadows
Culberson	Hudson	Meehan
Curbeo (FL)	Huelskamp	Messer
Davis, Rodney	Huizenga (MI)	Mica
Denham	Hultgren	Miller (FL)
Dent	Hunter	Miller (MI)
DeSantis	Hurd (TX)	Moolenaar
DesJarlais	Hurt (VA)	Mooney (WV)

Mullin	Rogers (KY)	Thompson (PA)
Mulvaney	Rohrabacher	Thornberry
Murphy (PA)	Rokita	Tiberi
Neugebauer	Rooney (FL)	Tipton
Newhouse	Ros-Lehtinen	Turner
Noem	Roskam	Upton
Nunes	Ross	Valadao
Olson	Rothfus	Wagner
Palazzo	Rouzer	Walberg
Palmer	Royce	Walden
Paulsen	Russell	Walker
Pearce	Ryan (WI)	Walorski
Perry	Salmon	Walters, Mimi
Pittenger	Sanford	Weber (TX)
Pitts	Scalise	Webster (FL)
Poe (TX)	Schock	Wenstrup
Poliquin	Schweikert	Westerman
Pompeo	Scott, Austin	Westmoreland
Posey	Sensenbrenner	Whitfield
Price (GA)	Sessions	Williams
Ratcliffe	Shimkus	Wilson (SC)
Reed	Shuster	Wittman
Reichert	Simpson	Womack
Renacci	Smith (MO)	Woodall
Ribble	Smith (NE)	Yoder
Rice (SC)	Smith (NJ)	Yoho
Rigell	Smith (TX)	Young (IA)
Roby	Stefanik	Young (IN)
Roe (TN)	Stewart	Zeldin
Rogers (AL)	Stivers	Zinke

NAYS—160

Adams	Frankel (FL)	Napolitano
Aguilar	Fudge	Neal
Ashford	Gabbard	Norcross
Bass	Gallego	O'Rourke
Beatty	Garamendi	Pallone
Becerra	Graham	Payne
Bera	Grayson	Pelosi
Beyer	Green, Al	Perlmutter
Bishop (GA)	Green, Gene	Peters
Blumenauer	Gutiérrez	Peterson
Bonamici	Hahn	Pingree
Boyle (PA)	Hastings	Pocan
Brady (PA)	Heck (WA)	Polis
Brown (FL)	Himes	Quigley
Brownley (CA)	Hinojosa	Rice (NY)
Bustos	Hoyer	Richmond
Butterfield	Huffman	Roybal-Allard
Capps	Israel	Ruiz
Capuano	Jackson Lee	Ruppersberger
Cárdenas	Jeffries	Rush
Carson (IN)	Johnson (GA)	Ryan (OH)
Castor (FL)	Johnson, E. B.	Sánchez, Linda T.
Castro (TX)	Kaptur	Sanchez, Loretta
Chu (CA)	Keating	Sarbanes
Clark (MA)	Kelly (IL)	Schakowsky
Clarke (NY)	Kennedy	Schiff
Clay	Kildee	Schrader
Cleaver	Kilmer	Scott (VA)
Clyburn	Kind	Scott, David
Cohen	Kirkpatrick	Serrano
Connolly	Kuster	Sherman
Conyers	Langevin	Sires
Cooper	Larsen (WA)	Slaughter
Courtney	Larson (CT)	Smith (WA)
Cuellar	Lawrence	Speier
Cummings	Lee	Swalwell (CA)
Davis (CA)	Levin	Takai
Davis, Danny	Lewis	Takano
DeFazio	Lieu (CA)	Thompson (CA)
DeGette	Lipinski	Thompson (MS)
Delaney	Loebbeck	Titus
DeLauro	Lofgren	Torres
DeBene	Lowenthal	Tsongas
DeSaulnier	Lujan Grisham	Van Hollen
Deutch	(NM)	Vargas
Dingell	Lujan, Ben Ray	Veasey
Doggett	(NM)	Vela
Doyle (PA)	Lynch	Viscosky
Duckworth	Matsui	Walz
Edwards	McCollum	Wasserman
Ellison	McDermott	Schultz
Eshoo	McGovern	Wilson (FL)
Esty	McNerney	Yarmuth
Fattah	Moore	
Foster	Moulton	

NOT VOTING—21

Babin	Fleischmann	Nugent
Bishop (UT)	Granger	Pascrell
Carney	Grijalva	Sewell (AL)
Cartwright	Grothman	Sinema
Crawford	Honda	Stutzman
Farr	Loudermilk	Trott
	Murphy (FL)	Watson Coleman

□ 1507

Mr. RATCLIFFE changed his vote from “nay” to “yea.”

So the motion to table 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. CARTER of Georgia. Mr. Speaker, on rollcall No. 3, I was unavoidably detained. Had I been present, I would have voted “yes.”

Mr. TROTT. Mr. Speaker, on rollcall No. 3, I was unavoidably detained. Had I been present, I would have voted “yes.”

Mr. GROTHMAN. Mr. Speaker, on rollcall No. 3, had I been present, I would have voted “yes.”

Stated against:

Mrs. WATSON COLEMAN. Mr. Speaker, on rollcall No. 3, I was detained in meeting. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Mr. PRICE of North Carolina. Mr. Speaker, because of inclement weather and two grounded flights, I was unable to vote during rollcall 2—Electing the Speaker of the House of Representatives. I would have proudly voted for Congresswoman NANCY PELOSI of California for Speaker of the House of Representatives.

I was also unable to vote during rollcall vote 3—Motion to Table. Had I been present, I would have voted against the Motion to Table.

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from California (Mr. MCCARTHY) is recognized for 1 hour.

Mr. MCCARTHY. Mr. Speaker, I yield the hour to the gentleman from Texas (Mr. SESSIONS), and I ask unanimous consent that he be permitted to control that time.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, I want to thank the gentleman from California (Mr. MCCARTHY), the majority leader.

Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Rochester, New York (Ms. SLAUGHTER). During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished majority leader.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding, but I

also want to thank Chairman SESSIONS for the hard work he has done in putting the rules package together today.

Today, the House will adopt these rules to govern the 114th Congress and dictate how this House will function over the next 2 years. As you will hear over the course of this debate, they are a recommitment by the Republican majority to govern transparently.

The rules ensure that both Members and the public have a chance to read bills before they come up for a vote, institute more accurate accounting for the economic effect of legislation, and restore the constitutional balance of power between the legislative and executive branches.

With these rules in place, the House can now proceed in tackling the challenges facing America today and pass legislation that creates jobs, grows the economy, and promotes freedom for all Americans.

Mr. Speaker, I urge adoption of the rules package.

Mr. SESSIONS. Mr. Speaker, I want to thank the distinguished gentleman from California (Mr. MCCARTHY), the majority leader.

Mr. Speaker, I insert for the RECORD a section-by-section analysis of the resolution as well as a July 21, 2014, memorandum prepared by the Office of the Parliamentarian for the Over-Criminalization Task Force of the Committee on the Judiciary.

H. RES. 5

ADOPTING RULES FOR THE 114TH CONGRESS

SECTION-BY-SECTION ANALYSIS

Section 1. Resolved Clause.

This section provides that the Rules of the 113th Congress are the Rules of the 114th Congress, except with the amendments contained in section 2 of the resolution and orders contained in sections 3, 4, and 5.

Section 2. Changes to the Standing Rules.

Disclosure of Foreign Payments to Witnesses. Subsection (a)(1) requires, to the greatest extent practicable, nongovernmental witnesses to disclose payments or contracts to the witness or an organization they represent originating from foreign governments received in the current and preceding two calendar years, to the extent that such information is relevant to the subject matter of, and the witness' representational capacity at, that hearing.

While failure to comply fully with this requirement would not give rise to a point of order against the witness testifying, it could result in an objection to including the witness's written testimony in the hearing record in the absence of such disclosure.

Jurisdictional Changes. Subsection (a)(2) adds language to the Committee on the Judiciary's jurisdictional statement with respect to the criminalization of conduct.

The Committee on the Judiciary's jurisdiction over criminal penalties and criminal law enforcement would remain unchanged. That is, the committee would maintain its existing jurisdiction over measures that create or repeal a crime, and over measures that alter criminal penalties with regard to crimes already existing in law.

The rules change is intended to cover measures that alter the elements of a crime so as to criminalize new conduct and, in so doing, trigger an existing criminal penalty. This rules change is not intended to cover

measures that merely supply the regulatory framework or address the regulatory underpinnings of the overall enforcement scheme. Past measures proposing merely to adjust the elements of such a crime—as opposed to adjusting the penalty for commission of the crime—have been out of the jurisdictional reach of the Committee on the Judiciary. Even though such measures have left the criminal penalty unchanged, they have nonetheless subjected new conduct to that criminal penalty. In other words, new conduct was criminalized. If the relatively rare practice of criminalizing new conduct within the framework of existing penalties is left unchecked, it calls into question the efficacy of the Committee on the Judiciary's jurisdictional statement in providing a comprehensive look at criminal penalties and criminal law enforcement. Hence, a rule X statement of "criminalization" is the most appropriate way to address this circumstance.

The jurisdiction of other committees over the elements of a crime—particularly in the context of a regulatory scheme and outside of title 18, United States Code—would remain the same, except that it potentially would be shared with the Committee on the Judiciary in some instances. In that respect, it is similar to the criminalization of new conduct accompanied by a new criminal penalty; this change is to ensure that it is the act of criminalizing conduct, and not just the penalties themselves, that gives rise to a jurisdictional interest by the Committee on the Judiciary.

This rules change is not intended to alter existing jurisdiction over any enforcement scheme that falls outside of the ambit of criminal law enforcement. Rather, it is to confirm that the creation of a new crime subject to criminal law enforcement is what gives rise to the Committee on the Judiciary's interest, and not merely the establishment or modification of the penalty.

For instance, the change is intended to address a situation analogous to H.R. 2492 of the 112th Congress, which addressed attendance at animal fighting events through amendments to the Animal Welfare Act—compiled in title 7 of the United States Code—and to title 18. That measure was referred to both the Committee on Agriculture and the Committee on the Judiciary. Portions of that measure were later included in H.R. 2642 of the 113th Congress and addressed a type of animal fighting to be covered by the Animal Welfare Act, but did not amend the existing criminal penalty in the Animal Welfare Act and did not touch title 18. As a result, the Committee on the Judiciary did not receive a referral of that measure.

Committees with jurisdiction over a regulatory statute will continue to exercise that jurisdiction, and the interest of the Committee on the Judiciary will extend to the creation of a new crime without a change to an existing penalty only to the same extent it would to creation of a new crime with an accompanying penalty prior to the 114th Congress.

The subsection adds language to the Committee on Appropriations' jurisdictional statement with respect to certain loan obligations and new loan guarantees with a textual reference to section 504(b) of the Congressional Budget Act.

Clarifying the Jurisdiction of the Committee on House Administration. Subsection (a)(3) clarifies the Committee on House Administration's jurisdiction over the Chief Administrative Officer.

Committee Activity Reports. Subsection (a)(4) reduces the frequency of committee activity reports from two times per Congress to one time per Congress.

Dissenting Views. Subsection (a)(5) codifies current practice by updating the rule regard-

ing supplemental, minority, or additional views to include "dissenting" views.

Consolidating Requirements for Written Rules. Subsection (a)(6) requires committees to include in their written rules pursuant to clause 2(a)(1) of rule XI certain audio and visual coverage rules described in clause 4(f) of rule XI and formerly required by such clause.

Conforming Committee and House Broadcasting Standards. Subsection (a)(7) conforms the language in clause 4(b) of rule XI with clause 2(c) of rule V to ensure consistent application of broadcasting standards.

Eliminating the Point of Order Against Considering Appropriations Measures without Printed Hearings. Subsection (a)(8) eliminates the point of order against the consideration of appropriations measures without printed hearings. This information is largely available through archived broadcasts, testimony, and other documents available on the Appropriations Committee's website and the public hearings themselves.

Permanent Select Committee on Intelligence. Subsection (a)(9) increases the size of the committee to 22 members, with not more than 13 from the same party.

Committee on Ethics. Subsection (a)(10) prohibits the Committee on Ethics from taking action that would deny a person any rights or protections provided under the Constitution of the United States of America.

Bipartisan Legal Advisory Group. Subsection (b) updates the authorization for the Bipartisan Legal Advisory Group to conform to current practice and codifies a separate order of the 113th Congress.

Cost Estimates for Major Legislation to Incorporate Macroeconomic Scoring. Subsection (c) requires the Congressional Budget Office and Joint Committee on Taxation, to the extent practicable, to incorporate the macroeconomic effects of "major legislation" into the official cost estimates used for enforcing the budget resolution and other rules of the House. The subsection requires, to the extent practicable, a qualitative assessment of the long-term budgetary and macroeconomic effects of "major legislation", which is defined to cover legislation that causes a gross budgetary effect in any fiscal year covered by the budget resolution that is equal to or greater than 0.25 percent of the projected GDP for that year. This subsection also allows the chair of the Committee on the Budget, or in the case of revenue legislation the House member serving as the Chair or Vice Chair of the Joint Committee on Taxation, to designate "major legislation" for purposes of this rule.

This subsection also repeals the existing provision in clause 3(h)(2) of rule XIII that requires a macroeconomic impact analysis of revenue legislation, which is superseded by the new rule.

Providing for Reconvening Authority for the House of Representatives. Subsection (d) allows the Speaker, after consultation with the Minority Leader, to reconvene the House during an adjournment of three days or less, at a time other than previously appointed. This codifies separate orders from the 112th and 113th Congresses.

Providing Conference Committees with Time to Reach Agreement. Subsection (e) modifies clause 7(c)(1) of rule XXII by providing conference committees 45 calendar days and 25 legislative days after the formation of a conference to reach agreements before additional motions to instruct managers may be offered.

Contents of Committee Reports Showing Changes to Existing Law. Subsection (f) requires that a Ramseyer print to show the entire text of amended or repealed sections of a statute along with the proposed changes.

Mandatory Ethics Training for New Members. Subsection (g) requires that new Members of

the House, in addition to employees, complete ethics training.

Technical and Conforming Changes. Subsection (h)(1) conforms the standing rules to reflect the name in statute of the Joint Committee on Taxation (JCT). Subsection (h)(2) updates an outdated statutory citation and removes a reference inadvertently left in place at the start of the 113th Congress, which is no longer necessary due to the enactment of the STOCK Act.

Section 3. Separate Orders.

Independent Payment Advisory Board. Subsection (a) eliminates provisions contained in the Affordable Care Act that limit the ability of the House to determine the method of consideration for a recommendation from the Independent Payment Advisory Board or to repeal the provision in its entirety.

Staff Deposition Authority for Certain Committees. Subsection (b) provides the Committees on Energy and Commerce, Financial Services, Science, Space, and Technology, and Ways and Means deposition authority to be conducted by a member or committee counsel during the first session of the 114th Congress. Depositions taken under this authority shall be subject to regulations issued by the chair of the Committee on Rules and printed in the Congressional Record.

Providing for Transparency with Respect to Memorials Submitted Pursuant to Article V of the Constitution of the United States. Subsection (c) clarifies the procedures of the House upon receipt of Article V memorials from the States by directing the Clerk to make each memorial, designated by the chair of the Committee on the Judiciary, electronically available and organized by State of origin and year of receipt.

In carrying out section 3(c) of House Resolution 5, it is expected that the chair of the Committee on the Judiciary will be solely charged with determining whether a memorial purports to be an application of the legislature of a state calling for a constitutional convention. The Clerk's role will be entirely administrative. The chair of the Committee on the Judiciary will only designate memorials from state legislatures (and not petitions from individuals or other parties) as it is only state legislatures that are contemplated under Article V of the Constitution.

In submitting the memorials to the Clerk, the chair of the Committee on the Judiciary will include a transmission letter with each memorial indicating it has been designated under section 3(c) of House Resolution 5. The Clerk will make publicly available the memorial and the transmission letter from the chair. Ancillary documentation from the state or other parties is not expected to be publicized.

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

Spending Reduction Amendments in Appropriations Bills. Subsection (d) carries forward the prohibition from the 112th and 113th Congresses against consideration of a general appropriation bill that does not include a "spending reduction" account, the contents of which is a recitation of the amount by which, through the amendment process, the House has reduced spending in other portions of the bill and indicated that such savings should be counted towards spending reduction. It provides that other amendments that propose to increase spending in accounts in a general appropriations bill must include an offset of equal or greater value.

Budget Matters. Subsection (e)(1) provides that titles III, IV, and VI, of House Concurrent Resolution 25 (113th Congress), as well as the allocations, aggregates, and appro-

priate levels contained in the chair of the Committee on the Budget's statement submitted in the Congressional Record on April 29, 2014, as adjusted, will continue to have force and effect until a budget resolution for fiscal year 2015 is adopted. This subsection also provides that the chair of the Committee on the Budget may revise allocations, aggregates, and appropriate levels for measures maintaining the Highway Trust Fund, provided such a measure does not increase the deficit over the 11-year window and revise allocations, aggregates, and appropriate levels to take into account updated CBO baselines.

Subsection (e)(2) carries forward from the 113th Congress the requirement that prevents the Committee of the Whole from rising to report a bill to the House that exceeds an applicable allocation of new budget authority under section 302(b) (Appropriations subcommittee allocations) as estimated by the Budget Committee and creates a point of order.

Continuing Litigation Authorities. Subsection (1) addresses continuing litigation in which the House is a party. Paragraph (1) authorizes the Committee on Oversight and Government Reform, through the House Office of General Counsel, to continue litigation to enforce a subpoena against the Attorney General related to the "Fast and Furious" investigation. This lawsuit was authorized by H. Res. 706 (112th Congress). It also authorizes the chair of the Committee on Oversight and Government Reform (when elected) to take certain actions necessary to continue the litigation. Paragraph (2) authorizes the House to act as the successor in interest with respect to ongoing civil actions regarding the implementation of the Patient Protection and Affordable Care Act. The lawsuit was authorized by H. Res. 676 (113th Congress). The subsection also carries forward the authorities provided by H. Res. 676 (113th Congress) to remain in effect in the 114th Congress. Paragraph (3) authorizes Michael W. Sheehy to provide testimony in an ongoing criminal action in accordance with authorizations from the Permanent Select Committee on Intelligence in the 112th and 113th Congresses.

Duplication of Federal Programs. Subsection (g) carries forward from the 113th Congress the authorization of a committee chair to request that the Government Accountability Office perform a duplication analysis of any bill or joint resolution referred to that committee. The subsection also requires committee reports to include a statement on whether any provision of the measure establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program. This order has been modified to allow for a statement that no program is being established or reauthorized for purposes of complying with the order.

Estimates of Direct Spending. Subsection (h) carries forward from the 113th Congress the prohibition of consideration of a concurrent resolution on the budget, or any proposed amendment to or conference report thereon, unless it includes specified information and estimates related to direct spending, including means-tested direct spending and nonmeans-tested direct spending. The subsection also requires the chair of the Committee on the Budget to publish a description in the Congressional Record of covered programs.

Disclosure of Directed Rulemakings. Subsection (i) carries forward from the 113th Congress the requirement that committee reports on bills or joint resolutions are to include an estimate of the number of directed rule makings required by the measure. The subsection defines "directed rule making" to

include those rule makings specifically directed to be completed by a provision in the legislation, but does not include a grant of discretionary rule making authority.

Subcommittees. Subsection (j) waives clause 5(d) of rule X to allow the Committees on Armed Services and Foreign Affairs up to seven subcommittees and the Committees on Transportation and Infrastructure and Agriculture up to six subcommittees. Other than the inclusion of the Committee on Agriculture, this is similar to provisions carried in the rules package during the last several Congresses.

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

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

Inclusion of U.S. Code Citations. Subsection (m) adds, to the maximum extent practicable, a requirement for parallel citations for amendatory instructions to Public Laws and Statutes at Large that are not classified in the U.S. Code.

Broadening Availability of Legislative Documents in Machine Readable Formats. Subsection (n) instructs the appropriate officers and committees to continue to advance government transparency by taking further steps to publish documents of the House in machine-readable formats.

Temporary Designation. Subsection (o) designates a temporary location for documents to be made publicly available pending the official designation by the Committee on House Administration under clause 3 of rule XXIX.

Congressional Member Organization Transparency Reform. Subsection (p) allows participating Members to enter into agreements with eligible Congressional Member Organizations for the purpose of payment of salaries and expenses. The subsection requires the Committee on House Administration to promulgate regulations, consistent with current law, to carry out this subsection.

Social Security Solvency. Subsection (q) creates a point of order against legislation that would reduce the actuarial balance of the Federal Old-Age and Survivors Insurance Trust Fund, but provides an exemption to the point of order if a measure improves the overall financial health of the combined Social Security Trust Funds. This subsection would protect the Old-Age and Survivors Insurance (OASI) Trust Fund from diversion of its funds to finance a broken Disability Insurance system.

Section 4. Committees, Commissions, and House Offices.

Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi. Subsection (a) carries forward the select committee as authorized by H. Res. 567 (113th Congress) as it existed at the end of the 113th Congress. Additionally, the subsection provides the select committee authority to adopt a rule or motion allowing for a tentative rule for the questioning of witnesses.

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

Tom Lantos Human Rights Commission. Subsection (c) reauthorizes the Tom Lantos Human Rights Commission.

Office of Congressional Ethics. Subsection (d) reauthorizes the Office of Congressional

Ethics (OCE) for the 114th Congress and clarifies that term limits do not apply to members of the OCE. The subsection reaffirms that a person subject to a review by the Office of Congressional Ethics has a right to be represented by counsel, and establishes that invoking such right is not to be held as a presumption of guilt. The subsection also prohibits the Office of Congressional Ethics from taking action that would deny a person any rights or protections provided under the Constitution of the United States of America.

Section 5. Additional Order of Business.

Reading of the Constitution. This section allows the Speaker to recognize Members for the reading of the Constitution on any legislative day through January 16, 2015.

OFFICE OF THE PARLIAMENTARIAN,
HOUSE OF REPRESENTATIVES,
Washington, DC.

MEMORANDUM

To: Over-Criminalization Task Force of the Committee on the Judiciary.

From: Office of the Parliamentarian.

Date: July 21, 2014.

The Over-Criminalization Task Force of the Committee on the Judiciary is tasked with addressing the current federal criminal statutes and making recommendations for improvements. One of its areas of study is legislative jurisdiction in the House over proposals addressing Federal criminal law. This memo provides guidance on the rules of the House and precedents in this area.

RULE X—THE JURISDICTIONAL STATEMENT OF
THE COMMITTEE ON THE JUDICIARY

The Parliamentarian, acting as the Speaker's agent, refers bills and other matters upon their introduction to committees pursuant to the jurisdiction of each committee as defined by rule X, taking into account any relevant precedents. Rule XII guides the Speaker in the type and timing of a referral.

The jurisdiction of each of the 20 standing committees of the House is set out in rule X of the rules of the House. The jurisdictional statement of the Committee on the Judiciary is found in clause 1(l) of rule X. The referral of measures on the subject of criminalization is based on clause 1(l)(1) addressing, "The judiciary and judicial proceedings, civil and criminal," and clause 1(l)(7), addressing "Criminal law enforcement."

The jurisdictional statement regarding "The judiciary and judicial proceedings, civil and criminal" has been in place since the creation of the Committee on the Judiciary in 1813. That statement has been interpreted to apply to matters "touching judicial proceedings." Hinds, vol. 4, sec. 4054.

The jurisdictional statement regarding "Criminal law enforcement" was added in the 109th Congress (sec. 2(a)(2), H. Res. 5, Jan. 4, 2005). This statement has been interpreted by the Office of the Parliamentarian as a codification of the committee's existing de facto jurisdiction over legislation addressing law enforcement powers, consistent with the absence of legislative history supplying any other meaning (Cong. Rec. Jan 4, 2005). This area of the committee's jurisdiction is often manifested in * * *

REFERRAL PATTERNS

The issue presented by indirect criminalization can be found in examples spanning many different subject matters. One illustration is in the referrals of the Lacey Act, a frequently amended statute that regulates the trafficking of fish, wildlife, and plants. The Lacey Act is compiled in both title 16 and title 18 of the United States Code. In the case of H.R. 3049 of the 109th Congress (regulating the trafficking in Asian carp), the bill

amended 18 U.S.C. 42 and addressed criminalization. Accordingly, it was referred to the Committee on the Judiciary. In contrast, H.R. 1497 of the 110th Congress (regulating plants harvested outside the United States) amended various regulatory sections of the Lacey Act Amendments of 1981 that have been compiled in title 16 of the United States Code. The bill extended the Lacey Act's coverage to plants harvested outside the United States and any address of criminalization was indirect. Accordingly, it was referred to the Committee on Natural Resources.

A more recent example is found in the animal welfare area. H.R. 2492 of the 112th Congress addressed attendance at animal fighting events through amendments to the Animal Welfare Act—compiled in title 7 of the United States Code—and to title 18. The bill was referred to both the Committee on Agriculture and the Committee on the Judiciary. Parts of the contents of this bill were later included in a larger measure in the 113th Congress—H.R. 2642, the Federal Agriculture Reform and Risk Management Act of 2013 (section 11311). The provision addressed a type of animal fighting to be covered by the Animal Welfare Act, but did not amend the existing criminal penalty in the Animal Welfare Act and did not touch title 18. The Parliamentarian advised that a referral to the Committee on the Judiciary was not consistent with past precedent.

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

Ms. SLAUGHTER. Mr. Speaker, I thank my friend from Texas for yielding me the time, and if I could just take a minute to wish everybody a great new session. It is good to be back. I yield myself such time as I may consume.

Mr. Speaker, we rise today to set a new course for this Congress, though, with the record of the past Congresses, we know we have a lot of work to do.

During their tenure, the majority has careened from crisis to crisis, sued the President for doing his job, brought the House to new heights of dysfunction and closed debate with the most closed rules in a single Congress in our Nation's history, chased nonexistent scandals in Benghazi and at the IRS, and, since 2011, had this House vote more than 50 times to take health care away from their own constituents.

This legacy of dysfunction, of partisanship and prioritizing political games over the public policy has dealt the American people a bad hand. By governing this House in such a haphazard way, the majority has closed down the process and shut out the American people.

Sadly, the majority is poised to double down on their partisanship and even reinvent the mathematics of public policy. By using what is called "dynamic scoring" to pretend that tax cuts pay for themselves, Republicans will require the nonpartisan Congressional Budget Office and Joint Taxation Committee to use math that Bruce Bartlett, an economic adviser for both Presidents Ronald Reagan and George H.W. Bush, called "smoke and mirrors." This new math cooks the books in favor of the majority to pretend that the tax cut bills are revenue neutral.

Time and time again, the falsehoods of dynamic scoring have come to light. The first President Bush even called this tactic "voodoo economics." But even so, the House Republicans want to change the rules and inject their partisan ideology into even the mathematics which underlies our Nation's public policy.

Rising above partisanship, the House Democrats will propose today two measures that would do immeasurable good for the American people.

First, giving average Americans the paychecks that they deserve, our commonsense legislation would deny CEOs the ability to claim tax deductions on incomes over \$1 million unless their own employees get a well-deserved raise first. This would ensure that average workers share in the fruit of the Nation's productivity, not just the millionaires and the billionaires. Today, as our Tax Code stands, CEOs get a break and their workers are left out. The CEOs get the money, the deduction on taxes, and we get the bill to pay for that deduction. It is destroying the middle class.

Second, Democrats will bring forward the Stop Corporate Expatriation and Invest in America's Infrastructure Act, which prevents U.S. corporations from renouncing their citizenship to dodge paying their fair share of taxes. It is time to stop rewarding companies that move overseas and, instead, use those dollars to create good-paying jobs here at home and rebuild our Nation's crumbling infrastructure.

□ 1515

By closing this loophole and ending the so-called tax inversions, we would raise an estimated \$33.6 billion to invest in our roads, railways, and bridges which are falling apart all over the country.

Last fall, I stood by a 100-year-old bridge in Bushnell's Basin that fell into such disrepair that firefighters stopped using it for fear the bridge could not bear the weight of the engines. It endangered the safety of the people they were expected to serve.

In my home State of New York, 40 percent of the bridges have been rated structurally deficient or functionally obsolete, which is even worse. I wonder what the number is for the United States.

This is an unconscionable state of affairs. Repairing the Nation's highways and bridges is now, literally, life or death. We can do it with the Democrat proposals. We can, and we must.

These are the types of bills that we hope to be bringing to the floor in this session of Congress. We will debate them and ultimately pass them. That is what Congress is about, not a legislative branch that silences half of this Nation by bypassing the committee process and bringing to Rules emergency bills that silence the Representatives of half of the people in the United States.

It is my fervent hope that the new Congress will bring about an era of

willingness to tackle the big problems facing our Nation, a renewed call for true bipartisanship, and a culture of enlivened debate, and I promise that our side will be a willing partner.

In describing how the Bill of Rights came to be, former Supreme Court Justice, the late Harry Blackmun, said that the Founding Fathers survived a "crucible of disagreement" to give us a more perfect Union. Forging through that crucible is not only good for the legislative branch, but good for the Nation.

Truly, it is the debate that makes us stronger, and time and time again, debate in the House has been stalled, strangling policies and solutions that could have benefited the Nation. Sadly, this is the legacy of the last Congress.

I would like to insert the text of Justice Blackmun's speech into the RECORD.

HARRY A. BLACKMUN

ASSOCIATE JUSTICE OF THE UNITED STATES
SUPREME COURT REMARKS TO THE PHILADELPHIA BAR ASSOCIATION "CELEBRATION OF THE BICENTENNIAL OF THE BILL OF RIGHTS"
NOV. 22, 1991

TRANSCRIPT AVAILABLE IN THE LIBRARY OF CONGRESS

So there you are. Does it bother you that, in this Bicentennial year, the Bill of Rights which we regard almost as Holy Writ in our national consciousness, was forged in the crucible of disagreement and contest and tempered by the Founders' diverse estimates of political reaction? It should not bother us, I submit, for that is the very stuff from which strong constitutions emerge—the lessons derived from past adversities, from hardening experiences with our fellows and with those who would govern us, and, from the fervent desire to avoid, as Santayana warned us, the necessity of living history over again. Our Constitution and Bill of Rights are of our own making. They are the product of hard bargaining, not the divine gift of a visionary presence.

My final observation is of a different and lighter touch. A great poet, one whom T.S. Eliot once called "the greatest poet of our times * * * certainly the greatest in this language, and so far as I am able to judge, in any language," wrote two things that have intrigued me.

Ms. SLAUGHTER. Mr. Speaker, the past does not dictate the future. We can right our path forward. We may be able to prioritize that the American people will win over politics; and, today, we have the opportunity to do that with the beginning of this, the 114th Congress.

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

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

I, too, want to welcome the gentlewoman from Rochester, New York, the ranking member of the Rules Committee, as we begin another session in this new year. I am delighted to know that the Rules Committee will be ready and available to handle the pieces of legislation that the gentlewoman spoke of in terms of helping the American people to understand what Congress' role is in working with the President to help with policies that will get this country back to work.

Mr. Speaker, just a year ago, we recognized as we came back to Washington that we were at a GDP growth of a negative GDP. We had to fight out of these terrible, terrible tax increases and the things that are occurring to our economy.

The American people found new footing this year because it was the Republican majority who gave new meaning and life to "we are going to make this place, meaning Washington, D.C., and government, smaller and make things bigger and better for people back home."

We have now lived through what has become a reality with Republican policies on energy, for a competitive marketplace for there to be alternative fuels that are available that have dominated the marketplaces and put other countries on their heels and have given an advantage to American drivers who are here, families who are trying to make a go of it. The price of gasoline at the pump has dropped.

We still have much to do. As we know of the first year that President Obama was in office, food prices began doubling, energy prices began doubling. Republicans now are giving the American people a sense that we can manage our country better, so that they cannot only have a job and keep a job, but that they can take care of their families.

We are going to aim this year on a lot of things; but today, we are here for the rules package that will enable the opportunities for all of our Members to know what the rules are and to become engaged.

Four years ago, Mr. Speaker, we pledged to the American people that Speaker BOEHNER, through the rules of this House and our package that we would have, would allow Members from both sides of the aisle to engage in robust debate under an open process.

I am proud to announce that in following through with that promise, which is what we have done, we now have a new, larger group of Republicans because of the hard work we have done and have sold to the American people about effectively managing their affairs in Washington, D.C.

Republicans have put forth all sorts of reforms, not just in the House of Representatives—more transparency, more opportunities for debate—but the opportunity for the American people to see that what we are trying to do is to give the American people a chance to debate and to vote and to move forward legislative ideas, not just about jobs and not just about a better economy and not just about more freedom and not just about trying to take care of energy, but also to protect the men and women who protect this country. The 114th Congress is going to present also an opportunity, I think, for all of us to up our game, to work together.

The House and the Senate because they are in Republican control—instead of things being roadblocked and set aside and stacked up—over 300 bills,

Mr. Speaker, this past term on which we are waiting for Senatorial action—can work together to enact legislation. We can talk with the American people. We can fashion transparency in bills for accountability, something that the American people want and need.

It also represents an opportunity for us to jump-start our economy. We are here to serve people back home. We are here to make things better for people back home, not to give away our country, but to make it stronger, a chance to empower people in their communities to make their own decisions and, hopefully, reap the rewards that come from that.

Many times, it is not just about the creation of a job, but really of sustaining these families who are trying to work and make things happen and make more decisions about themselves and their futures.

To begin that process today, as we open the House for the 114th Congress, we have a rules package. As we begin, I want to say let's not forget why we are here. We are here because those from our individual congressional districts sent us here—mine, the 32nd Congressional District of Texas, sent me here to accomplish things on their behalf—to make life better for them, to create better opportunities for people today, and a better America in the future, so that we are able to extend our lead among other nations with, I believe, American ingenuity and opportunity—American exceptionalism, as we say it in Dallas, Texas, Mr. Speaker, American exceptional power.

Whether it is leading in the United States military or providing leadership for freedom, that is what we are best at, and we have this privilege by serving in this body.

We must also be held accountable, I believe, to the Constitution. We have, all of us today, raised our hands to support and defend the Constitution of the United States. It doesn't mean certain parts of that Constitution; it means the Constitution.

By our being here today, we are, once again, reaffirming that in this rules package—the support to the Constitution, that basis of power, that is so important in that we understand the House, the Senate, the Presidency but, most of all, the power that lies with people, the rules package helps us to achieve these goals.

H. Res. 5 is a continuation of the House Republicans' efforts to streamline processes, to increase transparency, and to improve accountability. Specifically, it preserves the important reforms that were made in the previous two Congresses. It also adds a few perfecting amendments and orders to help further advance our twin goal of transparency and openness for all of the Members of this body. I would like to take a few minutes, if I can, to highlight some of the key parts of this rules package, Mr. Speaker.

First, it builds upon the fiscal restraint imposed upon the Federal Government by House Republicans in the

last two Congresses. We have seen in the last 4 years that the American economy is able to grow when the government shrinks and when less taxpayer money is used to support the government, more freedom and opportunity. We should have a smaller government and a larger free enterprise system. That is a goal. "Limited government" means unlimited opportunity for people back home.

In 2011, the Federal Government was spending 24 percent of our GDP, and the economy was suffering. Thanks to the leadership of House Republicans, the Federal Government's spending is now down. In fact, the Federal Government now spends 19.9 percent of our GDP, which is nearly 5 percent less than just 4 years ago.

This has come through fiscal restraint. This has come through making sure that we spoke to the American people about government that was getting too big, costing too much money, and had too much power. The American people understood that because the government was getting in the way, not playing its role of making life better for people but, rather, getting in the way and making onerous decisions on our economy, on people's jobs, and, perhaps worst of all, on stifling families and the American Dream.

In turn, we are finally now seeing, as a result of these 5 years in which we have held government spending—it has decreased from 24 percent of GDP to 19.9 percent—an economic growth rate that the American people, I think, want and deserve.

Are we where we want to be? Absolutely not. What is the approximate level? We need a GDP growth of 4 percent. We need a GDP growth not just in Dallas, Texas, but all over this country where we have people who in their homes, in their cities, and in their regions are able to take care of themselves, to sustain their economies, and to take care of their infrastructures in a responsible way.

This Congress, Republicans are going to provide for fiscal discipline that restrains spending and gets the government out of the way. Getting government out of the way means you take money away from it which does one of two things: it leaves more money back home for people, or it simply gives people more opportunity to invest in the marketplace to grow jobs.

This rules package will ensure that Congress has the necessary budget enforcement tools in place to continue our work that will help create jobs and grow the economy.

We have a brandnew Budget chairman. He is one of the finest members of the Republican Conference, the gentleman from Georgia (Mr. PRICE). Mr. PRICE has been not only a professional at his job as a physician where he healed people, but he came to Washington to do the same for us.

His ascension to be the chairman of the Budget Committee will offer this country and, I believe, more specifi-

cally, this body a reevaluation of the important attributes of having a good economy through better budgeting and ways that we can restrain the Federal Government from unwanted and unnecessary spending to that which is done for the American people that makes sense. TOM PRICE will become a household name, and he will earn the accolades that he will get from his chairmanship.

Second, the rules package includes a commonsense requirement for Congress when we consider legislation that will have a larger impact on our economy. In short, the House is going to require the Congressional Budget Office and the Joint Committee on Taxation to provide nonpartisan macroeconomic analyses for legislation that costs .25 percent of projected GDP.

What does this mean? This means that, now, we are going to be able to recognize on percentage basis points how close is the impact of our decisions that we make and to project them out to where we are able to actually know what the impact will be of the legislation that we pass in order to create more jobs.

It is meant to err on the side of people and the free enterprise system, as opposed to stymieing what would end up going to them and erring on the side of growing this government.

□ 1530

This means that the House will take time to analyze how legislation that we consider will really impact the American economy to where we can project what it will be as a result of including billions of dollars back into the economy for economic growth and development on the side of the free enterprise system.

This is going to allow us to measure the impact of legislation, it is going to help us to use some commonsense projections on how our ideas are going to help the bottom line.

Gosh knows we have been through 4 years where we saw high taxes, high spending, Big Government that caused America to fall not only in relative power to the rest of the world, but it placed on the American people disillusionment, unemployment, high taxation, people who could not pay their bills, a loss of their own identity within their own systems.

Unemployment up to 23 million people unemployed and underemployed; we have now turned that corner. We will continue to turn that corner and extrapolate out how we want to get to all sectors of our economy to have a better shot at jobs in their hometown, in their region, and ones that they can keep, not have and then lose again.

It is these current opportunities that lie right before us, and the gentleman from Georgia and the gentleman, the chairman of the Ways and Means Committee, Mr. RYAN, are perfectly suited for selling to this body and the American people why we believe that we have got to look at and change the way we authorize bills.

So under one method, which would be called static scoring, which is what we have, we assume that major legislation does not change economic behavior. They just plug a new number in, and then we assume nothing really happens.

But in fact we know when you raise taxes, you lower the opportunity for people not only to create more economic benefit, but you take that incentive away.

Our friends, the Democrats, would leave you to believe that taxation is a zero sum game, that when rates go up, revenues always come that way, and aren't we for making sure that we balance our budget?

Well, let me tell you what? It didn't work that way. We were spending hundreds of billions of dollars more. Instead of an economy that was working, we were paying unemployment compensation—people not to be employed, people to be at home, a terrible cost not only to humanity but also to our Treasury.

We need people to go to work, and encouraging them to do this through our Tax Code means that people can have the dignity of work, the opportunity to make their life better, and perhaps more importantly, a chance for America to grow its GDP.

We have examples over and over that we have seen about how taxation legislation affects behavior, and certainly in my home State of Texas, I remember in the 1980s and the early 1990s, when revenue was at a premium for the Democrats who ran our House and Senate in Texas, and of course they wanted to raise more revenue, and they were always looking for ways to raise revenue.

I remember them looking when I was just out of high school at personalized license plates, and they looked at how much money came in for personalized license plates. I want to say it was \$30 for the plates. They needed more revenue, so they just doubled that amount of money that it would cost, knowing they would get twice as much revenue.

But it didn't work that way, Mr. Speaker. Not surprisingly, fewer Texans bought more license plates. But to the Democrats, it was a simple matter under static scoring of just saying they wanted more money, and they were going to increase the rates. It doesn't happen that way because the American people or citizens understand they would no longer buy something at a different rate.

The same thing is true of tax rates, Mr. Speaker. We have the exact same problem, where people who are working and working hard, when you take away their money, there is less money that they can put into the economy to grow another job, to give somebody a chance at a new job.

These are the things we are going to be looking at, how we can maximize through the effort of Dr. PRICE, through the effort of PAUL RYAN, the Ways and Means Committee, the Budget Committee to bring the leading edge

ideas instead of saying, no, it is really a zero sum game. If you want to do something, you have to really raise taxes; you can't give money back to people because, oh my gosh, the Federal Government would be in trouble. Well, we are not.

It would change from unemployment compensation to people working, and Republicans believe in work. We believe in empowering communities and people standing a chance to go from unemployment and welfare to a chance to have a job. We are going to get this done.

Let me be clear. Republicans are not arguing that tax cuts always pay for themselves. They don't. But instead we are acknowledging that when it is done right, when you study what you are doing, you can make an effort to have a tax cut to grow the economy. I believe Republicans understand that the American economy and Americans are better off when they keep more of their paychecks.

Lastly, this rules package defends the House's constitutional role in our system of checks and balances by providing for continuation of legal actions against the executive branch. It will allow the House to pursue its lawsuits and to enforce subpoenas, for instance, in the Fast and Furious investigation, where we have seen guns that were sold by the United States Government and put into hands of very dangerous people all around our world, including in Mexico and other places, only to find they come back and appear where they were involved in murders in the United States. It is a lawless action that was taken by our Department of Justice. It is wrong, and we are going to continue pursuing this.

So it means that we are going to look at those things that this Federal Government is doing that we believe are unconstitutional and should change also. We also believe in a lawsuit against the executive branch regarding the implementation of the Affordable Care Act. In short, this package makes it perfectly clear that our constitutional order still matters, and it is Congress' job to write the law and for the President to faithfully execute it. We are not going to stand by and watch this President go and write laws and to execute them down the block. We are going to make sure we do it the way the Constitution spoke about.

Certainly we know that IPAB, which is a part of the President's package, where he has this group of people that have unlimited power to make decisions over health care, over people as opposed to a physician, we are going to limit that authority. We believe we are within the right in doing this because the American people want and need a health care system that works, not one that we cannot afford and we cannot find a doctor, and where the government and a bureaucrat make decisions as opposed to a physician and a patient.

Regardless of what one thinks about ObamaCare, all Members of Congress

should be united to preserve and protect the role of the House of Representatives and our ability to make the laws on behalf of people and work with the President in that.

Finally, the package is going to allow the Speaker to recognize Members for the reading of the Constitution on any legislative day through January 16, 2015. I believe it is vital. We saw this several years ago, Mr. Speaker, where we came down to the floor of the House and took turns at reading the Constitution. It is a vital part of our history. It is important that we understand it serves this great Nation that separates us from so many other countries, the rule of law and constitutional guidance.

This rules package that I have outlined will better enable the House to perform our duties. It will help us with our obligations, our integrity, and transparency and accountability, and it is going to help us to make sure that we work well together with each other.

Our friends, whether they are Republicans or Democrats, elected Members of this body, I am very proud to say that this resolution represents so many great things. I think it is a balanced package, and I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, I thank the gentlelady for yielding. Unfortunately, I don't have time to respond to many of the representations that Mr. SESSIONS made with reference to our economy, but we can all agree that our most important responsibilities as Members of Congress is to grow this economy, create the kinds of jobs that Americans need so that they can succeed and support themselves and their families.

I want to speak about a couple of things in this rules package. Traditionally, Democrats will vote against and Republicans will vote for because traditionally this is a partisan vote. I urge the Rules Committee chairman to adopt a couple of changes which I thought would make this rules package a better one.

First, I ask the House to move to ban discrimination against gay, lesbian, bisexual, and transgender employees. We provide in our rules that you cannot discriminate against people based upon race, nationality, gender, and other arbitrary distinctions. We should have added this as we have in so many of our laws. Currently there are no protections for a congressional staffer fired or refused promotion simply for LGBT status. I regret that the Rules Committee was unprepared to offer such a protection to our employees.

Secondly, since Republicans assumed the majority in 2011, Delegates from the District of Columbia, the U.S. Virgin Islands, Guam, Samoa, and the Northern Mariana Islands as well as the Resident Commissioner from Puer-

to Rico have been denied the opportunity to vote in the Committee of the Whole. They can vote in committees, and the Committee of the Whole is of course a committee of the House. It is not a final arbiter.

When I was majority leader, I offered that amendment in the rules. It passed. My Republican friends took it to court, and the court said that it was sustainable and sustained it. This effectively, unfortunately, denies representation to nearly 5 million Americans, Americans, one of whom is on the Republican side of the aisle from American Samoa. So this is a bipartisan concern that I have. Unfortunately, this rules package put forward by the Republican majority does not include either change.

In addition, this rules package does not live up to the responsible governing the American people expect and deserve from Congress. Mr. SESSIONS spent a long time talking about scoring, static scoring versus dynamic scoring.

Dynamic scoring I would suggest to the American people is a gamble. It is a gamble that your projection is correct. If your projection is not correct, as it has so often been, then you end up putting the deficit even higher because you bet on the come.

The more conservative policy, I would suggest, would be to get the money first and then decide how you are going to apply it. Don't gamble on the fact that you are going to get the money, which is what dynamic scoring is. The gentleman admitted—he did not argue—that cutting taxes always paid for themselves. In fact, Alan Greenspan said exactly that in the last decade.

What it means is the Republicans will be able to hide the true cost of tax cuts behind a debunked mantra that tax cuts pay for themselves. They do not. This provision will allow them to explode the deficit as they did the last time they were in charge.

The last time the budget was balanced was not under the Bush administration when you had a Republican Congress, a Republican Senate, and a Republican President. It was when Bill Clinton was President of the United States. For 4 years we had a balanced budget.

It also threatens to politicize the Congressional Budget Office, which has maintained its role as impartial and nonpartisan arbiter on budget scoring for four decades, which makes us be honest, which is what the American public expects. Rely on the figures that are not political figures but are independent analytical figures on which we can rely.

I urge my colleagues to vote against this rules package. It can be a better package; it should be. And if it is defeated, we can adopt a better, more fair package.

Mr. Speaker, we are at the start of a new Congress, and we have an opportunity to right two wrongs in the rules of this House.

I wrote to the Chairman of the Rules last month asking that two changes be made in today's rules package.

First, I asked that the House move to ban discrimination against gay, lesbian, bisexual, and transgender employees.

Currently, there are no protections for a Congressional staffer fired or refused a promotion simply for LGBT status.

Second, since Republicans assumed the majority in 2011, delegates from the District of Columbia, U.S. Virgin Islands, Guam, Samoa, and the Northern Mariana Islands, as well as the Resident Commissioner from Puerto Rico, have been denied the opportunity to vote in the Committee of the Whole House.

This effectively denies representation to nearly 5 million Americans.

Unfortunately, this rules package, put forward by the Republican majority, does not include either change.

In addition, this rules package does not live up to the responsible governing the American people expect and deserve from their Congress.

First, it includes something called "Dynamic Scoring."

What it means is that Republicans will be able to hide the true cost of tax cuts behind a debunked mantra that "tax cuts pay for themselves."

They do not—and this provision will allow them to explode the deficit, as they did the last time they were in charge.

It also threatens to politicize the Congressional Budget Office, which has maintained its role as impartial and nonpartisan arbiter on budget scoring for four decades.

The rules package also extends the Benghazi select committee, placing conspiracy theories above fact.

At least three committees—two led by Republicans—exhaustively investigated the Benghazi tragedy.

Everything has been reviewed; a million dollars in taxpayer money last year were wasted.

And, furthermore, these rules would limit the ability of Congress to reallocate resources between Social Security trust funds, making it more difficult to prevent automatic cuts to Social Security disability insurance.

We can do better—and should do better—in this House for the 114th Congress.

I urge my colleagues to reject this rules package, and I call on Chairman SESSIONS and his Republican colleagues to work in a bipartisan way with Democrats to enact rules that enhance the work of this House, protect LGBT employees, include all of the voices in our democracy, and set guidelines that facilitate greater cooperation, not more partisan gridlock.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the distinguished returning ranking member of the Committee on the Budget.

□ 1545

Mr. VAN HOLLEN. Mr. Speaker, I thank my colleague.

Mr. Speaker, it is absolutely astounding that within minutes—minutes—of our being sworn in, our Republican colleagues want to pass a rule that will stack the deck in favor of trying to give another big tax cut not to the middle class, but to millionaires,

the folks at the very top. That is what their budget does.

What is equally astounding is that this economic theory of trickle-down economics crashed and burned in the real world between 2001 and 2008. Our Republican colleague says that if you give millionaires these tax cuts, they are going to spend them, and a little bit will trickle down to the middle class and people who aspire to the middle class and boost everybody up.

That is not what happened. What happened? Sure, the folks who got the tax cuts at the top, they did better. Nobody else did. In fact, real wages went down. What went up? The deficit—and everybody has to pay for that deficit.

Now, I heard the Speaker this morning say he wanted to deal with the issue of wage stagnation. That is what we should be focused on. We shouldn't be talking about tax cuts for the wealthy and a trickle-down theory. We should try to build this economy from the middle class out and from the bottom up.

I am glad the Speaker said that because we are going to give him an opportunity to vote for something that will address wage stagnation. I am going to offer a motion at the end of this debate. It is called the CEO-Employee Paycheck Fairness Act, and it addresses this issue.

If you look back in the 1960s and 1970s, when workers were working hard, they got paid more, but beginning around 1979, they kept working hard, productivity kept going up, but their wages got flat. What happened during the same time? CEOs took care of themselves. Their pay started to go up and up and up. It used to be about 20 times that of the average worker.

In other words, the CEO and the folks at the top got about 20 times what they were paying their employees, but as you can see, it has now shot up so that CEOs and the top guys get paid about 300 times what their workers are getting paid.

We have a simple proposition: that corporations should not be able to deduct the bonuses and compensation for their CEOs and other executives over \$1 million unless they are giving their employees a fair shake, a fair wage. Right? Why should the taxpayers be subsidizing that?

Between 2007 and 2010, they took about \$66 billion, thereabouts, in deductions for bonuses for performance pay when they were sometimes laying off employees and cutting their paychecks, so we say: "Hey, okay, pay yourselves what you want, but if you want the taxpayers to allow you to deduct your bonuses and performance pay, for goodness' sakes, you had better be giving your employees a fair shake."

Over time, that would close that gap in worker productivity and wages and do what the Speaker said he wanted to do this morning, which is deal with wage stagnation. Let's help the workers, not just the CEOs. Let's vote for

the CEO-Employee Paycheck Fairness Act.

Mr. SESSIONS. Mr. Speaker, there they go again, more tax increases, bigger government, the Democrat party. I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 30 seconds to the gentleman from Maryland (Mr. VAN HOLLEN) to respond to that.

Mr. VAN HOLLEN. Actually, what we are talking about, Mr. Speaker, is a Republican plan that actually cuts the top rate for folks at the top from 39 percent to 25 percent.

The nonpartisan Tax Policy Center has said that will actually leave the middle class family—typical family—paying another \$2,000, so that you can give the folks at the very top another tax break.

When you increase the deficit, guess who pays the bill? Everybody, all the taxpayers do. So you give a tax break to the folks at the top, increase the deficit, and everybody else is left to pay the bill. That is not the right way to go. Vote for this motion.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), who has been successful already about inversions.

Ms. DELAURO. Mr. Speaker, I rise in opposition to the Republican rule package and to the previous question. If we defeat that question, Ms. SLAUGHTER will offer an amendment to end corporate desertion.

Over the last decade, we have seen nearly 50 American companies try to avoid taxes by moving their mailboxes overseas, but they leave their operations here, effectively renouncing their U.S. citizenship in order to dodge taxes.

These companies benefit from American education, research and development incentives, and infrastructure, all taxpayer supported, but when their own tax bill arrives, they hide overseas and are no longer American corporations.

They even have the temerity—and this is legal under the law today, and it shouldn't be—they have the temerity then to apply for Federal contracts, but they deny their U.S. citizenship when it comes to paying their taxes.

Mr. Speaker, what this amendment would do is make sure that they pay their fair share. The extra revenue goes to the highway trust fund. That trust fund runs out of money in May if we do not act. Anyone who has driven a car lately knows how badly our roads need investment.

Our highways are crumbling beneath our wheels, 65 percent of our major roads are in less than good condition, and one-quarter of our bridges require repair or improvements. The backlog of projects grows longer by the day.

At a time when globalization is gathering pace, this state of affairs puts America's competitiveness in jeopardy.

According to the World Economic Forum, the United States has slipped from 7th to 18th in the quality of our roadways. Replenishing the highway trust fund will reverse this trend, unleash economic growth, and create thousands of good jobs that cannot be sent overseas.

If we want business to invest in this Nation, we must be prepared to do the same. Instead of lining the pockets of corporate deserters, we should be revitalizing our roadways. That is the path to a better, stronger, and more sustainable economy. This amendment puts us back on the right track.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from South Carolina (Mr. CLYBURN), the assistant Democratic leader.

Mr. CLYBURN. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, like most Americans, I spent the holidays with family and friends reflecting on the blessings of the past year. There were many.

Since 2009, the stock market has soared another 10,000 points. In 2009, our budget deficit stood at \$1.4 trillion. Today, according to current projections, we have sliced that deficit to \$514 billion, and we have created 10 million new jobs, the longest stretch of private sector job growth in American history.

When I left home yesterday, I left my wife with a full tank of gas, and I did so paying less than \$2 per gallon. It was the first time I have been able to do that in 5 years. We have achieved much progress over the past several years. Now, we must get about the work of making sure that progress is shared by all.

Mr. Speaker, in a few moments, we will cast some substantive votes. These votes will literally set the rules of the game for the next 2 years. They will be a very clear reflection of our respective parties' priorities.

While Republicans' rules changes seem to rig the game in favor of the wealthy, Democrats will immediately force a vote on job creation, bigger paychecks for working families, and American competitiveness and economic growth.

Democrats want to put people to work building roads and bridges that will connect our economy in the 21st century. We will ensure that every American shares in our Nation's prosperity by taking away corporate tax deductions for millionaire executive compensation unless their employees get a raise as well.

It is simple, Mr. Speaker. House Republicans' first priority in the 114th Congress is stacking the deck for those with the highest incomes and for voodoo, trickle-down economics. House Democrats' first priority is to put Americans in a better place by creating jobs, standing up for working families, and growing the economy for all. The contrast could not be more stark.

Mr. Speaker, House Democrats' numbers may be smaller in the 114th, but we are stronger in our unity and resolve to grow and strengthen middle income Americans. Today, with our votes on the new rules, Mr. Speaker, we will be demonstrating our support for hardworking American families.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a valued member of the Committee on Rules.

Mr. MCGOVERN. Mr. Speaker, I thank the distinguished ranking member for the time.

Mr. Speaker, I suppose I should simply take this time to say to my colleagues: welcome back, happy new year, and I missed you.

Technically, we are considering, debating, and voting on the Republican majority's "rules package," but that is sort of a misnomer. The word "rules," as most of us understand it, means a set of procedures that someone is required to follow, but if my Republican friends have demonstrated anything over the past few years, it is that they have absolutely no intention of following the rules of the House. They routinely waive, ignore, or break the rules of this House whenever it is convenient or politically expedient for them to do so.

The gentleman from Texas says the Speaker of the House promised the most open Congress in history. I hate to remind him that the Republicans presided over the most closed Congress in history during the 113th Congress.

Let me just mention a couple of the most egregious provisions in this package before us today. First, my Republican friends believe we should adopt the voodoo economics of so-called dynamic scoring. Under this fairy tale, they would have us believe that tax cuts for the very wealthy don't increase the deficit. Never mind that time after time after time in our history, those tax cuts for the rich have caused an explosion in our deficit. This rules package would have us believe that up is down and left is right.

Second, this package would allow committee staff from the Ways and Means Committee, Financial Services, Energy and Commerce, and the Science Committee to take depositions under oath. Currently, only the Oversight Committee has that authority.

Mr. Speaker, I served as a staff member in this House for the late Congressman Joe Moakley. Our staff members are dedicated public servants who work incredibly hard, but this provision, quite frankly, goes too far.

Mr. Speaker, we ought to be spending our time on rebuilding our aging infrastructure and increasing workers' paychecks rather than making it easier to conduct more political witch hunts, which the American people are fed up with.

Mr. Speaker, I am honored to serve on the Rules Committee, and that word "rules" used to mean something. My hope is that in this Congress, enough of my Republican colleagues will demonstrate the political courage to make it mean something again.

Vote "no" on this resolution.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, to those who have wondered, what would be the top priority of this Republican-controlled Congress? What would they do on day one? Well, now we know. It is deception, what some could even rightly call tax fraud, since this amounts to deliberate misrepresentation of tax data.

Republicans are admitting right here on day one that they don't know how to balance the budget. When the budget numbers will not add up, when the arithmetic just doesn't work for them, they change the numbers with magical new math. Where the books won't balance with the numbers that you have got, Republicans say, "Use the numbers you would like to have."

All their previous talk about budget discipline and balancing budgets was really about trying to dismantle Democratic efforts to provide an opportunity ladder up for all Americans, to assure dignity in retirement, and to protect families from the risk of illness—that ladder of security and protection that many Republicans were never for in the first place.

Now, to free themselves from the hard work of responsible, balanced budgets, Republicans are compelling the House for the first time in American history to rely upon something they call "dynamic scoring"—That is just a euphemism for whimsy, speculation, and wishful thinking—the thin veneer for a failed political ideology.

One leading Republican expert, former Senate budget staff director Bill Hoagland, has said that instead of this scoring gimmick that they are using today, he would "rather [they] just simply belly up to the bar" and "admit up front that they can't lower rates without adding to the deficit."

□ 1600

Today's actions remind me of a riddle some attribute to President Abraham Lincoln: "How many legs does a dog have if you call the tail a leg? Four, because calling a tail a leg doesn't make it a leg."

And calling a budget "balanced" when it doesn't have adequate revenue does not make it so.

Passing a budget requires hard work. Republicans would rather use a sleight of hand than offer a helping hand from all to get the job done. Vote no.

Mr. SESSIONS. Mr. Speaker, in fact, Republicans are going to use a doctor to get the budget done this time.

I yield 3 minutes to the gentleman from Georgia (Mr. PRICE), the young chairman from the Budget Committee.

Mr. PRICE of Georgia. I thank the gentleman from Texas for his leadership on this package and his work throughout this Congress.

Mr. Speaker, I am actually surprised—well, I am not surprised. I thought we might actually go a day without having the kind of hyperbole that we have grown used to from the other side of the aisle.

I want to speak to the issue of macroeconomic analysis as the incoming chair of the Budget Committee. The other side has said this is a gamble, that we are gambling that the projections are going to be correct. Mr. Speaker, this is craziness. That is not so. In fact, all economic projections—static, dynamic—all of them have a level of uncertainty.

We have heard that it is “stacking the deck” or that it is “cooking the books” in favor of tax cuts. Nonsense. Nonsense. It doesn’t game the system at all. All we are trying to do is make certain that Members of Congress have more information upon which to be able to make decisions. That is the kind of commonsense things that our folks back home want.

Scoring, which is what we are talking about here, the Congressional Budget Office works hard to try to determine what the effect is of the kind of policies that we adopt around here. They will tell you right now that now it is inaccurate. Now it is inaccurate. What we are trying to do is simply say that if a piece of legislation is going to have a large effect on the economy, that we include that effect in the official estimate.

So if you think a bill is going to help or hurt the economy—help or hurt the economy—then they ought to tell us. They ought to let us know how many more jobs are going to be created, what kind of tax revenue up or down is going to occur. Is it going to harm jobs? The people who prepare our cost estimates, I tell you, they are the best in the business, and they have been working on this issue for years.

Mr. Speaker, this may come as some surprise to our friends on the other side, but they already do this kind of analysis. They already do the macroeconomic analysis. It is just that we don’t include it in our cost estimate because of the rules. And we should. That is why we are offering this change today.

We don’t predetermine the outcome. We simply make it so that the Congressional Budget Office is allowed, the scorekeepers are allowed, to have a more realistic score. It has come as no surprise, talking to economists from around the country over the past couple of weeks, over the past couple of months, and to a person they say economic scoring, the effects of legislation that we pass, it is an inaccurate science. It is hard to do. But what we want to do is to make certain that

they have greater opportunity to get that scoring correct, to give us the kind of information so we can make wiser decisions.

Mr. Speaker, this isn’t about cooking the books or gaming the system. This is about trying to do the hard work of the American people, trying to get the policies that we adopt here in this Congress correct so that we can get the American people back to work and get this economy thriving again.

I commend the gentleman from Texas for the work that he has done and urge adoption of the rules.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. BECERRA), the chairman of the Democratic Caucus.

Mr. BECERRA. Mr. Speaker, I thank the gentlelady for yielding.

It is time to get to work. Americans don’t care who won or lost in the election. They just want us to get our work done. They want us to work together to solve the problems that they see every day. They want us to boost job growth, and they want us to build an economy that works for all Americans, not just the privileged few.

The rules of the road that should guide this Congress should be built on the foundation that has increased opportunities for American families over the last few years—nearly 11 million new jobs, 57 consecutive months of job growth, the longest streak in our country’s history. There are 10 million more Americans with health insurance, which means more security for those Americans. The deficit has been cut by two-thirds since 2009.

What is the one piece of the puzzle that we now need to work on? In that span of time since we have seen things go better; the economy has grown 12 percent; corporate profits have grown by 46 percent, and the stock market by 92 percent. What hasn’t grown? The paycheck that the average American gets day in and day out for working to do all those things to make it possible for the stock market and corporations to succeed. So it is time for us to focus on the middle of America that works hard every month and gets a paycheck but doesn’t see that paycheck grow.

This rules package requires Congress to use fuzzy math, so-called dynamic scoring, to make it easier to give massive tax breaks to special interests and the wealthy. Is that what the middle class wants? No.

Republicans have also added a mid-night change to this rules package that rigs the rules against 59 million Americans who currently receive Social Security and to the 160 million Americans who are working today to get Social Security in the future and don’t know if Social Security will be there based on these rules. That is not what Americans in the middle want.

Congress should be in the business of making life better, not worse, for everyday Americans. So let’s establish rules of the road for this Congress that

let us build on the economic progress of nearly 11 million new Americans going back to work, 57 months straight of job growth.

What we don’t need are rules of the road for this House that give a green light to reckless legislating that favors special interests and the privileged few at the expense of the middle class and America’s Social Security.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Michigan (Mr. LEVIN), the distinguished returning ranking member of the Ways and Means Committee.

Mr. LEVIN. Mr. Speaker, what was said by the Budget Committee chairman is not correct. This is not about more information. This is a requirement that these official cost estimates really be part of the enforcement of the budget resolution. So what this is, in a few words: Republicans today are extending their embrace of voodoo economics by wrapping their arms around voodoo score keeping. Again, it is not about more information. It is being able to cook the books to implement their long-held discredited notion that tax cuts pay for themselves.

I think the former Reagan and George H.W. Bush administration official Bruce Bartlett said it best:

It is not about honest revenue estimating. It is about using smoke and mirrors to institutionalize Republican ideology in the budget process.

Mr. Speaker, that is what this is all about.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, may I inquire from my colleague if he has any remaining speakers.

Mr. SESSIONS. I do have one additional speaker, and then I will close.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the gentlelady for yielding, and I thank her for her wonderful work on behalf of the American people as the ranking member on the Rules Committee for such a long time and in such a very strong way.

My colleagues, I congratulate you and your families on your swearing in today. We had a lovely ceremony earlier. Eventually it became that, after we knew the outcome of the vote. But it is clear that the election at the polls in November demonstrated that the American people are hopeful that this new Congress can work together to grow our economy and, in turn, grow paychecks for American workers. Honoring that trust, House Democrats today are putting forward a legislative package to increase paychecks for working families and put Americans back to work building the roads and bridges our country needs, paid for by keeping our tax dollars here at home. I

talked about this a little bit earlier when I introduced the Speaker.

What we are proposing, sadly, is in sharp contrast to what the Republicans have in this rule. The first vote that the Republicans are asking this Congress to take in the new Congress will be to advance additional tax cuts for the wealthy and special interests. When they talk about dynamic scoring—when they talk about dynamic scoring—it is a very bad deal for middle-income families in our country.

In sharp contrast to them, we will bring forth the Stop Corporate Expatriation and Invest in America's Infrastructure Act, which prevents U.S. corporations from renouncing their citizenship in order to dodge paying their fair share of taxes. It is time to stop rewarding companies that move overseas and instead use those dollars to create good-paying jobs here at home.

Every chance any of us gets, we have to make that point. I don't see anything partisan about it. And many Republicans have voted in this manner in the past. So this was supposed to be something where we have common ground.

House Democrats will also put forth the CEO-Employee Pay Fairness Act, and that is legislation to ensure that workers share in the fruit of their productivity, denying CEOs the ability to claim tax deductions on income over \$1 million unless they give their employees a well-deserved raise.

The American people are owed an open and transparent debate on these issues. Today, with this rules package, Republicans are shutting down debate for Democrats and Republicans. With their extending of the amount of time it takes for Members to put forth a motion to instruct, they are shutting down debate. They are rejecting transparency and openness. That is what the American people want: transparency and openness.

In all that we do in Congress, we must keep the hopes, dreams, and aspirations of the American people in the forefront. We must be committed to do this in a bipartisan way, an open and transparent way. This bill today rejects that.

Now what I want to say, and we all have been reading our Christmas cards and all the rest, but one of the ones that I want to share with you which is irrelevant to our discussion today is from my friend Jack Trout. What he said in "A Seasonal Greeting for the Times":

To borrow a Biblical reference, the money changers have taken over the temple.

What is behind all of this is a concerted effort by wealthy companies and people to protect the status quo and their vested interests. The result is the sad fact that the middle class gets squeezed while the rich get richer. This squeeze is why the consumer-led economy has been so slow to rebound after the financial crisis.

What people fail to realize is the simple fact that the middle class are the real job creators in America. They generate demand, which, in turn, builds markets. The middle class put "merry" into Merry Christmas.

I mention this because the fact is that it is true that when the consumer economy, which is what we are, is alive and well and thriving, they spend money, inject demand in the economy, create jobs, and our economic recovery is accelerated.

Dynamic scoring, suppressing debate, and some of the other things contained in this rule are contrary to that and antagonistic to the financial stability of the middle class. So I hope that our colleagues—and there are so many reasons to go through. But what means the most to America's working families is their financial stability. On that subject alone, were it not even for other things in this bill which we could talk about all day that should be rejected, but just because it, again, has a negative impact on the growth of our economy when it comes to supporting the financial stability of the middle class we should vote "no" on this.

The Democrats offer a sharp contrast. The motion that will be made to call the previous question is one that calls for us to talk about building the infrastructure of America. The motion to commit that will be put forth by Mr. VAN HOLLEN is one that is fair in terms of pay to our workers.

So for many reasons, Mr. Speaker, I urge our colleagues to vote "no." This isn't what was talked about in terms of ideals and values this morning. This is about putting the squeeze on the middle class, doing it in a nontransparent way, and doing it under the rules of the House. I urge a "no" vote.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from New York (Mr. ISRAEL).

□ 1615

Mr. ISRAEL. Mr. Speaker, I thank my friend from New York, the distinguished ranking member.

Mr. Speaker, I congratulate all of my colleagues on our swearing in. I just hope that it doesn't trigger 2 years of swearing at. It really does not have to be that way, Mr. Speaker. Democrats in this House will work with the majority to find commonsense solutions to ease the squeeze, to support paycheck growth for the middle class.

What better middle ground than the middle class, Mr. Speaker. The problem with this rules package is it is stacked against the middle class, it is stacked against tax cuts for the middle class, it is stacked against paycheck growth for the middle class.

In contrast, Mr. Speaker, here is what House Democrats are proposing. It is very simple.

Number one, bigger paychecks for the middle class. Under the current rules that the majority supports, Mr. Speaker, a CEO can get a million-dollar bonus and deduct that million dollars from taxes. That shifts that tax burden to an underpaid worker for that CEO. Now, how is that fair? How is that fair? It is not.

It is bad enough that middle class workers' paychecks are squeezed, but sticking the middle class worker with a bill for the CEO's taxes as a result of that million dollar bonus is unconscionable. We have a better way, a better contrast, something that will grow paychecks for the middle class.

Second, under the rules, in the stacked deck that the majority supports, a big corporation can ship jobs overseas. With those jobs overseas go bigger bridges, better roads, better airports, and faster airplanes. Meanwhile, in my district on Long Island, Mr. Speaker, the average middle class worker has to drive through potholes, has longer delays, slower trains, antiquated transportation systems, and delayed airplanes because all of the infrastructure is being built abroad.

It is bad enough that corporations are given incentives to ship jobs overseas. It is unconscionable that under these rules those corporations are able to build infrastructure in those foreign places while America decays.

Under our contrast, Mr. Speaker, we will invest in America, we will rebuild America, we will create new jobs in America, improving our infrastructure.

It is bad enough to be underpaid, Mr. Speaker, but to be underpaid and have to drive through potholes, that is even worse.

Mr. Speaker, on this first day of this new Congress until the very last day of this new Congress, the American people are going to want to know whose side we are on. With these two votes we clearly demonstrate and clearly establish who is on whose side.

I urge my colleagues in this majority on this first day to establish for the American people whose backs they have: the special interests, tax deductions for million-dollar bonuses, foreign corporations; or rebuilding America and rebuilding American jobs.

Mr. SESSIONS. Mr. Speaker, at this time, I yield 4 minutes to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Judiciary Committee.

Mr. GOODLATTE. Mr. Speaker, I rise in support of the rules package for the 114th Congress.

I would like to begin by taking this opportunity to thank you, Chairman SESSIONS, the Speaker's Office, and the other committee chairmen for working with me to hone and clarify the Judiciary Committee's criminal law jurisdiction.

For many years, the House rules have given the Judiciary Committee jurisdiction over, among other things, the judiciary and judicial proceedings, civil and criminal, and criminal law enforcement. The Judiciary Committee's jurisdiction over criminal law dates back to the creation of the committee in 1813.

In recent years, however, we have become aware of an anomaly in the referral pattern that occasionally prevents the Judiciary Committee from obtaining a referral when a bill criminalizes

new conduct without actually addressing the penalty portion of the criminal law. In other words, while the Judiciary Committee would have had jurisdiction over the underlying statute when it was enacted, it is sometimes unable to assert jurisdiction when the statute is amended in such a way as to criminalize new conduct. The result is that new criminal offenses are being created without being considered by the lawmakers on the Judiciary Committee, which is the committee best situated to provide valuable expertise in drafting and resolving potential conflicts with existing criminal law.

Last Congress, the Judiciary Committee created a bipartisan Over-Criminalization Task Force with the goal of examining the problems associated with a bloated, disorganized, and often redundant collection of Federal criminal offenses. The Congressional Research Service recently reported to us that there are nearly 5,000 Federal criminal laws on the books. Unfortunately, Congress continues to add to this number at a rate of roughly 50 new crimes per year.

One of the recurring themes from both the witnesses who appeared before the task force as well as the members of the task force is that it is crucial that the Judiciary Committee have the opportunity to review all new Federal criminal laws.

Throughout its existence, this bipartisan task force endeavored to closely examine the problems posed by over-criminalization and over-Federalization, and to identify potential solutions to combat the regrettable circumstances that inevitably arise from the tangled web of Federal criminal provisions. Examples of similarly-situated defendants convicted of the same conduct under different statutes with different penalties, or individuals convicted of offenses without proof of any level of criminal intent, have been detailed in our hearings and are far too commonplace.

The rules package today clarifies the committee's jurisdiction over criminal matters by adding one word—"criminalization"—to our existing jurisdiction over criminal law. By making this change, the Judiciary Committee will have a new jurisdictional interest only in those relatively rare instances that a bill criminalizes new conduct by amending a statute that is attached to a criminal penalty without amending the penalty itself. In this instance, the Judiciary Committee will look to work with the other committee on ensuring that the new conduct is worthy of criminalization and that the attached criminal penalties are appropriately drafted.

The Judiciary Committee is not looking to insert itself into the regulatory schemes under the jurisdiction of other committees. However, to the extent that another committee chooses to use the criminal justice system to enforce the regulation under its jurisdiction, we would like to be involved so

that we may ask the important question together as to whether particular conduct should be criminalized.

In conclusion, I believe this small clarification of the Judiciary Committee's jurisdiction will allow us to address many of the problems associated with the tangled web of Federal criminal laws.

Again, I would like to thank Chairman SESSIONS and his staff for working very closely with us on this issue and express my strong support.

I urge my colleagues to vote for this rules package.

I rise today in support of the Rules package for the 114th Congress.

I would like to begin by taking this opportunity to thank Chairman SESSIONS, the Speaker's office, and the other Committee Chairmen for working with me to hone and clarify the Judiciary Committee's criminal law jurisdiction.

For many years, the House Rules have given the Judiciary Committee jurisdiction over, among other things, "the judiciary and judicial proceedings, civil and criminal," and "criminal law enforcement." The Judiciary Committee's jurisdiction over criminal law dates back to the creation of the committee in 1813.

Typically, the Judiciary Committee either receives a referral upon introduction or has the opportunity to seek a sequential referral when a bill creates a new criminal law or criminal penalties. This allows us to ensure that a criminal provision is properly drafted, or eliminated if it is unnecessary.

In recent years, however, we have become aware of an anomaly in the referral pattern that occasionally prevents the Judiciary Committee from obtaining a referral when a bill criminalizes new conduct without actually addressing the penalty portion of the criminal law. In other words, while the Judiciary Committee would have had jurisdiction over the underlying statute when it was enacted, it is sometimes unable to assert jurisdiction when the statute is amended in such a way as to criminalize new conduct. The result is that new criminal offenses are being created without being considered by the lawmakers on the Judiciary Committee, which is the Committee best situated to provide valuable expertise in drafting and resolving potential conflicts with existing criminal law.

Last Congress, the Judiciary Committee created a bipartisan Over-Criminalization Task Force with the goal of examining the problems associated with a bloated, disorganized and often redundant collection of federal criminal offenses. The Congressional Research Service recently reported to us that there are nearly 5,000 federal criminal laws on the books. And, unfortunately, Congress continues to add to this number at a rate of roughly 50 new crimes per year.

One of the recurring themes from both the witnesses who appeared before the task force, as well as the Members of the task force, is that it is crucial that the Judiciary Committee have the opportunity to review all new federal criminal laws.

Our Members and staff have the long-standing expertise to ensure that criminal laws are appropriately drafted, that they fit with the overall federal criminal law scheme, that they are appropriate in force relative to other crimi-

nal laws, and finally, that the new criminal law is even necessary.

Throughout its existence, this bi-partisan task force endeavored to closely examine the problems posed by over-criminalization and over-federalization, and to identify potential solutions to combat the regrettable circumstances that inevitably arise from the tangled web of federal criminal provisions. Examples of similarly-situated defendants convicted of the same conduct under different statutes with different penalties, or individuals convicted of offenses without proof of any level of criminal intent, have been detailed in our hearings and are far too commonplace.

The Rules package today clarifies the Committee's jurisdiction over criminal matters by adding the word "criminalization" to our existing jurisdiction over criminal law. By making this change, the Judiciary Committee will have a new jurisdictional interest only in those relatively rare instances that a bill criminalizes new conduct by amending a statute that is attached to a criminal penalty without amending the penalty itself. In this instance, the Judiciary Committee will look to work with the other committee on ensuring that the new conduct is worthy of criminalization and that the attached criminal penalties are appropriately drafted.

The Judiciary Committee is not looking to insert itself into the regulatory schemes under the jurisdiction of other committees. However, to the extent that another committee chooses to use the criminal justice system to enforce the regulation under its jurisdiction, we would like to be involved so that we may ask the important question together as to whether particular conduct should be criminalized.

In conclusion, I believe this small clarification to the Judiciary Committee's jurisdiction will allow us to address many of the problems associated with the tangled web of federal criminal laws.

Again, I would like to thank Chairman SESSIONS for working with me on this issue, and express my strong support for this Rules package.

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

The legacy of the 113th Congress shows us a broken institution: broken by partisanship and recalcitrance.

I urge my colleagues to change course in the 114th Congress, to encourage openness, transparency, and true bipartisanship. If we can achieve this, we will come together.

If we defeat the previous question, I will move to amend the resolution to bring up the Stop Corporate Expatriation and Invest in America's Infrastructure Act of 2015 to stop giving up American citizenship to avoid paying taxes.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Ms. SLAUGHTER. I urge my colleagues to vote "no," and I yield back the balance of my time.

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

Overall, this package demonstrates Republicans' commitment to an open process from Members on both sides of the aisle on the issues of the day that need to be debated, on legislation that will make a difference in the lives of the American people.

We have heard from the Republican chairman of the Budget Committee and the Republican chairman of the Judiciary Committee. I believe this is a great package.

Ms. SLAUGHTER. Mr. Speaker, this House rules package has a number of other provisions with which we have serious concerns. Most significantly, the rules change relating to Social Security. Late last night, the Republican rules package was revised to include a major new provision that will likely force Social Security benefit cuts. The new rule would prevent the House from considering legislation to prevent a scheduled 20 percent cut to Social Security benefits for 11 million disabled workers and their families (by creating a point of order against legislation that reallocates FICA taxes between the Social Security Trust Funds, which have a current overall balance of \$2.8 trillion), unless the legislation also includes Social Security benefit cuts or tax increases. Without any substantive debate and out of public view, the rule would prevent the House from even considering a mechanism endorsed by more than 50 advocacy groups and which Congress has used 11 times in the past to address shortfalls in one of the trust funds.

H. Res. 5 also extends staff deposition authority to four more committees (Energy and Commerce, Financial Services, Science, and Ways and Means). We are deeply concerned that these new authorities will be used to launch politically motivated attacks on the Affordable Care Act, Environmental Protection Agency actions, the implementation of Dodd-Frank financial industry reform, and IRS regulations.

Democrats are disappointed that House Republicans have decided to continue their politically-motivated lawsuit against the President over implementation of the Affordable Care Act and their partisan investigations into "Fast and Furious" and the attack in Benghazi, Libya. Extensions of those authorities also appear in H. Res. 5.

H. Res. 5's changes to the motion to instruct also concern us deeply. Under current rules, motions to instruct conferees can be offered 25 legislative days and 10 calendar days after conference committees have been appointed. H. Res. 5 lengthens these periods, so that motions to instruct would be privileged 45 calendar days and 25 legislative days after the conference is appointed. This is clearly an attempt to weaken the Minority's ability to participate in the conference committee process in the future.

Changes to the authorizing language of the Bipartisan Legal Advisory Group have the potential to make it politically easier for the Majority to file additional lawsuits against the President, and this possibility disturbs us given the events surrounding the filing of the ACA-related lawsuit last Congress.

H. Res. 5 contains a number of other provisions, some of which raise concerns and some of which appear to be innocuous. For example, small changes to the jurisdiction of certain committees, an increase in the size of the Intelligence Committee, an allowance for

extra subcommittees on the Agriculture, Armed Services, Foreign Affairs, and Transportation and Infrastructure Committees, and allowing the Speaker to reconvene the House at a time other than previously appointed after consultation with the Minority Leader, among others.

Mr. TOM PRICE of Georgia. Mr. Speaker, in this resolution, we are establishing a new requirement in clause 8 of Rule XIII that the Congressional Budget Office (CBO) and the Joint Committee on Taxation (JCT) incorporate into the official cost estimates required under section 402 of the Congressional Budget Act of 1974 (Budget Act) the macroeconomic effects of "major legislation." Because this rule builds on the existing requirement for cost estimates, it does not apply to appropriations legislation.

By including an analysis of how major legislation will affect the economy, this rule provides the House with a more comprehensive estimate than can be produced using only the traditional, conventional scoring methods which implicitly assume that legislation has no effect on the broader economy. In particular, this analysis is required to include the budgetary effects of changes in economic output, employment, the capital stock, and other macroeconomic variables resulting from major legislation. In addition, this rule requires a qualitative assessment of the long-term budgetary and macroeconomic effects of major legislation.

Major legislation is defined as legislation causing an increase or decrease in revenues, outlays, or deficits in any fiscal year covered by the budget resolution equal to or greater than 0.25 percent of the projected gross domestic product for that year. In applying the 0.25 percent threshold, CBO and JCT are required to look at the gross budgetary effects of the legislation. In carrying out this requirement, the intent is that CBO and JCT review provisions in the bill that have a significant effect. Thus, the test is whether any provision in the legislation has a budgetary effect larger than the threshold, or if the absolute value of the sum of the provisions exceeds the threshold, rather than whether the legislation as a whole has such an effect when all of the provisions are netted out.

Alternately, for legislation that may not have a large fiscal effect, but would still have significant economic impacts, the new rule empowers the House to designate "major legislation." For all legislation other than purely revenue legislation, the rule authorizes the chair of the Budget Committee to designate "major legislation." For purely revenue legislation (i.e., legislation that contains only provisions described in section 201(f) of the Budget Act), the rule authorizes the House Member serving as the chair or vice chair of JCT, to designate "major legislation" for purposes of this rule.

The rule carefully preserves the existing division of labor between CBO and JCT, which requires close collaboration between these two non-partisan institutions. When major legislation involves both revenue and non-revenue provisions, CBO and JCT will need to work together to produce a single, integrated cost estimate for the legislation drawing on each agency's institutional responsibilities.

The rule requires enhanced transparency around these budgetary estimates. Both CBO and JCT, as applicable, must provide together with their estimates a description of the critical

assumptions and the source data underlying such estimates. It is important that CBO and JCT make this information available so that the public, academic, and other experts have an opportunity to review the analysis and pursue possible improvements in the methodologies used to develop these estimates. Distributional analyses of proposed tax changes that JCT provides as background information is another area where estimates could be improved by incorporating macroeconomic effects into these analyses.

The preparation of cost estimates incorporating macroeconomic effects is frequently more complex and requires more time than the preparation of conventional cost estimates. Committees should therefore build in additional time to allow for the completion of the cost estimate. Both CBO and JCT should strive to promptly produce the estimates required by this rule. To the extent it is not practicable for CBO and JCT to produce the required estimates, the rule provides an accommodation in this instance. Two possible circumstances may arise when it is not feasible to produce the required analysis. First, committees and the House may be operating under tight deadlines and it is not possible for CBO or JCT to complete the analysis prior to the legislation's consideration. Second, while CBO and JCT have developed a great deal of expertise and experience in producing these analyses, there may be situations where it is not possible for CBO and JCT to produce the required analysis.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 5 OFFERED BY MS. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

Sec. 6. STOP CORPORATE EXPATRIATION AND INVEST IN AMERICA'S INFRASTRUCTURE ACT OF 2015.

Not later than January 31, 2015, the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of a bill consisting of the text specified in section 8 of this resolution, to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations and to transfer the resulting revenues to the Highway Trust Fund. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Sec. 7. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 8 of this resolution.

Sec. 8. The text referred to in section 6 is as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop Corporate Expatriation and Invest in America’s Infrastructure Act of 2015”.

SEC. 2. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

“(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

“(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting ‘80 percent’ for ‘60 percent’, or

“(B) such corporation is an inverted domestic corporation.

“(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

“(A) the entity completes after May 8, 2014, the direct or indirect acquisition of—

“(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

“(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

“(B) after the acquisition, either—

“(i) more than 50 percent of the stock (by vote or value) of the entity is held—

“(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

“(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership, or

“(ii) the management and control of the expanded affiliated group which includes the entity occurs, directly or indirectly, primarily within the United States, and such expanded affiliated group has significant domestic business activities.

“(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term ‘substantial business activities’ shall have the meaning given such term under regulations in effect on May 8, 2014, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.

“(4) MANAGEMENT AND CONTROL.—For purposes of paragraph (2)(B)(ii)—

“(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of determining cases in which the management and control of an expanded affiliated group is to

be treated as occurring, directly or indirectly, primarily within the United States. The regulations prescribed under the preceding sentence shall apply to periods after May 8, 2014.

“(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that the management and control of an expanded affiliated group shall be treated as occurring, directly or indirectly, primarily within the United States if substantially all of the executive officers and senior management of the expanded affiliated group who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the expanded affiliated group are based or primarily located within the United States. Individuals who in fact exercise such day-to-day responsibilities shall be treated as executive officers and senior management regardless of their title.

“(5) SIGNIFICANT DOMESTIC BUSINESS ACTIVITIES.—For purposes of paragraph (2)(B)(ii), an expanded affiliated group has significant domestic business activities if at least 25 percent of—

“(A) the employees of the group are based in the United States,

“(B) the employee compensation incurred by the group is incurred with respect to employees based in the United States,

“(C) the assets of the group are located in the United States, or

“(D) the income of the group is derived in the United States,

determined in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (3) as in effect on May 8, 2014, but applied by treating all references in such regulations to ‘foreign country’ and ‘relevant foreign country’ as references to ‘the United States’. The Secretary may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.”.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking “after March 4, 2003,” and inserting “after March 4, 2003, and before May 9, 2014.”.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking “subsection (a)(2)(B)(ii)” and inserting “subsections (a)(2)(B)(ii) and (b)(2)(B)(i)”, and

(ii) by inserting “or (b)(2)(A)” after “(a)(2)(B)(i)” in subparagraph (B).

(B) in paragraph (3), by inserting “or (b)(2)(B)(i), as the case may be,” after “(a)(2)(B)(ii)”.

(C) in paragraph (5), by striking “subsection (a)(2)(B)(ii)” and inserting “subsections (a)(2)(B)(ii) and (b)(2)(B)(i)”, and

(D) in paragraph (6), by inserting “or inverted domestic corporation, as the case may be,” after “surrogate foreign corporation”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 8, 2014.

SEC. 3. TRANSFERS TO HIGHWAY TRUST FUND.

(a) IN GENERAL.—Section 9503(f) of the Internal Revenue Code of 1986 is amended by redesignating paragraph (5) as paragraph (6) and by inserting after paragraph (4) the following new paragraph:

“(5) ADDITIONAL APPROPRIATIONS TO TRUST FUND.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

“(A) \$26,852,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund, and

“(B) \$6,713,000,000 to the Mass Transit Account in the Highway Trust Fund.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon’s Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker’s ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here’s how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler’s Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

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

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

Ms. SLAUGHTER. 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 239, nays 168, not voting 26, as follows:

[Roll No. 4]

YEAS—239

Abraham	Gowdy	Neugebauer
Aderholt	Granger	Newhouse
Allen	Graves (GA)	Noem
Amash	Graves (LA)	Nugent
Amodi	Graves (MO)	Nunes
Babin	Griffith	Olson
Barletta	Grothman	Palazzo
Barr	Guinta	Palmer
Barton	Guthrie	Paulsen
Benishkek	Hanna	Pearce
Bilirakis	Hardy	Perry
Bishop (MI)	Harper	Pittenger
Bishop (UT)	Harris	Pitts
Black	Hartzler	Poe (TX)
Blackburn	Heck (NV)	Poliquin
Blum	Hensarling	Pompeo
Bost	Herrera Beutler	Posey
Boustany	Hice (GA)	Price (GA)
Brady (TX)	Hill	Ratcliffe
Brat	Holding	Reed
Bridenstine	Hudson	Reichert
Brooks (AL)	Huelskamp	Renacci
Brooks (IN)	Huizenga (MI)	Ribble
Buchanan	Hultgren	Rice (SC)
Buck	Hunter	Rigell
Bueshon	Hurd (TX)	Roby
Burgess	Hurt (VA)	Roe (TN)
Byrne	Issa	Rogers (AL)
Calvert	Jenkins (KS)	Rogers (KY)
Carter (GA)	Jenkins (WV)	Rohrabacher
Chabot	Johnson (OH)	Rokita
Chaffetz	Johnson, Sam	Rooney (FL)
Clawson (FL)	Jolly	Ros-Lehtinen
Coffman	Jordan	Roskam
Cole	Joyce	Ross
Collins (GA)	Katko	Rothfus
Collins (NY)	Kelly (PA)	Rouzer
Comstock	King (IA)	Royce
Conaway	King (NY)	Russell
Cook	Kinzinger (IL)	Ryan (WI)
Costello (PA)	Kline	Salmon
Cramer	Labrador	Sanford
Crawford	LaMalfa	Scalise
Crenshaw	Lamborn	Schock
Culberson	Lance	Schweikert
Curbelo (FL)	Latta	Scott, Austin
Davis, Rodney	LoBiondo	Sensenbrenner
Denham	Long	Sessions
Dent	Loudermilk	Shimkus
DeSantis	Love	Shuster
DesJarlais	Lucas	Simpson
Diaz-Balart	Luetkemeyer	Smith (MO)
Dold	Lummis	Smith (NE)
Duffy	MacArthur	Smith (NJ)
Duncan (SC)	Marchant	Smith (TX)
Duncan (TN)	Marino	Stefanik
Ellmers	Massie	Stewart
Emmer	McCarthy	Stivers
Farenthold	McCaul	Stutzman
Fincher	McClintock	Thompson (PA)
Fitzpatrick	McHenry	Thornberry
Fleischmann	McKinley	Tiberi
Fleming	McMorris	Tipton
Flores	Rodgers	Trott
Forbes	McSally	Turner
Fortenberry	Meadows	Upton
Fox	Meehan	Valadao
Franks (AZ)	Messer	Wagner
Frelinghuysen	Mica	Walberg
Garrett	Miller (FL)	Walden
Gibbs	Miller (MI)	Walker
Gibson	Moolenaar	Walorski
Gohmert	Mullin	Walters, Mimi
Goodlatte	Mulvaney	Weber (TX)
Gosar	Murphy (PA)	Webster (FL)

Wenstrup
Westerman
Westmoreland
Whitfield
Williams

Wilson (SC)
Wittman
Womack
Woodall
Yoder

Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—168

Adams	Gabbard
Aguilar	Gallego
Ashford	Garamendi
Bass	Graham
Beatty	Grayson
Becerra	Green, Al
Bera	Green, Gene
Beyer	Grijalva
Bishop (GA)	Gutiérrez
Blumenauer	Hahn
Bonamici	Hastings
Boyle (PA)	Heck (WA)
Brady (PA)	Himes
Brown (FL)	Hinojosa
Brownley (CA)	Honda
Bustos	Hoyer
Butterfield	Israel
Capps	Jackson Lee
Capuano	Jeffries
Carson (IN)	Johnson (GA)
Cartwright	Johnson, E. B.
Castor (FL)	Jones
Castro (TX)	Kaptur
Chu (CA)	Keating
Cicilline	Kelly (IL)
Clarke (MA)	Kennedy
Clarke (NY)	Kildee
Clay	Kilmer
Clyburn	Kind
Cohen	Kirkpatrick
Connolly	Kuster
Conyers	Langevin
Cooper	Larsen (WA)
Courtney	Larson (CT)
Cuellar	Lawrence
Cummings	Lee
Davis (CA)	Levin
Davis, Danny	Lewis
DeFazio	Lipinski
DeGette	Loeb
DeLay	Loebsack
DeLauro	Lofgren
DeBene	Lowenthal
DeSaulnier	Lujan Grisham
Deutch	(NM)
Dingell	Lujan, Ben Ray
Doggett	(NM)
Doyle (PA)	Lynch
Duckworth	Matsui
Edwards	McCollum
Ellison	McDermott
Eshoo	McGovern
Esty	McNerney
Farr	Moore
Fattah	Moulton
Foster	Murphy (FL)
Frankel (FL)	Napolitano
Fudge	Neal
	Norcross

NOT VOTING—8

Cárdenas	Huffman	Mooney (WV)
Carney	Knight	Payne
Cleaver	Lieu (CA)	

SWEARING IN OF MEMBERS-ELECT

The SPEAKER (during the vote). While Members are coming in to record their votes, it is the intention of the Chair to administer the oath of office to the gentleman from South Carolina (Mr. GOWDY), the gentleman from Vermont (Mr. WELCH), the gentleman from Rhode Island (Mr. CICILLINE), the gentleman from North Carolina (Mr. PRICE), and the gentleman from Tennessee (Mr. COOPER).

Messrs. GOWDY, WELCH, CICILLINE, PRICE of North Carolina, and COOPER appeared at the bar of the House, and the Speaker administered the oath of office to them 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. You are now Members of the 114th Congress.

□ 1652

Ms. MOORE and Ms. CLARKE of New York changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. PAYNE. Mr. Speaker, on rollcall No. 4, had I been present, I would have voted “no.”

MOTION TO COMMIT

Mr. VAN HOLLEN. Mr. Speaker, I have a motion to commit at the desk.

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

The Clerk read as follows:

Mr. Van Hollen moves that the resolution (H. Res. 5) be committed to a select committee composed of the Majority Leader and the Minority Leader with instructions to report it forthwith back to the House with the following amendment:

At the end of the resolution, add the following new sections:

Sec. 6. CEO-EMPLOYEE PAYCHECK FAIRNESS ACT OF 2015.

Not later than January 31, 2015, the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of a bill consisting of the text specified in section 8 of this resolution, to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Sec. 7. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 8 of this resolution.

Sec. 8. The text referred to in section 6 is as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “CEO-Employee Paycheck Fairness Act of 2015”.

SEC. 2. EXPANSION OF DENIAL OF DEDUCTION FOR CERTAIN EXCESSIVE EMPLOYEE REMUNERATION.

(a) EXPANDED APPLICATION OF DEDUCTION DENIAL IF PAY FAIRNESS REQUIREMENT NOT MET.—Section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(7) SPECIAL RULE IN CASE OF COMPANIES NOT MEETING PAY FAIRNESS REQUIREMENT.—

“(A) IN GENERAL.—In the case of a publicly held corporation which does not meet the pay fairness requirement of subparagraph (B) for the taxable year—

“(i) no deduction shall be allowed under this chapter for applicable employee remuneration with respect to any employee to the extent that the amount of such remuneration for the taxable year with respect to such employee exceeds \$1,000,000, and

“(ii) paragraph (4) shall be applied without regard to subparagraphs (B), (C), and (D) thereof.

For purposes of the preceding sentence, the term ‘employee’ includes any officer or director of the taxpayer and any former officer, director, or employee of the taxpayer.

“(B) PAY FAIRNESS REQUIREMENT.—The pay fairness requirement of this subparagraph is satisfied if—

“(i)(I) the average compensation paid by the taxpayer to or for all applicable United States employees for the taxable year, exceeds

“(II) the inflation and productivity growth adjusted average of such compensation for the preceding taxable year, and

“(ii) the aggregate compensation paid by the employer to or for all applicable United States employees for the taxable year is not less than the aggregate of such compensation for the preceding taxable year.

“(C) APPLICABLE UNITED STATES EMPLOYEE.—For purposes of this paragraph, the term ‘applicable United States employee’ means, with respect to any taxable year, any employee—

“(i) whose services with respect to the employer are substantially all performed within the United States, and

“(ii) whose compensation from the employer for the taxable year does not exceed the dollar amount in effect under section 414(q)(1)(B)(i) with respect to the calendar year in which such taxable year begins.

“(D) INFLATION AND PRODUCTIVITY GROWTH ADJUSTED AVERAGE.—The inflation and productivity growth adjusted average of compensation under subparagraph (B)(i)(II) for any taxable year shall be determined by multiplying—

“(i) the average of the compensation paid by the taxpayer to or for all applicable United States employees for the taxable year, by

“(ii) the sum of the cost-of-living adjustment and the productivity adjustment for the taxable year.

“(E) COST-OF-LIVING ADJUSTMENT.—For purposes of subparagraph (D)(ii), the cost-of-living adjustment for any taxable year shall be the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘the second preceding calendar year’ for ‘calendar year 1992’ in subparagraph (B) thereof.

“(F) PRODUCTIVITY ADJUSTMENT.—For purposes of subparagraph (D)(ii)—

“(i) IN GENERAL.—The productivity adjustment for the taxable year shall be an amount (expressed as a percentage) equal to the average annual increase in the business productivity index for the period beginning with calendar year 2000 and ending with the calendar year preceding the calendar year in which the taxable year begins.

“(ii) BUSINESS PRODUCTIVITY INDEX.—The term ‘business productivity index’ means the nonfarm business productivity index published by the Bureau of Labor Statistics as adjusted by the Secretary to account for depreciation.

“(G) COMPENSATION.—For purposes of this subparagraph, the term ‘compensation’ means, with respect to any employee, the sum of—

“(i) the employee’s wages on which the tax under section 3101(b) is imposed, plus

“(ii) any amount described in paragraph (9), (11), (12), or (14) of section 6051(a) with respect to the employee.

“(H) AGGREGATION RULES.—Rules similar to the rules of paragraph (5)(B)(iii) shall apply for purposes of this paragraph.

“(I) REGULATIONS.—The Secretary may prescribe such regulations as are necessary to carry out the purposes of this paragraph, including adjustments to the pay fairness requirements of subparagraph (B)—

“(i) to prevent avoidance of this paragraph through changes in the composition of the taxpayer’s workforce, and

“(ii) to account for significant, non-tax-motivated changes in the size and composition of the taxpayer’s workforce (including mergers, spinoffs, or changes in the occupational composition of a taxpayer’s workforce).”.

(b) MODIFICATION OF DEFINITION OF COVERED EMPLOYEES.—

(1) IN GENERAL.—Paragraph (3) of section 162(m) of such Code is amended—

(A) in subparagraph (A), by striking “as of the close of the taxable year, such employee is the chief executive officer of the taxpayer or” and inserting “such employee is the chief executive officer or the chief financial officer of the taxpayer at any time during the taxable year, or was”.

(B) in subparagraph (B) by striking “(other than the chief executive officer)” and inserting “(other than any individual described in subparagraph (A))”.

(C) by striking “or” at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting “, or”.

“(C) was a covered employee of the taxpayer (or any predecessor) for any preceding taxable year beginning after December 31, 2014.”.

(2) TECHNICAL AMENDMENT.—Section 162(m)(3)(B) of such Code is amended by striking “4 highest” and inserting “3 highest”.

(c) APPLICABLE EMPLOYEE REMUNERATION PAID TO BENEFICIARIES, ETC.—Paragraph (4) of section 162(m) of such Code is amended by adding at the end the following new subparagraph:

“(H) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Remuneration shall not fail to be applicable employee remuneration merely because it is includible in the income of, or paid to, a person other than the covered employee, including after the death of the covered employee.”.

(d) EXPANSION OF APPLICABLE EMPLOYER TO INCLUDE NON-LISTED PUBLIC COMPANIES.—Paragraph (2) of section 162(m) of such Code is amended to read as follows:

“(2) PUBLICLY HELD CORPORATION.—For purposes of this subsection, the term ‘publicly held corporation’ means any corporation which is an issuer (as defined in section 3 of the Securities Exchange Act of 1934)—

“(A) that has a class of securities registered under section 12 of such Act, or

“(B) that is required to file reports under section 15(d) of such Act.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

Mr. SESSIONS (during the reading). Mr. Speaker, I ask unanimous consent that the motion to commit be considered as read.

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

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 yeas appeared to have it.

Mr. VAN HOLLEN. 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 168, nays 243, not voting 22, as follows:

[Roll No. 5]
YEAS—168

Adams	Frankel (FL)	Neal
Aguilar	Fudge	Norcross
Bass	Gabbard	O'Rourke
Beatty	Gallego	Pallone
Becerra	Garamendi	Pascrell
Bera	Grayson	Payne
Beyer	Green, Al	Pelosi
Bishop (GA)	Green, Gene	Perlmutter
Blumenauer	Grijalva	Peterson
Bonamici	Gutiérrez	Pingree
Boyle (PA)	Hahn	Pocan
Brady (PA)	Hastings	Polis
Brown (FL)	Heck (WA)	Price (NC)
Brownley (CA)	Himes	Quigley
Bustos	Hinojosa	Rice (NY)
Butterfield	Honda	Richmond
Capps	Hoyer	Royal-Allard
Capuano	Huffman	Ruiz
Cárdenas	Israel	Ruppersberger
Carney	Jackson Lee	Rush
Carson (IN)	Jeffries	Ryan (OH)
Cartwright	Johnson (GA)	Sánchez, Linda
Castor (FL)	Johnson, E. B.	T.
Castro (TX)	Kaptur	Sarbanes
Chu (CA)	Keating	Schakowsky
Cicilline	Kelly (IL)	Schiff
Clark (MA)	Kennedy	Schrader
Clarke (NY)	Kildee	Scott (VA)
Clay	Kilmer	Scott, David
Cleaver	Kind	Serrano
Clyburn	Kirkpatrick	Kuster
Cohen	Kuster	Langevin
Connolly	Langevin	Larsen (WA)
Conyers	Larsen (WA)	Larson (CT)
Cooper	Larson (CT)	Lawrence
Courtney	Lee	Lee
Cuellar	Levin	Lewis
Cummings	Lewis	Lieu (CA)
Davis (CA)	Lieu (CA)	Lipinski
Davis, Danny	Lipinski	Loeb
DeFazio	Loeb	Loeb
DeGette	Loeb	Loeb
Delaney	Loeb	Loeb
DeLauro	Loeb	Loeb
DelBene	Loeb	Loeb
DeSaulnier	Loeb	Loeb
Deutch	Loeb	Loeb
Dingell	Loeb	Loeb
Doggett	Loeb	Loeb
Doyle (PA)	Loeb	Loeb
Duckworth	Loeb	Loeb
Edwards	Loeb	Loeb
Ellison	Loeb	Loeb
Eshoo	Loeb	Loeb
Esty	Loeb	Loeb
Farr	Loeb	Loeb
Fattah	Loeb	Loeb
Foster	Loeb	Loeb

NAYS—243

Abraham	Babin	Bishop (MI)
Aderholt	Barletta	Bishop (UT)
Allen	Barr	Black
Amash	Barton	Blackburn
Amodei	Benishek	Blum
Ashford	Bilirakis	Bost

Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler

Hice (GA)
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Pittenger
Poe (TX)
Poliquin
Pompeo
Posey

Price (GA)
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 234, nays 172, answered “present” 1, not voting 26, as follows:

[Roll No. 6]

YEAS—234

Abraham
Aderholt
Allen
Amash
Amodei
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice (GA)
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Diaz-Balart
Dold
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Perry

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle (PA)
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu (CA)
Cicilline
Clark (MA)
Clarke (NY)
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeBene
DeSaulnier
Dingell
Doggett
Doyle (PA)
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard

NAYS—172

Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Clay
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu (CA)
Lipinski
Loebsock
Lofgren
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Matsui
McCollum
McDermott
McGovern
McNerney
Moore
Moulton
Murphy (FL)
Napolitano
Neal

ANSWERED “PRESENT”—1

Mulvaney

NOT VOTING—8

Capps
DeLauro
Deutch
Duffy
Larson (CT)
Mooney (WV)
Pitts
Watson Coleman

□ 1730

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 against:

Ms. DELAURO. Madam Speaker, I was unavoidably detained and so I missed rollcall vote No. 6 regarding the “The Rules Package for the 114th Congress” (H. Res. 5). Had I been present, I would have voted “no.”

Mr. DEUTCH. Mr. Speaker, on rollcall No. 6, had I been present, I would have voted “nay.”

Mrs. WATSON COLEMAN. Mr. Speaker, on rollcall No. 6, had I been present, I would have voted “nay.”

NOT VOTING—4

McKinley
Mooney (WV)
Pitts
Sanchez, Loretta

□ 1714

Messrs. GOHMERT, ASHFORD, and PALMER changed their vote from “yea” to “nay.”

Mr. TAKANO changed his vote from “nay” to “yea.”

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

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

MESSAGE FROM THE SENATE

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

S. RES. 2

In the Senate of the United States, January 6, 2015.

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

S. RES. 5

In the Senate of the United States, January 6, 2015.

Resolved, That the House of Representatives be notified of the election of the Honorable Orrin G. Hatch as President of the Senate pro tempore.

S. RES. 10

In the Senate of the United States, January 6, 2015.

Resolved, That the House of Representatives be notified of the election of the Honorable Julie E. Adams as Secretary of the Senate.

S. RES. 13

In the Senate of the United States, January 6, 2015.

Resolved, That the House of Representatives be notified of the election of the Honorable Frank J. Larkin as Sergeant at Arms and Doorkeeper of the Senate.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

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

The Clerk read the resolution, as follows:

H. RES. 6

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

COMMITTEE ON AGRICULTURE: Mr. Conaway, Chair.

COMMITTEE ON APPROPRIATIONS: Mr. Rogers of Kentucky, Chair.

COMMITTEE ON ARMED SERVICES: Mr. Thornberry, Chair.

COMMITTEE ON THE BUDGET: Mr. Tom Price of Georgia, Chair.

COMMITTEE ON EDUCATION AND THE WORKFORCE: Mr. Kline, Chair.

COMMITTEE ON ENERGY AND COMMERCE: Mr. Upton, Chair.

COMMITTEE ON ETHICS: Mr. Dent, Chair; Mr. Meehan; Mr. Gowdy; Mrs. Brooks of Indiana; and Mr. Marchant.

COMMITTEE ON FINANCIAL SERVICES: Mr. Hensarling, Chair.

COMMITTEE ON FOREIGN AFFAIRS: Mr. Royce, Chair.

COMMITTEE ON HOMELAND SECURITY: Mr. McCaul, Chair.

COMMITTEE ON HOUSE ADMINISTRATION: Mrs. Miller of Michigan, Chair; Mr. Harper; Mr. Schock; Mr. Nugent; Mr. Rodney Davis of Illinois; and Mrs. Comstock.

COMMITTEE ON THE JUDICIARY: Mr. Goodlatte, Chair.

COMMITTEE ON NATURAL RESOURCES: Mr. Bishop of Utah, Chair.

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM: Mr. Chaffetz, Chair.

COMMITTEE ON RULES: Mr. Sessions, Chair; Ms. Foxx; Mr. Cole; Mr. Woodall; Mr. Burgess; Mr. Stivers; and Mr. Collins of Georgia.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY: Mr. Smith of Texas, Chair.

COMMITTEE ON SMALL BUSINESS: Mr. Chabot, Chair.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE: Mr. Shuster, Chair.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Miller of Florida, Chair.

COMMITTEE ON WAYS AND MEANS: Mr. Ryan of Wisconsin, Chair.

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

The SPEAKER pro tempore (Ms. Foxx). Is there objection to the request of the gentlewoman from Washington?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

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

The Clerk read the resolution, as follows:

H. RES. 7

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

(1) COMMITTEE ON AGRICULTURE.—Mr. Peterson.

(2) COMMITTEE ON APPROPRIATIONS.—Mrs. Lowey (when sworn), Ms. Kaptur, Mr. Visclosky, Mr. Serrano, Ms. DeLauro, Mr. Price of North Carolina, Ms. Roybal-Allard, Mr. Farr, Mr. Fattah, Mr. Bishop of Georgia, Ms. Lee of California, Mr. Schiff, Mr. Honda, Ms. McCollum, Mr. Israel, Mr. Ryan of Ohio, Mr. Ruppertsberger, Ms. Wasserman Schultz, Mr. Cuellar, Ms. Pingree of Maine, and Mr. Quigley.

(3) COMMITTEE ON ARMED SERVICES.—Mr. Smith of Washington.

(4) COMMITTEE ON THE BUDGET.—Mr. Van Hollen.

(5) COMMITTEE ON EDUCATION AND THE WORKFORCE.—Mr. Scott of Virginia.

(6) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Pallone, Mr. Rush, Ms. Eshoo, Mr. Engel, Mr. Gene Green of Texas, Ms. DeGette, Mrs. Capps, Mr. Doyle, Ms. Schakowsky, Mr. Butterfield, Ms. Matsui, Ms. Castor of Florida, Mr. Sarbanes, Mr. McNerney, Mr. Welch, Mr. Ben Ray Lujan of New Mexico, Mr. Tonko (when sworn), Mr. Yarmuth, Ms. Clarke of NY, Mr. Loebsack, Mr. Schrader, Mr. Kennedy, and Mr. Cárdenas.

(7) COMMITTEE ON FINANCIAL SERVICES.—Ms. Waters (when sworn), Mrs. Carolyn B. Maloney of New York (when sworn), Ms. Velázquez (when sworn), Mr. Sherman, Mr. Meeks (when sworn), Mr. Capuano, Mr. Hinojosa, Mr. Clay, Mr. Lynch, Mr. David Scott of Georgia, Mr. Al Green of Texas, Mr. Cleaver, Ms. Moore, Mr. Ellison, Mr. Perlmutter, Mr. Himes, Mr. Carney, Ms. Sewell of Alabama, Mr. Foster, Mr. Kildee, Mr. Murphy of Florida, Mr. Delaney, Ms. Sinema, Mrs. Beatty, Mr. Heck of Washington, and Mr. Vargas.

(8) COMMITTEE ON FOREIGN AFFAIRS.—Mr. Engel (when sworn).

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

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

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

(12) COMMITTEE ON NATURAL RESOURCES.—Mr. Grijalva.

(13) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Cummings.

(14) COMMITTEE ON RULES.—Ms. Slaughter, Mr. McGovern, Mr. Hastings of Florida, and Mr. Polis.

(15) COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.—Ms. Eddie Bernice Johnson of Texas.

(16) COMMITTEE ON SMALL BUSINESS.—Ms. Velázquez (when sworn).

(17) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. DeFazio.

(18) COMMITTEE ON VETERANS' AFFAIRS.—Ms. Brown of Florida.

(19) COMMITTEE ON WAYS AND MEANS.—Mr. Levin, Mr. Rangel (when sworn), Mr. McDermott, Mr. Lewis, Mr. Neal, Mr. Becerra, Mr. Doggett, Mr. Thompson of California, Mr. Larson of Connecticut, Mr. Blumenauer, Mr. Kind, Mr. Pascrell, Mr. Crowley (when sworn), Mr. Danny K. Davis of Illinois, and Ms. Linda T. Sánchez of California.

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

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR THE DESIGNATION OF CERTAIN MINORITY EMPLOYEES

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

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 8

Resolved, That pursuant to the Legislative Pay Act of 1929, as amended, the six minority employees authorized therein shall be the following named persons, effective January 6, 2015, until otherwise ordered by the House, to-wit: Nadeam Elshami, George Kundanis, Diane Dewhirst, Richard Meltzer, Wyndee Parker, and Drew Hammill, each to receive gross compensation pursuant to the provisions of House Resolution 119, Ninety-fifth Congress, as enacted into permanent law by section 115 of Public Law 95-94. In addition, the Minority Leader may appoint and set the annual rate of pay for up to 3 further minority employees.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FIXING THE DAILY HOUR OF MEETING OF THE FIRST SESSION OF THE ONE HUNDRED FOURTEENTH CONGRESS

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