

have been directed to report to the House that the Democratic Members have selected as majority leader the gentleman from Maryland, the Honorable STENY H. HOYER.

#### MINORITY LEADER

Mr. PUTNAM. Madam Speaker, as chairman of the Republican Conference, I am directed by that conference to notify the House officially that the Republican Members have selected as minority leader the gentleman from Ohio, the Honorable JOHN A. BOEHNER.

#### MAJORITY WHIP

Mr. EMANUEL. Madam Speaker, as chairman of the Democratic Caucus, I have been directed to report to the House that the Democratic Members have selected as majority whip the gentleman from South Carolina, the Honorable JAMES E. CLYBURN.

#### MINORITY WHIP

Mr. PUTNAM. Madam Speaker, as chairman of the Republican conference, I am directed by that conference to notify the House officially that the Republican Members have selected as minority whip the gentleman from Missouri, the Honorable ROY BLUNT.

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

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

The Clerk read the resolution, as follows:

##### H. RES. 1

*Resolved*, That Karen L. Haas of the State of Maryland, be, and is hereby, chosen Clerk of the House of Representatives;

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

That James M. Eagen, III, of the Commonwealth of Pennsylvania be, and is hereby, chosen Chief Administrative Officer of the House of Representatives; and

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

Mr. LARSON of Connecticut. Madam Speaker, I yield to the gentleman from Florida (Mr. PUTNAM) for the purpose of offering an amendment.

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

The SPEAKER. The question will be divided.

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

That portion of the resolution was agreed to.

##### AMENDMENT OFFERED BY MR. PUTNAM

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

The Clerk read as follows:

##### Amendment offered by Mr. PUTNAM:

Strike all after the resolved clause and insert:

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

That Seth O. Webb of the Commonwealth of Massachusetts be, and is hereby, chosen Sergeant at Arms of the House of Representatives; and

That Brian Gaston of the State of Ohio be, and is hereby, chosen Chief Administrative Officer of the House of Representatives.

The SPEAKER. The question is on the amendment offered by the gentleman from Florida (Mr. PUTNAM).

The amendment was rejected.

The SPEAKER. The question is on the remainder of the resolution offered by the gentleman from Connecticut (Mr. LARSON).

The remainder of the resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair will now swear in the officers of the House.

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

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

The SPEAKER. Congratulations.

□ 1445

#### NOTIFICATION TO THE SENATE

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

The Clerk read the resolution, as follows:

##### H. RES. 2

*Resolved*, That the Senate be informed that a quorum of the House of Representatives has assembled; that Nancy Pelosi, a Representative from the State of California, has been elected Speaker; and Karen L. Haas, a citizen of the State of Maryland, has been elected Clerk of the House of Representatives of the One Hundred Tenth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### COMMITTEE TO NOTIFY PRESIDENT

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

The Clerk read the resolution, as follows:

##### H. RES. 3

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

The resolution was agreed to.

A motion to consider was laid on the table.

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

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

The gentleman from Maryland (Mr. HOYER), and

The gentleman from Ohio (Mr. BOEHNER).

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

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

The Clerk read the resolution, as follows:

##### H. RES. 4

*Resolved*, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected Nancy Pelosi, a Representative from the State of California, Speaker; and Karen L. Haas, a citizen of the State of Maryland, Clerk of the House of Representatives of the One Hundred Tenth Congress.

The resolution was agreed to.

The motion to reconsider was laid on the table.

#### RULES OF THE HOUSE

Ms. SLAUGHTER. Mr. Speaker, I offer a privileged resolution (H. Res. 5) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 5

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the resolution (H. Res. 6) adopting the Rules of the House of Representatives for the One Hundred Tenth Congress. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to its adoption without intervening motion or demand for division of the question except as specified in sections 2 through 4 of this resolution.

SEC. 2. The question of adopting the resolution shall be divided among five parts, to wit: each of its five titles. The portion of the divided question comprising title I shall be debatable for 30 minutes, equally divided and controlled by the majority leader and the minority leader or their designees. The portion of the divided question comprising title II shall be debatable for 60 minutes, equally divided and controlled by the majority leader and the minority leader or their designees. The portion of the divided question comprising title III shall be debatable for 60 minutes, equally divided and controlled by the majority leader and the minority leader or their designees. The portion of the divided question comprising title IV shall be debatable for 60 minutes, equally divided and controlled by the majority leader and the minority leader or their designees. The portion of the divided question comprising title V shall be debatable for 10 minutes, equally divided and controlled by the majority leader and the minority leader or their designees. Each portion of the divided question shall be disposed of in the order stated.

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

SEC. 4. During consideration of House Resolution 6 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the resolution to a time designated by the Speaker.

The SPEAKER pro tempore (Mr. HOYER). The gentlewoman from New York (Ms. SLAUGHTER) is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the minority leader or his designee, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

The resolution that I am calling up on this historic day, H. Res. 5, provides for the consideration of a rules package, H. Res. 6, that we hope will begin to return this Chamber to its rightful place as the home of democracy and deliberation in our great Nation.

The resolution we are now debating will allow the House to consider and vote on the Democratic rules package in five separate parts. The first title contains the rules package our Republican colleagues adopted in the 109th Congress, while the second through fifth titles contain amendments that will begin a reformation of this body that is long overdue.

I also include for the RECORD at this time a detailed summary of the changes H. Res. 6 will make to the standing House rules of the 109th Congress.

SUMMARY OF HOUSE RULES PACKAGE, OPENING DAY OF THE 110TH CONGRESS, PREPARED BY THE RULES COMMITTEE, LOUISE M. SLAUGHTER, CHAIRWOMAN-DESIGNATE

#### TITLE I—ADOPTION OF 109TH RULES PACKAGE

This title adopts the standing rules that were in effect in the 109th Congress. The sub-

sequent adoption of the amendments contained in Titles II-V will then make certain changes to these rules.

#### TITLE II—ETHICS REFORMS

##### ENDING THE K STREET PROJECT

(Rule XXIII—Code of Official Conduct) Prohibits Members from threatening official retaliation against private firms that hire employees who do not share the Member's partisan political affiliation.

##### LOBBYIST GIFT BAN

(Rule XXV, cl. 5(a)) Prohibits Members and employees from accepting gifts from a registered lobbyist, from an agent of a foreign principal, or an entity that employs or retains these lobbyists and agents. Under the current gift rule, Members and employees may accept gifts valued less than \$50 (and a total of \$100 per calendar year) from these lobbyists and agents. The current gift ban exemptions in cl. 5(a)(3) still apply.

(Rule XXV, cl. 5(a)) Adds language clarifying that for the purposes of the gift rule, a ticket to a sporting event is valued either at the face value of a ticket, or at the cost of the ticket to the general public when (1) the ticket does not have a face value or (2) when the face value of the ticket does not reflect its economic value.

##### LOBBYIST TRAVEL RESTRICTIONS/ONE-DAY TRIPS

(Rule XXV, cl. 5(b)) Prohibits Members and employees from accepting travel reimbursements from a registered lobbyist, from an agent of a foreign country, or from an entity that employs or retains these lobbyists and agents. (Current rules already prohibit lobbyists and agents of foreign principals from reimbursing travel).

A new subsection to this rule clarifies that colleges and universities are not subject to this prohibition. Another subsection allows entities that employ lobbyists to reimburse Member and employee travel to one-day events (e.g. conventions, meetings). In general, travel to a one-day event includes an overnight stay, although the Ethics Committee may allow two-night stays in certain cases. These new restrictions take effect on March 1, 2007.

(Rule XXV, new cl. 5(c)) Adds new language stating that except in the case of trips sponsored by colleges and universities, lobbyists may only play a de minimis role in Member travel to one-day events that can be reimbursed by entities that employ lobbyists.

##### NEW TRAVEL AUTHORIZATION AND PUBLIC DISCLOSURE REQUIREMENTS

(Rule XXV, new cl. 5(d)) Adds language stating that prior to accepting reimbursed travel, Members and employees will be required to obtain a certification from the entity paying for the trip declaring that, except as permitted for universities and one-day travel, lobbyists did not plan, organize, request, arrange, or finance the travel. Members and employees will be required to submit this certification to the Ethics Committee and receive approval from the Ethics Committee before taking the trip. These new requirements take effect on March 1, 2007.

In connection with this new prior authorization requirement, this new rule requires Members and employees to submit their certifications, advance authorizations, and other travel disclosure materials to the Clerk of the House within 15 days after the travel is completed. The Clerk of the House must make this information available to the public as soon as possible. (Current rules allow 30 days for the submission of travel disclosures).

(Rule XXV, new cl. 5(i)) Requires the Ethics Committee to develop new standards for what constitutes a reasonable expense by a private group for Member travel. The Ethics

Committee must also develop a new standard for determining that the travel has a valid connection to Members' official duties. In addition, it requires the Ethics Committee to develop a process for the submission and approval of the prior authorization requirements created in new cl. 5(d).

##### CORPORATE JET BAN

(Rule XXIII—Code of Official Conduct) Prohibits Members from using official, personal, or campaign funds to pay for the use of privately owned airplanes. (Members will still be able to charter commercially available airplanes.)

##### ETHICS TRAINING

(Rule XI, cl. 3) Requires the Ethics Committee to offer annual ethics training to Members and appropriate employees. New employees must receive this training within 60 days of beginning work in the House and other employees must certify they take the course each year.

##### COMMITTEE NAME CHANGES

(Rule X, cl. 1) Changes the names of the following House committees: 1) the Committee on Education and the Workforce becomes the "Committee on Education and Labor," 2) the Committee on International Relations becomes the "Committee on Foreign Affairs," 3) the Committee on Resources becomes the "Committee on Natural Resources," 4) the Committee on Government Reform becomes the "Committee on Oversight and Government Reform," and 5) the Committee on Science becomes the "Committee on Science and Technology."

#### TITLE III—CIVILITY

##### HOLDING VOTES OPEN

(Rule XX, cl. 2) Prohibits the Speaker from holding votes open for longer than the scheduled time for the sole purpose of changing the outcome of the vote.

##### CONFERENCE PROCEDURE

(Rule XXII, new cl. 12) Requires House conferees to insist that conference committees operate in an open and fair manner and that House conferees sign the final conference papers at one time and in one place.

(Rule XXII, new cl. 13) Prohibits the consideration of a conference report that has been altered after the time it was signed by conferees.

#### TITLE IV—FISCAL RESPONSIBILITY

##### FISCAL RESPONSIBILITY

(Rule XXI, new cl. 7) Prohibits the House from considering budget resolutions or amendments to budget resolutions that contain reconciliation instructions increasing the budget deficit.

(Rule XXI, new cl. 8) Applies Budget Act rules against bills that have not been reported by committees.

(Rule XXI, new cl. 10) Prohibits the consideration of any legislation proposing direct spending or revenue changes that would increase the budget deficit within a five-year or a ten-year time frame ("Pay-as-You-Go" point of order).

##### EARMARK REFORM

(Rule XXI, new cl. 9) Requires committees of jurisdiction and conference committees to publish lists of the earmarks, limited tax benefits, and limited tariff benefits contained in all reported bills, unreported bills, manager's amendments, and conference reports that come to the House floor. These lists will be electronically available to the public either through committee prints or printing in the Congressional Record. In the case of a reported bill, the single list contemplated by the rule may cross-reference other parts of the report. If a measure does not contain any earmarks, committees must publish a statement to this effect. A Member

may make a point of order (similar to the unfunded mandates point of order) against the consideration of any special rule that waives this requirement.

This new clause defines an earmark as any Member-requested project that is targeted to a specific place and falls outside a formula-driven or competitive award process. Limited tax and tariff benefits are revenue provisions that would benefit 10 or fewer persons.

(Rule XXIII—Code of Official Conduct) Prohibits trading earmarks for votes and requires Members to disclose their earmark requests and certify that they and their spouses have no personal financial interest in the request.

#### TITLE V—MISCELLANEOUS

(Rule X, cl. 4) Gives the Committee on Oversight and Government Reform authority to adopt a rule allowing Committee Members and staff to conduct depositions in the course of Committee investigations.

(Rule XIII, cl. 3) Shields Rules Committee reports from a point of order if they are filed without a complete list of record votes taken during the consideration of a special rule. This provision allows the Rules Committee to publish recorded votes taken during Committee hearings in committee reports and/or through other means such as the Internet.

Makes a number of technical changes to the standing House rules.

Allows for the consideration of several pieces of legislation that are part of the "First 100 Hours" agenda if special rules for those provisions are not separately reported.

Continues the budget "deeming" resolution from the 2nd Session of the 109th Congress until such time as a conference report establishing a budget for the fiscal year 2008 is adopted.

Renews the standing order approved during the 109th Congress that prohibits registered lobbyists from using the Members' exercise facilities.

Mr. Speaker, I consider it to be a great honor to have a chance to address our House on the first day of the 110th Congress. That is what serving as a Representative in this body is, an honor.

There are only 435 Members of Congress chosen from a population of over 300 million. Our neighbors send us here to represent their interests and defend their needs in Washington. What they give us is their trust and the precious opportunity to improve the lives of millions here in America, and in many cases around the world. I can't think why anyone would want to squander that opportunity, Mr. Speaker; and yet this body's previous leadership seemed too often to do just that.

It should come as no surprise that just a few short weeks ago a national poll found that only 11 percent of American voters gave the outgoing Congress either a good or an excellent review. What was worse, fully 74 percent thought that most of us here are more focused on advancing our careers than we are on helping our fellow citizens.

Mr. Speaker, the history of the last several years has borne these opinions out. On the first day of the 109th Congress, we debated a new rules package, just as we are doing today. My fellow Democrats and I spoke out against that package from the beginning because we saw what it represented, a retreat from ethical conduct and an abandonment of our real responsibil-

ities. It rendered the Ethics Committee totally powerless to meaningfully enforce the ethical standards of the House. While its most egregious elements were abandoned, it did its job, helping to pave the way to a Congress where unethical conduct would soon find a new home.

By the time Democratic leaders from both the House and Senate joined me to unveil our Honest Leadership and Open Government Act 1 year ago, a great deal of damage had already been done. We had already seen a Medicare bill that sold out America's seniors to the bottom lines of the drug companies. We had seen an energy bill that did nothing to make our Nation's energy supply more stable, but that made the balance books of billion-dollar corporations solid as a rock, even though the CEOs of some of those companies have admitted they did not want those tax cuts.

We had seen our homeland defenses imperiled and a war effort undermined by huge contracts given not to the best and the brightest, but to the most well-connected. Real, meaningful oversight of those contracts never seemed to make it to the agenda. In one of the most embarrassing series of revelations in our Nation's history, we had seen top legislators bought and sold for their allegiance, traded for gifts, trips, and parties, all worth so much less than the faith the American people had freely given to them and which they had, by the end, lost.

But as I said at the time, the lobbyists who gave those gifts and paid for those trips and hosted those parties, those lobbyists could only knock on the doors of Congress. Members of Congress, the ones inside, were the ones who let them in.

The culture of the last Congress came to be defined by a phrase now common to America throughout the country: it was a "culture of corruption." Two months ago, the American people decided they had paid nearly enough for that kind of leadership. They had sacrificed enough peace of mind, lost enough hope, had their well-being imperiled far too many times. They stated loud and clear that they were ready for a new culture to take hold in Washington, a culture of commitment.

That is what my fellow Democrats and I are pledging to bring to this body today, a commitment to the citizens who elected us, a commitment to their needs, a commitment to their security, and a commitment to their future. It may seem like a tall order, but we are already well on the way. We have a new set of leaders here, Democrats who understand the value of trust that has been placed in them.

Together we are going to usher in nothing less than a new way of doing business in the House. While the necessary cultural shift is already under way, a new legislative framework is needed as well. We need rules in the House that will keep the body focused on the well-being of the American peo-

ple, in other words, keep us focused on our job; and that is the framework that we begin to lay out today.

The political process by which bills are written and voted on often seems arcane. It certainly receives little of the focus given to so much else that goes on in Washington. Yet it is at the very heart of what we do here. A broken political process undermines the Democratic principles the House was built on, and it serves as a gateway to a corrupted Congress.

By contrast, a responsible process acts as a powerful check against the abuses and misuses of power so common in recent years. In so many ways our Founding Fathers were visionaries. The rules that Thomas Jefferson first wrote down two centuries ago provide for order and discipline in the House. They provide for transparency and accountability. If they are followed, corruption will be exposed before it has a chance to take root.

Democrats are going to follow the long-established rules of the House, instead of treating them as impediments to be avoided. We are going to allow Members to read bills before voting on them and prevent them from being altered at the last minute.

We are not going to hold open votes for hours on end while arms are twisted and favors are traded. We are going to conduct business whenever possible during normal hours, instead of in the dead of night. We are going to be open about the schedule we keep. In short, we are going to restore basic civility to this body, and never again will any Member of the Congress have to fight to find out where the conference to which he or she has been appointed is meeting.

But we are going to do more. While the rules package of the 109th Congress effectively embraced corrupt practices, this package stamps them out. Today and tomorrow we are introducing a series of critical new rules, legislation that will help guarantee that the unethical practices of the past will have no place in our future.

Gifts and lobbyist-sponsored travel are banned by this rules package. They have been used to grant select groups of people unfettered access to Members of Congress. They have no place in this new Congress. The rules package will finally shed light on an earmarking process that has greased the wheels of corrupt House machinery. It requires the full disclosure of earmarks on all bills and conference reports before Members are asked to vote on them.

If a Member is convinced that a project is worth a Federal earmark, they should have no problem attaching their name to that funding if the project is sound and they have nothing to hide. This package will make real fiscal responsibility a fundamental principle of the House, not a rhetorical one. It will prohibit the consideration of any legislation that would increase budget deficits without offsets.

Democrats are joined by so many Republicans in believing that it is immoral to pass on the question of debt to our children and grandchildren.

□ 1500

Enough is enough. No more deficit spending.

Mr. Speaker, and my friends on both sides of the aisle, I know I am joined by my fellow Democrats as well as many Republicans when I say that I want a Congress that America can be proud of again.

I am tired of having to tell my grandchildren and school children in my district that what they have learned in school about the ideals and practices of a democracy isn't true anymore, and what they have learned about how a bill is passed no longer stands here.

It is long past time that this House started living up to those ideas and practices; that they started putting honesty, and integrity, transparency and accountability ahead of everything else.

We must rededicate the People's House to the needs of its citizens. We must return the keys of the government and this democracy to the citizens whom they belong.

This body was created to serve as the battleground of ideas, not of checkbooks or back-room deals or deceptions. It was created to serve the people of the United States.

Today, the men and women of America have given us a very special gift. We have the ability to leave our mark on the future of our Nation. It is the only gift Members of Congress should ask for, and one we must cherish for the good of all. Let us begin.

Mr. Speaker, I would like to take this opportunity to reaffirm the jurisdiction of the Committee on Small Business as contained in House Rule X, clause 1(p). The Committee's jurisdiction includes the Small Business Administration and its programs, as well as small business matters related to the Regulatory Flexibility Act and the Paperwork Reduction Act. Its jurisdiction under House Rule X, clause 1(p) also includes other programs and initiatives that address small businesses outside of the confines of those Acts.

This reaffirmation of the jurisdiction of the Committee on Small Business will enable the House to ensure that it is properly considering the consequences of its actions related to small business.

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

Mr. DREIER. Mr. Speaker, I rise as the designee of the Republican leader.

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DREIER).

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

Mr. DREIER. Mr. Speaker, we have spent a great deal of time this afternoon focusing on the fact that we have the first female Speaker of the United States House of Representatives in our Nation's history. And I think it is also very important for us to note today

that we have the first female Chair of the House Rules Committee in my good friend, Ms. SLAUGHTER, and I would like everyone to join in extending congratulations to Ms. SLAUGHTER.

Now, let me say, Mr. Speaker, that I look forward to working in a bipartisan way in the spirit that was outlined by Speaker PELOSI, and I, of course, will treat the new Chair of the Rules Committee with the dignity that she deserves.

I will say, Mr. Speaker, that I do rise with mixed emotions today. I was very proud to join with you as we came down the center aisle escorting the new Speaker of the House, my fellow Californian. And I am very pleased that we have the first woman, the first Californian, and the first Italian American as Speaker of the House of Representatives.

I have mixed emotions because, while I am very, very proud of Speaker PELOSI, and the new Rules Chair, Ms. SLAUGHTER, and others who are assuming leadership positions, I also am very disappointed.

I am disappointed as I look at this package that we are about to consider, because I do join with you, Mr. Speaker pro tempore, the distinguished majority leader, and Speaker PELOSI, as we have discussed privately and publicly, in our quest, and I think Speaker PELOSI put it extraordinarily well, focusing on the priorities that we have. We are, first and foremost, Americans. We are here to do the people's business and they sent a very strong message last November, and I believe we have an opportunity to do just that.

I will say that I remember very well the opening days of the 104th Congress, 12 years ago. I remember the very heady feeling that came from knowing that, for the first time, at that juncture, in almost half a century, we Republicans were in the majority of the House of Representatives, and we were going to do all that we had promised the American people.

We were that optimistic, quite frankly, because we didn't know any better. None of us had ever served in the majority and we were blissfully unaware of the pressures and problems associated with trying to govern this institution.

During the 109th Congress, the Democratic Caucus, many of whom actually served in the majority before 1995, made a lot of promises about how they would run this place if they ever achieved the majority again. Of course, they, unlike Republicans in 1994, had the experience of having run this place, having served in the majority. And I have a great deal of admiration for my colleagues, because they know exactly what they are facing. Knowing that, knowing exactly what they would face in the majority, they made a commitment to minority rights, should they regain the majority.

And that, Mr. Speaker, is why I said I am disappointed. The resolutions before us bear very little resemblance to

the rhetoric on this floor and on the campaign trail. The much ballyhooed commitment to minority rights is virtually nonexistent in the measures before us today. They undermine minority rights that were constantly guaranteed when we were in the majority. The rights of the minority are undermined. Their promises are for a delivery date at some later point, if we agree to be cooperative, according to one Member on the other side of the aisle. And we have, as an IOU now, a wink and a nod and a gentle "trust us."

Mr. Speaker, trust is something that is in short supply in this House, and the actions of the incoming majority are, based on the package that has been brought before us early last evening, certainly less than 24 hours before we are considering it here on the House floor, are not doing a lot to bolster our reserves when it comes to the issue of trust. Despite an oft repeated commitment to provide Members with, as I said, at least 24 hours to review legislation before voting on the floor, we received this package at 6:15 last night, 6:15 only after that package was delivered to our friends up in the press gallery.

Now, Mr. Speaker, despite Speaker PELOSI's principle that we need to return to regular order for legislation, including a full committee process of hearings and markups and, I quote Ms. PELOSI here when she said we need an "open, full and fair debate consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute."

Now, we, in spite of that great directive that came forward, we have a rules package that actually self-executes closed rules for bills that haven't even been introduced, and won't even be going through the committee process. The section of the package that includes those closed rules is debatable for just 10 minutes. This is the polar opposite, the polar opposite of how the Republicans opened the 104th Congress, when our priorities were considered in regular order and under an open amendment process.

Mr. Speaker, also providing a stark contrast is the fact that we put in place, from day one, a guaranteed bite at the apple for the minority in the form of a motion to recommit. We felt so strongly about the fact that when we were in the minority we were denied that chance. So that is why at the beginning of the 104th Congress we put into place that guarantee for the minority.

But I must remind my Democratic colleagues on the Rules Committee that, time and time again, they have made clear their view that the motion to recommit is an insufficient opportunity to articulate their alternative. That argument was propounded constantly as we were dealing with public policy questions. So you can imagine how surprised I was when the Speaker recently replied to a reporter's question about Republican alternatives to

the Democratic priorities by saying, "They'll have a motion to recommit."

Even worse than five closed rules, Mr. Speaker, is the rollback of one of the most essential elements of transparency that Republicans put into place back at the beginning of the 104th Congress; that is, the right to know how a member of a committee votes on legislation.

Mr. Speaker, this rules package exempts the Committee on Rules from the requirement to publish the votes of its members on its committee reports, something required of every other committee except the Ethics Committee.

Now, in my 12 years as a member of the Rules Committee majority, we took more than 1,300 votes in committee, every single one of which was accurately reported in the committee's report.

Mr. Speaker, at best, this is a solution in search of a problem. At worst, it is an attempt to shield the Rules Committee from the public scrutiny of its actions.

We were told by the distinguished Chair of the Rules Committee that ethics reform and rules reform were not just election year issues for Democrats. Now, Mr. Speaker, sadly, this document says something quite different than that. Promises were made, and they are not being kept. That is the thing that I find to be most troubling. We intend to explain the many inconsistencies for the record and as the debate moves forward.

At the same time, Mr. Speaker, we want to work with our democratic colleagues. Even with this treatment of minority rights, we stand here determined to work in a bipartisan way to confront the challenges that we all know face this country. Unfortunately, this rules package shuts us out from the start. It is my hope that the promises made will, indeed, be kept. But, Mr. Speaker, this package does not inspire a great deal of hope in that they in any way will.

And so, Mr. Speaker, I rise with a great deal of disappointment and a great deal of concern about the first actions that we are taking here.

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

Ms. SLAUGHTER. Mr. Speaker, I would like to yield myself about 30 seconds, 45 perhaps, just to respond for a moment, to remind my friend that what we are voting on is the Republican package of the last term. If it was so bad, we thought it was pretty bad then as well, but we will have time to debate all these things. We will have open debate. And what we have said about fairness is what we are dedicated to do.

#### GENERAL LEAVE

Ms. SLAUGHTER. Mr. Speaker, before I yield to the next speaker, I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on H. Res. 5 and H. Res. 6.

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I am pleased, for the purpose of debate only, to yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, on this historic day, the sun is shining brightly in Washington outside and today, finally it is shining inside this great Capitol building.

Normally, a New Year's resolution is a list you write for yourself. But the ethics package that we Democrats are now adopting was written by the American people at the ballot box in November. This January resolution is possible only because of the November revolution by voters who were, quite frankly, revolted by what they saw going on here in Washington.

Under Democratic leadership, "Spring Cleaning" is getting an early start here in January. We ban lobbyists-sponsored junkets and gifts and the use of corporate jets from jet-setting lobbyists like the tobacco company that even took one Member of Congress on a special flight to his criminal arraignment.

In Congress, an earmark too often is a secret means for a Member to funnel Federal dollars to special projects. Some are worthwhile, some are dubious.

When I talk about earmarks to my rancher friends down in Texas, they have a different earmark in mind. It is the mark you put on an ear of your cattle to identify them. By their very nature, earmarks are public, designed to identify ownership. I think we need some of that Texas thinking here in Washington. If earmarks can identify a steer, we are now able, through this new package, to know who is "steering" earmarks of federal tax dollars to some unworthy cause.

Ethics reform, of course, is not an end in and of itself. The goal of reform is to improve the substance of the work that we do here. It is to ensure that the priorities in Washington are genuinely the priorities of hard working families in San Marcos, Bastrop, Kyle, and many other communities across our country.

Because fiscal security is national security, we are also working to cut the ballooning federal deficit with pay-as-you-go budgeting; barring new spending provisions or tax changes that would increase our soaring national debt.

Our reforms seek to curb the cost of corruption. It is a cost that has been borne in the pocketbooks of our seniors who pay too much for drugs because of a drug bill that was designed by the pharmaceutical manufacturers, instead of designed to help those who needed help most.

It is the cost of corruption that is reflected in no-bid contracts in Iraq and in the aftermath of the Hurricane Katrina debacle. And it is reflected in

the price that the jobless, the homeless, and the hopeless are paying for the corruption within this administration.

Mr. Speaker, accountability, so long lacking from this administration and the House leadership begins today.

□ 1515

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to my very distinguished colleague on the Rules Committee, Mr. LINCOLN DIAZ-BALART from Florida.

Mr. LINCOLN DIAZ-BALART of Florida. I thank my dear friend, and, Mr. Speaker, I was very pleased that my friend and dear chairman of the Rules Committee, Ms. SLAUGHTER, pointed out as she spoke, I heard her speak that most of the ethics package was precisely the one that we had proposed last year. What is very disturbing, however, and really disappointing, Mr. Speaker, are a number of the items that have been included that Mr. DREIER referred to previously.

It is extremely disappointing to see that one of the great advancements of this Congress over the last two centuries, which has been to bring a transparency to our votes, because you know, Mr. Speaker, it used to be even on the floor of the House votes would take place that were not roll call votes, they were not noted for the record and, thus, for the people; yet we moved forward and we changed that. And also in committee, votes had to be recorded. That has been one of the great advancements in the last two centuries in this Congress.

And to see in the Committee on Rules, that I love so much, where we now in this rules package are faced with such a reversal of that progress and that great advancement of openness and transparency on the record, the requirement that the people will be able to see how the members of that committee vote, that has been eliminated, is being eliminated in this package, that is extremely disturbing. And everyone, Mr. Speaker, who loves this Congress should be saddened by what our friends on the other side of the aisle have included, specifically what I have just mentioned, that great reversal of progress in the rules package that has been brought forward today.

So in the hope that that will be remedied and that our friends on the other side of the aisle will realize how sad that is, I rise today with great disappointment.

Ms. SLAUGHTER. Mr. Speaker, for the purposes of debate only, I yield 2½ minutes to the gentlewoman from Florida (Ms. CASTOR), one of our brilliant freshmen and a new member of the Rules Committee.

Ms. CASTOR. Mr. Speaker, I am pleased to offer, along with my distinguished fellow Floridian, and the new rules chairwoman, Ms. SLAUGHTER, an ethics champion in her own right, this legislation extending the rules of the 109th Congress, with ethics reforms to

follow in the 110th Congress. These rules will serve as a baseline for the rules of the 110th Congress, and then we shall add the needed ethics reforms, fiscal responsibility reforms, and rules on civility.

After recent tumultuous events, we can all agree that our neighbors back home expect the highest ethical standards from the Members of Congress, the people's House. This rules package includes some of the very good rules changes made in the 109th Congress, including the end of proxy voting in committees and the emergency power granted to the Speaker to recess the House and convene in another location in the case of a terrorist incident. But our Democratic package goes further, instituting ethics reforms that prohibit Members from accepting gifts from registered lobbyists, restricting Members' travel on corporate airplanes, and offering ethics training to Members and staff.

I come to the House from local government; and like many of my reform-minded freshmen colleagues, I championed ethics reform on the local level, particularly in the Tampa Bay area, where it was needed in the inner workings of county government. Well, it is needed here in the Halls of Congress now more than ever.

The new rules will include a fair and open process for the Congress: no holding open votes to change the outcome and clear guidelines for the operation of conference committees and final conference committee reports. Provisions for more stringent fiscal responsibility and pay-as-you-go budgeting requirements ultimately will aid our neighbors back home in reducing their own debt load while the Federal Government begins to do its part to ease the financial crunch so many of us feel across the country.

The proposed transparency in the earmark process and the additional requirement that Members certify that neither their spouses nor their relatives will have any personal financial interest in an earmark request will show and assure our neighbors back home that Congress is indeed operating in a way that best serves the needs and interests of every American.

I am humble and proud to be part of this new historic Congress and am glad to stand in support of the ethics reform package led by Ms. PELOSI for high ethical standards in government.

Mr. DREIER. Mr. Speaker, I want to first congratulate Ms. CASTOR and certainly welcome her to the Rules Committee and look forward to serving with her.

#### PARLIAMENTARY INQUIRY

Mr. DREIER. I have a parliamentary inquiry, Mr. Speaker.

My parliamentary inquiry is, may I ask of the Chair exactly what it is we are debating and considering at this point. The Chair of the Rules Committee stood up and said, after I gave my opening remarks, that we were in the midst of a debate on the last year's

rules package. I was wondering if the Chair might enlighten us as to exactly what it is that we are considering.

The SPEAKER pro tempore (Mr. CLYBURN). Pending is House Resolution 5, proposing a special order of business for consideration of House Resolution 6, adopting the Rules of the House for the One Hundred Tenth Congress.

Mr. DREIER. For the consideration of the rules package for the 110th Congress, am I correct?

The SPEAKER pro tempore. That is correct.

Mr. DREIER. Thank you very much for that clarification, Mr. Speaker.

Mr. Speaker, at this time I am very happy to yield 2 minutes to the very distinguished gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Mr. Speaker, I thank my colleague for yielding, and I want to commend the ranking member of the Rules Committee and the former chairman for his comments because I think they bring some truth and veracity to this discussion.

I am truly pleased to join my colleagues here who are interested in good government, responsive government, but accountable government. And as a matter of principle, as a matter of principle we believe it is imperative that elected officials be held accountable for what they say and what they do.

Now, while on the campaign trail, Democrats made the promise over and over again that they wanted to have the most open and fair government in history. In fact, the new Speaker said herself, "More than 2 years ago, I first sent Speaker HASTERT proposals to restore civility in Congress. I reiterate my support for these proposals today. We must restore bipartisanship to the administration of the House, reestablish regular order for considering legislation, and ensure the rights of the minority, whichever party is in the minority. The voice of every American has the right to be heard."

And she is right. But far from regular order is what we are dealing with here. There are a couple of items I want to present. We have heard that these issues to be dealt with over the next 100 hours of debate have already been vetted, already been through committee. In fact, the freshmen, who are at least 39-strong Democrats, have not had any opportunity. So there is no regular order there.

We also note that in the rules package under Democrat control, the Rules Committee would become anything but transparent, being that the votes that are required or will take place in the Rules Committee will not be available to the public. I do not think that is what the American people voted on when they voted in November.

A minority bill of rights is what we will propose in our previous question amendment motion, and it is that kind of common sense and that kind of accountability and fairness that Americans expect and that we are asking for.

Hearings, amendments to bills, 24 hours' notice, it is that kind of thing we need because it is that process that ensures that the House will work for all Americans to decrease taxes and to make certain our security is maintained in solving the health care challenges that we have.

Mr. Speaker, it appears that promises made on the campaign trail are going to be promises broken in the majority.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I am pleased to yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentlewoman's courtesy in permitting me to speak on this.

I am pleased, Mr. Speaker, that we are acting quickly in this Congress on the unfinished business from the last Congress. In short order we will be dealing with things like implementing the 9/11 Commission recommendations, we will have a clean, up-or-down vote on the minimum wage unchanged after 10 years, and we will be able to deal with promoting stem cell research and cutting interest rates on student loans. Again, this is getting past the unfinished business left over from the last Congress.

I am pleased that today, unlike how we started the last Congress, we are not beginning by watering down the ethics rules or making it more difficult for the minority.

I believe very strongly in the commitment that our caucus has made. Our leadership has articulated that we are not going to treat the Republican minority the way that we were treated. I think it is going to be very important, Mr. Speaker, that we deal with the spirit with which these rules are enforced. And I am absolutely certain that you will find that the people on the Democratic side of the aisle are going to make sure that the spirit is enforced to make sure that voting machines are not kept open for hours in the middle of the night; making sure that our commitment to have functioning conference committees, where Republicans will be invited to attend conference committees, know when they are there, be able to sign off on them, and not have things parachuted in in the middle of the night in back rooms that nobody had seen; There will be no effort to have the notorious K Street Project turn the business lobby into a partisan tool.

Most important, I am interested in our progress to maintain and enhance civil discourse on this floor. I look forward to a bipartisan effort on an ethics panel that would be independent enforcement and that issue will be reported back to Congress by March 15. I am interested in working on a bipartisan basis to establish this independent mechanism for ethics oversight.

The rules we are adopting today and that we will be refining are an important first step to realize the promise of

the new Congress. Most important will be the spirit. And I, for one, pledge myself to work with Rules Committee members on both sides of the aisle to make sure that that spirit is maintained.

Mr. DREIER. Mr. Speaker, at this time I am very happy to yield 2 minutes to the very distinguished gentleman from Cherryville, North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Speaker, I want to thank my colleague from California for that warm introduction.

Today was a historic day for the House of Representatives: A new Speaker, a new majority, and, in their words, a new time in Washington. To use the new Speaker's words, this is about respect for every voice, to work for every American, to seek common ground for the common good.

Those are high words and high values that we should seek here in the House of Representatives that all Americans desire in their government. And as a key part of what the Democrats campaigned on in the 2006 election, one of the key tenets was open and honest bipartisan governance. But their first act on this House floor is to push down the throats of this institution a closed rule that closes off debate, that disallows dissenting voices, that simply waves off that open, fair, and honest process.

To that end, I urge my colleagues to defeat the previous question. And if we defeat the previous question, I will be able to offer this minority bill of rights, the Pelosi minority bill of rights. To use the words of the new Speaker, the minority bill of rights includes guidelines for bipartisan administration of the House and for the regular Democratic order for legislation. The principles are fair and will provide for the full and open debate that the American people expect and deserve. Now, those are not my words. Those are the words of the new Speaker. Then-Minority Leader PELOSI wrote those words in June of 2004.

Now, while the new Speaker and I may not agree on much in terms of policy, tax policy, or the policy on national defense, I think we have the same values when it comes to fair and open and honest legislative debate. And to that end I sought to outline her principles and put them into the minority bill of rights. So let us defeat the previous question so that we can vote on this minority bill of rights, the Pelosi bill of rights.

□ 1530

Ms. SLAUGHTER. Mr. Speaker, for the purpose of debate only, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

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

Mr. Speaker, I rise in support of H. Res. 5, to provide for the rules package of the 110th Congress. I am proud that the first act of this new Congress is to pass long-overdue ethics and lobbying reform.

Today, we end the era of Jack Abramoff and Tom DeLay, when the levers of government were used less to help American families and more to reward monied special interests. Today, we take a major step to restoring Americans' trust in the legislative branch of government.

We will ban gifts from lobbyists, trips funded by lobbyists, and the use of company planes. We will shut down the K Street Project. We will force Members of Congress to take responsibility for their earmarks. And we will ban arm-twisting for votes.

The need for reform is obvious. The alliance between the previous leadership and K Street lobbyists came at a disastrous cost for democracy, decency, and the public interest. The best example is the industry-written Medicare D prescription drug bill passed in the middle of the night. The majority leadership held the vote open for 3 hours as they twisted arms and levied threats. Thousands of Maine seniors can see today that the program was designed to serve the insurance and pharmaceutical interests more than the people on Medicare.

I am pleased that the ethics package includes reforms that Congressmen DAVID OBEY, BARNEY FRANK, DAVID PRICE, and I introduced 1 year ago. I thank Chairwoman SLAUGHTER and Speaker PELOSI for incorporating our ideas, simple ideas, like ensuring that we all have time to read bills before they are voted on.

H. Res. 6 will restore the people's voice to the people's House. Every American family will benefit by legislation that is advanced in an open and transparent manner, rather than written by lobbyists behind closed doors.

I urge the adoption of this resolution and the entire Democratic rules and ethics reform package.

Mr. DREIER. Madam Speaker, may I inquire of the Chair how much time is remaining on both sides.

The SPEAKER pro tempore (Ms. ESHOO). The gentleman from California has 14½ minutes remaining and the gentlelady from New York has 11 minutes remaining.

Mr. DREIER. Madam Speaker, at this juncture I am very pleased to yield 2 minutes to a very, very hardworking Member of the House, the Chair of the Republican Study Committee, the gentleman from Dallas (Mr. HENSARLING).

Mr. HENSARLING. Madam Speaker, I thank the gentleman from California for yielding.

Madam Speaker, I rise today, and, unfortunately, I have to oppose this particular rules package.

I listened very carefully to our new Speaker when she spoke of fairness, and yet I see that the minority is not being given the opportunity to offer amendments to this particular package when it comes to the floor. We are being asked to vote on things we don't even know what they are about, something that, Madam Speaker, your party complained of when you were in the minority.

But I specifically am disturbed by what I see in supposedly the fiscal responsibility portion that this rule package would allow. I heard our new Speaker talk about how important it was to bring PAYGO to the floor of the House; and I agree, it is a great concept.

Unfortunately, what is being offered, where the minority doesn't have an opportunity to amend, is really false advertising, because what we have, Madam Speaker, is, number one, this concept called baseline budgeting, where these programs are going to grow automatically in what we call discretionary spending, and yet this PAYGO doesn't apply to this. Anything that the majority writes into the budget resolution again is exempted from PAYGO. All of the entitlement spending, a majority of the spending, which could bankrupt our children and our grandchildren, once again is exempt.

What is covered, Madam Speaker? It is hard to find. But anything that is, then the majority has 5 to 10 years apparently to put off the costs, and somehow we are supposed to be convinced in 5 to 10 years they are actually going to pay for it.

Again, this is false advertising. This isn't PAYGO; this is TAXGO. All this is is a subterfuge to make sure that hardworking American families are denied the tax relief that the Republicans and President Bush brought, the tax relief that created 6 million new jobs, that created the highest rate of homeownership in the history of our country, that helped deficits fall, that ensured that real wages came up. That is why we need to oppose this rule, Madam Speaker.

Ms. SLAUGHTER. Madam Speaker, for the purpose of debate only, I yield 3 minutes to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Madam Speaker, I thank the gentlelady for yielding me time.

Madam Speaker, this is a historic day in this House: the first woman ever elected Speaker; the first woman, LOUISE SLAUGHTER, to be chairman of the powerful Rules Committee. In addition to that, Ms. SLAUGHTER and Speaker PELOSI have put together a package that is indeed a historic, comprehensive ethics package that deserves the support of each and every Member of this body.

In the last Congress, we saw egregious abuses of power by Members of Congress and lobbyists. These abuses tarnished the image of this great institution and caused Americans to lose faith with their government. In the face of these scandals, America had its midterm election and the American people decided decisively to put a new party in charge here in the House of Representatives. They sent a message loud and clear that it was time to clean up the Congress, and in fact exit polls showed that nearly 92 percent of the voters were concerned with the ethical cloud hanging over Washington.

What did they ask for? They asked for honest leadership and open government, and this package presented today by Ms. SLAUGHTER, Ms. PELOSI and the leadership is the most significant, comprehensive ethics reform that has ever been presented on the first day of an opening of this Congress.

This is a rules package that cuts the ties to the old culture of corruption and in its place creates a new culture of disclosure, of accountability, and of oversight. Starting today, there will be no more lobbyist-funded junkets or vacations; starting today, no more corporate jets, where Members of Congress can be flown to their indictment arraignment; starting today, no more lobbyist-paid gifts; beginning today, no more K Street Projects. All of this is over with the passage of this package.

I have heard the other side say they had no idea what this party was going to come up with for a rules package. We have been talking for quite some time about the efforts to reform this institution, to get transparency in earmarks, to have an institution where lobbyists can't fund vacations. Now if a Member wants to take a trip, it has to be approved in advance by the Ethics Committee.

As a matter of fact, nearly every public interest group in America that has been fighting for reform over the last decade has stepped up to the plate to say this package is the most significant reform of ethics rules that we have had in a generation.

So the time has come for Democrats and Republicans to join together to pass this comprehensive ethics reform package, because the American people demanded it in the last election, and Speaker PELOSI and the new leadership in this House are delivering on that request.

Mr. DREIER. Madam Speaker, at this time I am happy to yield 2 minutes to the very distinguished gentleman from Marietta, Georgia (Mr. GINGREY), a hardworking former member of the Rules Committee.

Mr. GINGREY. Madam Speaker, I thank the gentleman, the former chairman of the Rules Committee, my colleague from California, and also congratulate the new chairman of the Rules Committee, our friend from New York (Ms. SLAUGHTER).

I just want to point out to the gentleman from Massachusetts, the gentleman that just spoke, this ethics reform package, which we are not opposed to in the totality of it, but many, if not most of these provisions, Madam Speaker, were a part of H.R. 4975, the Republican ethics reform package which we passed in this House in May of this past year with only eight, count them, Madam Speaker, eight votes from the other side. There was total opposition to everything that we wanted to do in regard to ethics reform.

I will remind my colleagues in regard to the so-called K Street Project, that very provision, that is, Members not being able to put pressure on compa-

nies in regard to hiring practices, in regard to granting of any legislative favors, was part of that package. But yet our colleagues in the majority party now want to come forward and say "the K Street Project."

Now, where is the sense of fairness and fair play and bipartisanship in sticking it in the eye of the new minority, when we tried to change that very thing that they voted against?

I would say furthermore in regard to this overall package of rules, what is this business about not holding a vote open for the sole purpose of changing a vote? If that is in fact a good policy, not being able to do that, and I tend to agree with the new majority that we shouldn't be able to break people's arms with favors for earmarks or special committee assignments which may not be appropriate, then why use the word "sole?" Putting in "sole purpose" would allow them or anybody to lock a Member in the bathroom and say we are holding the vote open because they are stuck in traffic. So I would suggest let's eliminate "sole" and say for the purpose of pressuring a Member to change their vote against their will.

Last and not least, and maybe the chairman of the Rules Committee, Ms. SLAUGHTER, can address this point of this unbelievable idea that members of the Rules Committee, the new members, maybe to protect the freshman members, are not allowed to have a roll call vote in the light of day.

Ms. SLAUGHTER. Madam Speaker, for the purpose of debate only, I yield 2 minutes to the gentleman from Texas (Mr. LAMPSON), and we welcome you home.

Mr. LAMPSON. Madam Speaker, I thank the gentlelady for yielding time.

I am awfully proud to be standing here again in the midst of this distinguished body representing the people of the 22nd Congressional District of Texas.

A wave of change rushed across America since I left office, a wave that carried me back here to Washington, D.C., and I couldn't be prouder to vote today on the very first day of the 110th Congress to reform the rules and code of ethics by which this body operates; rules that were abused and tore Texas and this country apart, and a code of ethics that was disregarded and caused the American people to lose confidence in us, their representatives. We can't afford to wait another day to restore the trust and hope to those who sent us here to represent them.

It is not about moving to the left or to the right, but about moving this country forward. And now is the time to start working together by reaching across the aisle that we allow to divide us. It is time to conduct the people's business openly and honestly in the light of day.

I urge all of you, my distinguished colleagues, to join together in supporting these vital reforms. This is the first step toward restoring pride in our democracy, and that means restoring

fiscal responsibility. Passing our massive debt on to our kids and grandkids is not a legacy we want to leave. Those who elect us are our employers, and we must be diligent in spending their hard-earned money which they entrust to us.

The number of earmarks alone increased nearly 400 percent and spending doubled over the last decade. We must all make an effort, Republicans and Democrats alike, to trim the fat from the budget. We can once again have a balanced budget, fund important initiatives and be diligent in our oversight of agencies of government, all without raising taxes.

I am proud to cast one of my first votes in the 110th Congress in favor of pay-as-you-go rules and aggressive reform of the earmark process so that we can return to a government truly of, by, and for the people.

I am honored to be back in this Chamber. I am proud that this Congress is starting off on the right foot with the best interests of every American on our minds, and I am proud to ask all of my colleagues to support this significant package of rules, H. Res. 5 and 6.

Mr. DREIER. Madam Speaker, at this time I am happy to yield 2 minutes to our very distinguished chief deputy whip, my good friend from Richmond (Mr. CANTOR).

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

Madam Speaker, first of all I would like to congratulate the gentlelady from California on her election as Speaker and look forward to serving with her.

I just ran into a reporter on the outside of the Chamber who asked me about the tone of debate and what I thought the tone would be going forward. I agree with Leader BOEHNER when he spoke in this Chamber just a little bit earlier about the fact that we can debate, we can differ in a nice way, and I think that is what the American people expect.

□ 1545

But they also expect rigorous debate here on the floor of the House. I am asking my colleagues to reject the previous question. Because if we look at the message from this election, the American people spoke out: They want change. They want us to change the way that Washington does business. And in fact, a little less than 2 years ago, then Minority Leader PELOSI saw fit to send a letter to the former Speaker HASTERT spelling out the way that she thought this House should run, how we should change, a prescription to correct the so-called ills that my friend from Massachusetts mentioned earlier of the 109th Congress. So if we defeat the previous question, we in the House will be allowed to bring up what has been called the minority bill of rights, and this again was the recipe for change that then minority Leader PELOSI saw fit that was the



right prescription for the ills that affected this institution or allegedly affected this institution.

So it just doesn't make sense for us to be here today and somehow in spirit of bipartisanship, transparency, civility, to be going back on that pledge to honor the rights of all Americans so that we can have an open debate in this House. It doesn't make sense to follow the adage, "Do as I say, not as I do."

So I would urge my colleagues to defeat the previous question, allow there to be light, allow there to be transparency, not just after we pass the first 100 hours of this Congress.

Ms. SLAUGHTER. Madam Speaker, I yield myself 45 seconds.

I understand your pain, I understand the hurt, and I understand that you are not really sure that we are going to be fair and honest. But if you look back on the 40 years here before, and I remember on the Rules Committee, that when a bill was coming up to rules, always the chairman and the ranking member came together. They worked together on everything. If it was an oversight committee, I recall that both the chair and the ranking member signed the subpoenas. There was such a series of cooperation we have never, as far as I know, dealt with retribution or underhandedness or hatefulness.

We know we have an awful lot of work to do. We have got a country to save; we have got a reputation to try to get back in the world; we have got the worst deficit we have ever seen; and, we have got to do something about a war. Let me pledge to you, we have no time for vindication or revenge, and it would be so nice if all the Members in this vote for a change would roll in the same direction.

Madam Speaker, I reserve the balance of my time.

Mr. DREIER. I yield myself such time as I may consume to respond that I never used the words "pain," I never said "hurt." I said "disappointment." I said disappointment, Madam Speaker, because I am very disappointed.

I will tell you this: I am prepared at this moment to take my three Republican colleagues and go right upstairs to the Rules Committee and go to work at this moment so that we don't have closed rules in the opening day rules package for consideration of measures that have not gone through the committee process and have not had any opportunity to even have our amendments denied in the Rules Committee.

Ms. SLAUGHTER. Madam Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentlewoman from New York.

Ms. SLAUGHTER. I simply want to say there is no point going up to Rules. The Rules Committee has not been constituted yet. This is being brought under privileged communication.

Mr. DREIER. Let me just say, we are prepared at this moment, Madam Speaker, we will send a resolution right now so the Rules Committee can begin meeting upstairs.

Madam Speaker, I yield 2 minutes to my friend from Nebraska (Mr. TERRY).

Mr. TERRY. Madam Speaker, I too am deeply disappointed today. I think part of the message from the electorate was that they want us to work together, that they want us to cooperate for the greater good. And, yes, that people were, at least in Nebraska, very upset with the examples of those who violated the public's trust.

We need to work together on an ethics plan. I am pleased that in this rule there are ethics measures that, by the way, the Republicans helped put together many months ago in reaction to the ethics violations we have seen from some of our colleagues.

So, as the people want us to work together in a partnership and not in partisanship, what we received was a partisan slap across the face. It is the mismatch between words and actions of which we are speaking today.

I have had a bill that was incorporated into the ethics package that we passed last May that the Democrats almost en banc opposed because it wasn't tough enough. The reality is that the package in today's rule, which we had no participation in, is, in many ways, weaker. And one of the examples is the fact that, as I worked on with our Speaker, that if you have violated the rules of this House and the public trust and you took money, you found \$90,000 of cold hard cash or you took limousines or whatever the violations were, that you shouldn't be able to leave in the public disgust with the benefits of public service, i.e., a pension. That was in the ethics package passed months ago but isn't in this one. So this is a weaker package.

Now, I too wish I would have had the opportunity to take the bill that I have introduced today and did last year and work with our friends on the other side, but, in the partisan slap, have been denied the ability to do so.

Ms. SLAUGHTER. Madam Speaker, for the purpose of debate only, I will yield 2 minutes to the gentleman from California (Mr. MCNERNEY), one of the freshmen of which we are so proud.

Mr. MCNERNEY. Madam Speaker, I am very honored to be part of the historic 110th Congress.

It is entirely appropriate that the incoming Congress is making ethics reform one of its first acts. This issue is personally important to me and to all of Californians.

We need to provide Congress with a fresh start and improve the strained relations that exist between voters and elected officials. Members of Congress should be held in the highest regard by the people they represent, and the ethics changes will help repair years of damage. We must reestablish positive relationships with everyone we serve, and end this period of mistrust in our government.

Traveling throughout our State of California, I heard from many people who simply want to believe and trust in their elected officials, and today we

are sending the message that we feel the same way.

I am confident also that this will be the first of very many steps that will take back trust and civility in Congress, and I urge all of my colleagues to vote for the ethics package.

Mr. DREIER. Madam Speaker, may I inquire of the Chair how much time we have remaining?

The SPEAKER pro tempore (Ms. ESHOO). The gentleman from California has 6 minutes; the gentlewoman from New York, 4½ minutes remaining.

Mr. DREIER. Madam Speaker, I will yield an additional minute to the gentleman from Cherryville, North Carolina who would like to be recognized.

Mr. MCHENRY. Madam Speaker, I thank my colleague from California for yielding, again, to restate what is very important about this coming vote on the previous question.

If we defeat the previous question, we can then have an honest vote on the Pelosi minority bill of rights package. It is a very important thing for us to have an open, bipartisanship debate on opening day of this new Congress, for the new majority to be able to say clearly to the American people that their rhetoric is becoming reality on the opening day of this Congress. For if they do not do that and they do ram down the throats of all Members here on this floor this previous question, then all people will be locked out from offering debates on this House floor; and, from the Republican side, 140 million Americans who voted for our side of the aisle, their voices will be stifled in this process.

So, Madam Speaker, I encourage all Members, both Republicans and Democrats to come together, defeat this previous vote, and then we can move on to an open, fair debate on the minority bill of rights, the Pelosi minority bill of rights. That is a fair thing to do.

Ms. SLAUGHTER. Madam Speaker, for the purposes of debate only, I am pleased to yield 2 minutes to the gentleman from South Carolina, the chairman of the Budget Committee, Mr. SPRATT.

Mr. SPRATT. Madam Speaker, the package before us will be modified tomorrow to include provisions that reinstate a practice that was followed throughout the 1990s in the budget process called pay-as-you-go.

Pay-as-you-go was first instituted in 1991 as part of the Budget Enforcement Act when President Bush, the first President Bush, was the President of this country. Pay-as-you-go simply provides that if you want to cut taxes when you have a deficit, you can't make the deficit worse; you have got to offset those tax cuts either with entitlement cuts in an equivalent amount or with tax increases elsewhere in the Tax Code. And, if you want to enhance an entitlement, you have to pay for it with an identified revenue stream.

Our friends across the aisle are trying to imply that this PAYGO rule is a sham. I will simply say to you that our

PAYGO rule is the art of the possible; it is what we can do at the present moment, and that is we can amend the rules of the House today and tomorrow to include two new PAYGO rules which we have provided for and which have been published.

There is some dispute as to whether or not the baseline against which to measure increases and decreases is going to be something that we can manipulate in the Budget Committee. I would simply invite everybody to read the language of the rule, and they will see that in this particular case, the Committee on the Budget is bound to turn to the Congressional Budget Office, which is traditional practice, and to use the recent baseline estimates supplied by the CBO consistent with section 257 of the Balanced Budget Act of 1985. That is what the rule provides. We go to CBO for the baseline, we determine whether or not the extent to which there will be an increase in spending or decrease in revenues. It is a CBO function based upon the latest baseline. And any other construction of this is a false construction.

Now, some may say this is just a rule of the House, it can be waived by the Rules Committee because, as the other side well knows, points of order of this kind traditionally have been mowed down by the Rules Committee. But this is the best we can do with a rule of the House. We can later come back and make a statutory change, but it will be good to know if our opponents on the other side who support such a change.

Mr. DREIER. Madam Speaker, may I inquire of the distinguished Chair of the Rules Committee now, are there any further speakers on the majority side?

Ms. SLAUGHTER. There are not. And I will reserve the balance of my time.

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

Madam Speaker, I am actually very enthused and excited about the great new opportunity that lies ahead for every single one of us. We have heard speeches today from our distinguished Republican leader, and we are all very proud that my fellow Californian has become the first woman to preside over the greatest deliberative body known to man. And, as I said earlier, I am particularly proud of the fact that I am being succeeded by the distinguished chairwoman from New York (Ms. SLAUGHTER), as the first woman to chair the Rules Committee.

□ 1600

I am enthused about the challenges that lie ahead, and I am very encouraged by the words that we heard from our new Speaker about the need for civility, about the need for us to make sure that we recognize that we are first and foremost Americans, and that the message from last November's election was a very clear one. It was a message that we should come together, work together, Democrats and Republicans

alike, to solve the challenges that we face so that we can in fact do the people's business.

We are very proud of the accomplishments that we have had over the past 12 years, and I believe we can work with the new majority to build on those successes, the successes of ensuring that we have an economy that is second to none, an unemployment rate that is at near-record lows at 4.5 percent, strong domestic product growth, more Americans working than ever before in our Nation's history, more Americans owning their own homes, and more minority Americans owning their own homes.

I also am particularly proud of the fact that working together, Madam Speaker, we have been able to ensure that since that tragic day of September 11, 2001, we have not faced another attack on our soil.

The fact that we have not faced another attack is not an accident. It is because of good public policy and the leadership that we have had. Now we do have a change in leadership here in this institution, and there have been a wide range of promises that were made by Members who formerly served in the majority and now are coming back to majority status. As members of the minority, they talked about the need for enhanced minority rights. And I believe many of those things are very, very important. I believed them before, and I believe them now.

One of the things that I think is very important is for us to have an opportunity for consideration of measures here on the House floor that allow for a greater opportunity for Member participation. The thing that troubles me most is if we don't defeat this previous question and then defeat this rule that allows us to move forward, we will be proceeding with a package that will bring forward five closed rules, preventing the Rules Committee from having an opportunity to in any way consider the chance to bring forward amendments.

Never before, never before in our Nation's history have we seen an opening day Rules Committee that would allow for the consideration of five closed rules in the opening-day package. And one of the things, of course, that was discussed widely by our colleagues on the other side of the aisle which we have strongly supported is the notion of transparency, accountability, and disclosure.

One of the most troubling aspects of this measure is that we would move to prevent the RECORD from showing the votes that are cast in the Rules Committee.

We were very proud that we eliminated proxy voting when we came to majority status. Why? Because we wanted Members to show up to work, and we wanted the American people to see their work product.

Well, unfortunately, the American people understand what it means to show up to work. They understand

what it means for greater disclosure and accountability and transparency. We heard the opening remarks during this rule debate on letting the sunshine in. The sun is shining outside today, and it is going to shine in. Under this provision, we see a prevention for the opportunity for the sun to shine in the Rules Committee, and I find it very troubling.

Madam Speaker, I will be asking Members to vote "no" on the previous question so we can amend this rule to make in order to consider the Speaker's minority bill of rights as was outlined on May 25, 2006, in her document "New House Principles: A Congress For All Americans." We need to give the new majority an opportunity to live up to those commitments that were made.

Madam Speaker, I ask unanimous consent to insert the text of my amendment and extraneous materials in the RECORD immediately prior to the vote on the previous question.

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

There was no objection.

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

Ms. SLAUGHTER. Madam Speaker, I ask unanimous consent to insert in the RECORD a jurisdictional memorandum of understanding between the chairmen-designate from the Committee on Transportation and the Committee on Homeland Security.

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

There was no objection.

MEMORANDUM OF UNDERSTANDING BETWEEN THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE AND THE COMMITTEE ON HOMELAND SECURITY

January 4, 2007.

On January 4, 2005, the U.S. House of Representatives adopted H. Res. 5, establishing the Rules of the House for the 109th Congress. Section 2(a) established the Committee on Homeland Security as a standing committee of the House of Representatives with specific legislative jurisdiction under House Rule X. A legislative history to accompany the changes to House Rule X was inserted in the Congressional Record on January 4, 2005.

The Committee on Transportation and Infrastructure and the Committee on Homeland Security (hereinafter "Committees") jointly agree to the January 4, 2005 legislative history as the authoritative source of legislative history of section 2(a) of H. Res. 5 with the following two clarifications.

First, with regard to the Federal Emergency Management Agency's, FEMA, emergency preparedness and response programs, the Committee on Homeland Security has jurisdiction over the Department of Homeland Security's responsibilities with regard to emergency preparedness and collective response only as they relate to terrorism. However, in light of the federal emergency management reforms that were enacted as title VI of Public Law 109-295, a bill amending FEMA's all-hazards emergency preparedness programs that necessarily addresses FEMA's terrorism preparedness programs would be referred to the Committee on Transportation and Infrastructure; in addition, the Committee on Homeland Security would have a

jurisdictional interest in such bill. Nothing in this Memorandum of Understanding affects the jurisdiction of the Committee on Transportation and Infrastructure of the Robert T. Stafford Disaster Relief and Emergency Assistance Act and the Federal Fire Prevention and Control Act of 1974.

Second, with regard to port security, the Committee on Homeland Security has jurisdiction over port security, and some Coast Guard responsibilities in that area fall within the jurisdiction of both Committees. A bill addressing the activities, programs, assets, and personnel of the Coast Guard as they relate to port security and non-port security missions would be referred to the Committee on Transportation and Infrastructure; in addition, the Committee on Homeland Security would have a jurisdictional interest in such bill.

This Memorandum of Understanding between the Committee on Transportation and Infrastructure and the Committee on Homeland Security provides further clarification to the January 4, 2005 legislative history of the jurisdiction of the Committees only with regard to these two specific issues. The Memorandum does not address any other issues and does not affect the jurisdiction of other committees.

JAMES L. OBERSTAR,  
*Chairman-designate,*  
*Committee on Transportation & Infrastructure.*

BENNIE G. THOMPSON,  
*Chairman-designate,*  
*Committee on Homeland Security.*

The material previously referred to by Mr. DREIER is as follows:

AMENDMENT TO H. RES. 5 OFFERED BY MR. DREIER OF CALIFORNIA, MR. MCHENRY OF NORTH CAROLINA, AND MR. PRICE OF GEORGIA

At the end of the resolution, add the following:

SEC. 5. Notwithstanding any other provision of this resolution, the further amendments in section 6 shall be considered as adopted.

SEC. 6. The amendments referred to in section 5 is as follows:

Strike section 503.

At the end of title III, insert the following new sections:

**“Sec. 304. Bipartisan Administration of House of Representatives.**

“(a) IN GENERAL.—The Rules of the House of Representatives are amended by adding at the end the following:

**“RULE XXIX**

**“BIPARTISAN ADMINISTRATION OF HOUSE**

“1. (a) The elected leadership of the majority and minority parties shall engage in regular consultations with each other to discuss scheduling, administration, and operations of the House.

“(b) The chair and ranking minority member of each committee, as well as their staffs, shall have regular meetings with each other.

“2. The House should have a predictable, professional, family-friendly schedule that allows the legislative process to proceed in a manner that ensures timely and deliberate dispensation of the work of the Congress.”

“(b) ALLOCATION OF COMMITTEE EXPENSES.—Clause 6 of rule X of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

“(f) Of the amount provided to a committee under a primary expense resolution or a supplemental expense resolution under this clause, or during an interim funding pe-

riod described in clause 7, one-third of such amount, or such greater percentage as may be agreed to by the chair and ranking minority member of the committee, shall be paid at the direction of the ranking minority member.”

**“Sec. 305. Regular Order for Legislation.**

**“RULE XXX**

**“REGULAR ORDER FOR LEGISLATION**

“1. Legislation shall be developed following full hearings and open subcommittee and committee markups, with appropriate referrals to other committees. Members should have at least 24 hours to examine any legislation before its consideration at the subcommittee level.

“2. Legislation shall generally come to the floor under a procedure that allows open, full, and fair debate consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute.

“3. Members shall have at least 24 hours to examine bill and conference report text prior to floor consideration. Rules governing floor debate must be reported before 10 p.m. for any legislation to be considered the following day.

“4. Floor votes shall be completed within 15 minutes, with the customary 2-minute extension to accommodate Members’ ability to get to the House Chamber to cast their votes. No vote shall be held open in order to manipulate the outcome.

“5. Conference committees shall hold regular meetings (at least weekly) of all conference committee Members. All managers appointed to a conference committee shall be informed of the schedule of conference committee activities in a timely manner, and given ample opportunity for input and debate as decisions are made toward final language for the conference report.

“6. The Suspension Calendar shall be restricted to non-controversial legislation, and the ratio of legislation on the Calendar which is sponsored by members of the minority party shall be the same as the ratio of the number of members of the party to the membership of the whole House.”

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress. Only political affiliation has been changed.)

**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 Democratic majority agenda and a vote to allow the opposition, at least for the moment, 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.”

Because the vote today may look bad for the Democratic majority they will 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 a amendment to the rule, or yield for the purpose of amendment.”

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 Democratic majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. SLAUGHTER. Madam 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.

Mr. DREIER. Madam 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 222, nays 197, not voting 16, as follows:

[Roll No. 3]

YEAS—222

Abercrombie	Bishop (NY)	Carson
Ackerman	Blumenauer	Castor
Allen	Boren	Chandler
Altmire	Boswell	Clarke
Andrews	Boucher	Clay
Arcuri	Boyd (FL)	Cleaver
Baca	Boyd (KS)	Clyburn
Baird	Brady (PA)	Cohen
Baldwin	Braleigh (IA)	Conyers
Barrow	Brown, Corrine	Cooper
Becerra	Butterfield	Costa
Berkley	Capps	Costello
Berman	Cardoza	Courtney
Berry	Carnahan	Cramer
Bishop (GA)	Carney	Crowley

Cuellar Kind  
 Cummings Klein (FL)  
 Davis (AL) Kucinich  
 Davis (CA) Lampson  
 Davis (IL) Langevin  
 Davis, Lincoln Lantos  
 DeFazio Larsen (WA)  
 DeGette Larson (CT)  
 Delahunt Lee  
 DeLauro Levin  
 Dicks Lewis (GA)  
 Dingell Lipinski  
 Doggett Loebsock  
 Donnelly Lofgren, Zoe  
 Doyle Lowey  
 Edwards Mahoney (FL)  
 Ellison Maloney (NY)  
 Ellsworth Markey  
 Emanuel Marshall  
 Engel Matheson  
 Eshoo Matsui  
 Etheridge McCarthy (NY)  
 Farr McCollum (MN)  
 Fattah McDermott  
 Filner McGovern  
 Frank (MA) McIntyre  
 Giffords McNerney  
 Gillibrand McNulty  
 Gonzalez Meehan  
 Gordon Meek (FL)  
 Green, Al Meeks (NY)  
 Green, Gene Melancon  
 Grijalva Michaud  
 Gutierrez Millender-  
 Hall (NY) McDonald  
 Hare Miller (NC)  
 Harman Miller, George  
 Hastings (FL) Mitchell  
 Herseith Mollohan  
 Higgins Moore (KS)  
 Hill Moore (WI)  
 Hinchey Moran (VA)  
 Hinojosa Murphy (CT)  
 Hirono Murphy, Patrick  
 Hodes Murtha  
 Holden Napolitano  
 Holt Neal (MA)  
 Honda Oberstar  
 Hooley Obey  
 Hoyer Olver  
 Israel Ortiz  
 Jackson (IL) Pallone  
 Jackson-Lee Pascrell  
 (TX) Pastor  
 Jefferson Payne  
 Johnson (GA) Pelosi  
 Kagen Perlmutter  
 Kaptur Peterson (MN)  
 Kennedy Pomeroy  
 Kildee Price (NC)  
 Kilpatrick Rangel

NAYS—197

Aderholt Cole (OK)  
 Akin Conaway  
 Alexander Crenshaw  
 Bachmann Cubin  
 Bachus Culberson  
 Baker Davis (KY)  
 Barrett (SC) Davis, David  
 Bartlett (MD) Davis, Jo Ann  
 Barton (TX) Davis, Tom  
 Biggert Deal (GA)  
 Bilbray Dent  
 Bilirakis Diaz-Balart, L.  
 Bishop (UT) Diaz-Balart, M.  
 Blackburn Doolittle  
 Blunt Drake  
 Boehner Dreier  
 Bonner Duncan  
 Bono Ehlers  
 Boozman Emerson  
 Boustany English (PA)  
 Brady (TX) Everett  
 Brown-Waite, Ginny Fallin  
 Buchanan Feeney  
 Burgess Ferguson  
 Burton (IN) Flake  
 Calvert Forbes  
 Camp (MI) Fortenberry  
 Campbell (CA) Fossella  
 Cannon Foxx  
 Cantor Franks (AZ)  
 Capito Frelinghuysen  
 Carter Gallegly  
 Castle Garrett (NJ)  
 Chabot Gilchrest  
 Coble Gingrey  
 Gohmert Gohmert

Reyes LoBiondo  
 Rodriguez Lucas  
 Ross Lungen, Daniel  
 Rothman E.  
 Langevin Mack  
 Ruppertsberger Manzullo  
 Larsen (WA) Marchant  
 Rush McCarthy (CA)  
 Salazar McCaul (TX)  
 Sánchez, Linda T.  
 Sanchez, Loretta  
 Sarbanes McHenry  
 Schakowsky McHugh  
 Schiff McKeon  
 Lowey McMorris  
 Mahoney (FL) Rodgers  
 Ellison Maloney (NY) Mica  
 Markey Scott (VA)  
 Marshall Serrano  
 Matheson Sestak  
 Matsui Sherman  
 McCarthy (NY) Shuler  
 McCollum (MN) Sires  
 McDermott Skelton  
 McGovern Slaughter  
 McIntyre Smith (WA)  
 McNerney Snyder  
 McNulty Solis  
 Meehan Space  
 Meek (FL) Spratt  
 Meeks (NY) Stark  
 Melancon Stupak  
 Michaud Sutton  
 Millender-Tanner  
 McDonald Tauscher  
 Miller (NC) Taylor  
 Miller, George Thompson (CA)  
 Mitchell Thompson (MS)  
 Mollohan Tierney  
 Moore (KS) Towns  
 Moore (WI) Udall (CO)  
 Moran (VA) Udall (NM)  
 Murphy (CT) Van Hollen  
 Murphy, Patrick Velázquez  
 Murtha Vislosky  
 Napolitano Walz (MN)  
 Neal (MA) Wasserman  
 Oberstar Schultz  
 Obey Waters  
 Olver Watson  
 Ortiz Watt  
 Jackson (IL) Waxman  
 Jackson-Lee (TX) Weiner  
 Jefferson Payne  
 Johnson (GA) Wexler  
 Kagen Wilson (OH)  
 Kaptur Peterson (MN)  
 Kennedy Wu  
 Kildee Wynn  
 Kilpatrick Rangel Yarmuth

NOT VOTING—16

Bean Inslee  
 Brown (SC) Johnson, E. B.  
 Buyer Jones (OH)  
 Capuano Kanjorski  
 Gerlach Lamborn  
 Gillmor Lynch

SWEARING IN OF MEMBERS-ELECT

The SPEAKER (during the vote). Will the gentleman from Texas (Mr. GOHMERT), the gentleman from Kansas (Mr. MORAN), and the gentleman from Michigan (Mr. ROGERS) kindly come to the well of the House and take the oath of office.

Messrs. GOHMERT, MORAN of Kansas, and Rogers of Michigan appeared at the bar of the House and took the oath of office, as follows:

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

The SPEAKER. Congratulations.

□ 1630

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

Ms. LINDA T. SÁNCHEZ of California and Mr. PRICE of North Carolina changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Ms. SHEA-PORTER. Madam Speaker, on rollcall No. 3, I was unavoidably detained.

Had I been present, I would have voted “yea.”

Mr. INSLEE. Madam Speaker, I was absent from the House floor during today's vote on the previous question that would allow for floor consideration of a Minority Rules Package.

Had I been present, I would have voted to support the previous question.

Stated against:  
 Mr. LAMBORN. Madam Speaker, on rollcall No. 3, I was inadvertently detained.

Had I been present, I would have voted “nay.”

Mr. GERLACH. Madam Speaker, on rollcall No. 3, I was unable to make it to the floor in time to vote.

Had I been present, I would have voted “nay.”

MOTION TO COMMIT OFFERED BY MR. DREIER

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

The SPEAKER pro tempore (Ms. ESHOO). The Clerk will report the motion to commit.

The Clerk read as follows:

Mr. Dreier moves to commit the resolution (H. Res. 5) to a select committee composed of the Majority Leader and the Minority Leader with instructions to report back the same to the House forthwith with only the following amendment:

At the end of the resolution, add the following:

SEC. 5. Notwithstanding any other provision of this resolution, the further amendment in section 6 shall be considered as adopted.

SEC. 6. The amendment referred to in section 5 is as follows:

At the end of title IV, add the following new section:

SEC. 406. KEEPING AMERICANS' TAX DOLLARS SAFE.

At the end of clause 6(c) of rule XIII, strike the period, insert a semicolon, and insert the following:

“(3) A rule or order waiving the requirement of clause 10 of rule XX; or,

“(4) A rule or order waiving the applicability of clause 5(b) or (c) of rule XXI.”

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

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

Mr. DREIER. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read the motion to commit.

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

There was no objection.

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

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

Mr. DREIER. Madam 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 199, nays 232, not voting 3, as follows:

[Roll No. 4]

YEAS—199

Aderholt	Bartlett (MD)	Blunt
Akin	Barton (TX)	Boehner
Alexander	Biggert	Bonner
Bachmann	Bilbray	Bono
Bachus	Bilirakis	Boozman
Baker	Bishop (UT)	Boustany
Barrett (SC)	Blackburn	Brady (TX)

Brown-Waite, Ginny	Heller	Pickering	Kaptur	Mollohan	Sestak	Farr	Lofgren, Zoe	Rush
Buchanan	Hensarling	Pitts	Kennedy	Moore (KS)	Shea-Porter	Fattah	Lowey	Ryan (OH)
Burgess	Herger	Platts	Kildee	Moore (WI)	Sherman	Filner	Lynch	Salazar
Burton (IN)	Hobson	Poe	Kilpatrick	Moran (VA)	Shuler	Frank (MA)	Mahoney (FL)	Sánchez, Linda
Calvert	Hoekstra	Porter	Kind	Murphy (CT)	Sires	Giffords	Maloney (NY)	T.
Camp (MI)	Hulshof	Price (GA)	Klein (FL)	Murphy, Patrick	Skelton	Gillibrand	Markey	Sanchez, Loretta
Campbell (CA)	Hunter	Pryce (OH)	Kucinich	Murtha	Slaughter	Gonzalez	Marshall	Sarbanes
Cannon	Inglis (SC)	Putnam	Lampson	Nadler	Smith (WA)	Gordon	Matheson	Schakowsky
Cantor	Issa	Radanovich	Langevin	Napolitano	Snyder	Green, Al	Matsui	Schiff
Capito	Jindal	Ramstad	Lantos	Neal (MA)	Solis	Green, Gene	McCarthy (NY)	Schwartz
Carter	Johnson (IL)	Regula	Larsen (WA)	Oberstar	Space	Grijalva	McCollum (MN)	Scott (GA)
Castle	Johnson, Sam	Rehberg	Larsen (CT)	Obey	Spratt	Gutierrez	McDermott	Scott (VA)
Chabot	Jones (NC)	Reichert	Lee	Olver	Stark	Hall (NY)	McGovern	Serrano
Coble	Jordan	Renzi	Levin	Ortiz	Stupak	Hare	McIntyre	Sestak
Cole (OK)	Keller	Reynolds	Lewis (GA)	Pallone	Sutton	Harman	McNerney	Shays
Conaway	King (IA)	Rogers (AL)	Lipinski	Pascrell	Tanner	Hastings (FL)	McNulty	Shea-Porter
Crenshaw	King (NY)	Rogers (KY)	Loeb sack	Pastor	Tauscher	Herseth	Meehan	Sherman
Cubin	Kingston	Rogers (MI)	Lofgren, Zoe	Payne	Taylor	Higgins	Meek (FL)	Shuler
Culberson	Kirk	Rohrabacher	Lowey	Perlmutter	Thompson (CA)	Hill	Meeks (NY)	Sires
Davis (KY)	Kline (MN)	Ros-Lehtinen	Lynch	Peterson (MN)	Thompson (MS)	Hinche y	Melancon	Skelton
Diaz, David	Knollenberg	Roskam	Mahoney (FL)	Pomeroy	Tierney	Hinojosa	Michaud	Slaughter
Davis, Jo Ann	Kuhl (NY)	Royce	Mahoney (NY)	Price (NC)	Towns	Holden	Millender-McDonald	Smith (WA)
Davis, Tom	LaHood	Ryan (WI)	Markey	Rahall	Udall (CO)	Hodes	Miller (NC)	Snyder
Deal (GA)	Lamborn	Sali	Marshall	Rangel	Udall (NM)	Holden	Miller, George	Solis
Dent	Latham	Schmidt	Matheson	Reyes	Van Hollen	Holt	Mitchell	Space
Diaz-Balart, L.	LaTourette	Sensenbrenner	Matsui	Rodriguez	Velázquez	Honda	Mollohan	Spratt
Diaz-Balart, M.	Lewis (CA)	Sessions	McCarthy (NY)	Ross	Visclosky	Hooley	Moore (KS)	Stark
Doolittle	Lewis (KY)	Shadegg	McCollum (MN)	Rothman	Walz (MN)	Hoyer	Moore (WI)	Stupak
Drake	Linder	Shays	McDermott	Roybal-Allard	Wasserman	Inslee	Moran (VA)	Sutton
Dräger	LoBiondo	Shimkus	McGovern	Rush	Ruppersberger	Israel	Murphy (CT)	Tanner
Duncan	Lucas	Shuster	McIntyre	Ryan (OH)	Schultz	Jackson (IL)	Murphy, Patrick	Tauscher
Ehlers	Lungren, Daniel	Simpson	McNerney	Salazar	Watson	Jackson-Lee	Taylor	Thompson (CA)
Emerson	E.	Smith (NE)	McNulty	Salazar	Watt	(TX)	Murtha	Thompson (MS)
English (PA)	Mack	Smith (NJ)	Meehan	Sánchez, Linda	Waxman	Jefferson	Nadler	Tierney
Everett	Manzullo	Smith (TX)	Meek (FL)	T.	Weiner	Johnson (GA)	Napolitano	Towns
Fallin	Marchant	Souder	Meeks (NY)	Sanchez, Loretta	Welch (VT)	Johnson, E. B.	Neal (MA)	Udall (CO)
Feeney	McCarthy (CA)	Stearns	Melancon	Sarbanes	Wexler	Jones (NC)	Oberstar	Udall (NM)
Ferguson	McCaul (TX)	Sullivan	Michaud	Schakowsky	Wilson (OH)	Jones (OH)	Obey	Van Hollen
Flake	McCotter	Tancredo	Millender-McDonald	Schiff	Woolsey	Kagen	Olver	Velázquez
Forbes	McCrery	Terry	Miller (NC)	Scott (GA)	Wu	Kanjorski	Ortiz	Pallone
Fortenberry	McHenry	Tiahrt	Miller, George	Scott (VA)	Wynn	Kennedy	Pallone	Pascrell
Fossella	McKeon	Turner	Mitchell	Serrano	Yarmuth	Kildee	Kaputr	Pascrell
Fox	McMorris	Upton				Kilpatrick	Kaputr	Pascrell
Franks (AZ)	Rodgers	Walberg				Kind	Kaputr	Pascrell
Frelinghuysen	Mica	Walden (OR)				Klein (FL)	Kaputr	Pascrell
Gallely	Miller (FL)	Walsh (NY)				Kucinich	Kaputr	Pascrell
Garrett (NJ)	Miller (MI)	Wamp				Lampson	Kaputr	Pascrell
Gerlach	Miller, Gary	Weldo (FL)				Langevin	Kaputr	Pascrell
Gilchrest	Moran (KS)	Weller				Lantos	Kaputr	Pascrell
Gillmor	Murphy, Tim	Westmoreland				Larsen (WA)	Kaputr	Pascrell
Gingrey	Musgrave	Whitfield				Larson (CT)	Kaputr	Pascrell
Gohmert	Myrick	Wicker				Lee	Kaputr	Pascrell
Goode	Neugebauer	Wilson (NM)				Levin	Kaputr	Pascrell
Goodlatte	Norwood	Wilson (SC)				Lewis (GA)	Kaputr	Pascrell
Granger	Nunes	Wolf				Lipinski	Kaputr	Pascrell
Graves	Paul	Young (AK)				Loeb sack	Kaputr	Pascrell
Hall (TX)	Pearce	Young (FL)					Kaputr	Pascrell
Hastert	Pence						Kaputr	Pascrell
Hastings (WA)	Peterson (PA)						Kaputr	Pascrell
Hayes	Petri						Kaputr	Pascrell

NOT VOTING—3

□ 1650

Mr. OBEY, Mr. ELLSWORTH and Ms. SLAUGHTER changed their vote from “yea” to “nay.”

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SCOTT of Virginia). The question is on the resolution.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 235, nays 195, not voting 4, as follows:

[Roll No. 5]

YEAS—235

Abercrombie  
Ackerman  
Allen  
Altmire  
Andrews  
Arcuri  
Baca  
Baird  
Baldwin  
Barrow  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boren  
Boswell  
Boucher  
Boyd (FL)  
Boyd (KS)  
Brady (PA)  
Braley (IA)  
Brown, Corrine  
Butterfield  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson  
Castor  
Chandler  
Clarke

Clay  
Cleaver  
Clyburn  
Cohen  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cramer  
Crowley  
Cuellar  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis, Lincoln  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dicks  
Dingell  
Doggett  
Donnelly  
Doyle  
Edwards  
Ellison  
Ellsworth  
Emanuel  
Engel  
Eshoo  
Etheridge  
Farr  
Fattah  
Filner

Frank (MA)  
Giffords  
Gillibrand  
Gonzalez  
Gordon  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hall (NY)  
Hare  
Harman  
Hastings (FL)  
Herseth  
Higgins  
Hill  
Hinche y  
Hinojosa  
Hirono  
Hodes  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Insee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (GA)  
Johnson, E. B.  
Jones (OH)  
Kagen  
Kanjorski

Brown (SC)  
Buyer  
Saxton

Brady (PA)  
Braley (IA)  
Brown, Corrine  
Butterfield  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson  
Castor  
Chandler  
Clarke  
Clay  
Cleaver  
Clyburn  
Bishop (NY)  
Cohen  
Conyers  
Boren  
Boswell  
Boucher  
Boyd (FL)  
Boyd (KS)

Crowley  
Cuellar  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis, Lincoln  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dicks  
Dingell  
Doggett  
Donnelly  
Doyle  
Edwards  
Ellison  
Ellsworth  
Emanuel  
Engel  
Eshoo  
Etheridge

ADERHOLT  
AKIN  
ALEXANDER  
BACHMANN  
BACHUS  
BAKER  
BARRETT (SC)  
BARTLETT (MD)  
BARTON (TX)  
BIGGERT  
BILBRAY  
BILIRAKIS  
BISHOP (UT)  
BLACKBURN  
BLUNT  
BOEHNER  
BONNER  
BONO  
BOOZMAN  
BOUSTANY  
BRADY (TX)  
BROWN-WAITE,  
GINNY  
BUCHANAN  
BURGESS  
BURTON (IN)  
CALVERT  
CAMP (MI)  
CAMPBELL (CA)  
CANNON  
CANTOR  
CAPITO  
CARTER  
CASTLE  
CHABOT  
COBLE  
COLE (OK)  
CONAWAY  
CRENSHAW  
CUBIN

Davis (KY)  
Davis, David  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Doolittle  
Drake  
Dreier  
Duncan  
Ehlers  
Emerson  
English (PA)  
Everett  
Fallin  
Feeney  
Ferguson  
Flake  
Forbes  
Fortenberry  
Fossella  
Fox  
Franks (AZ)  
Frelinghuysen  
Gallely  
Garrett (NJ)  
Gerlach  
Gilchrest  
Gillmor  
Gingrey  
Gohmert  
Goode  
Goodlatte  
Granger  
Graves  
Hall (TX)  
Hastert

Hastings (WA)  
Hayes  
Heller  
Hensarling  
Herger  
Hobson  
Hoekstra  
Hulshof  
Hunter  
Inglis (SC)  
Issa  
Jindal  
Johnson (IL)  
Johnson, Sam  
Jordan  
Keller  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline (MN)  
Knollenberg  
Kuhl (NY)  
LaHood  
Lamborn  
Latham  
LaTourette  
Lewis (CA)  
Lewis (KY)  
Linder  
LoBiondo  
Lucas  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
McCarthy (CA)  
McCaul (TX)  
McCotter

NAYS—195

McHenry	Pryce (OH)	Smith (NJ)
McHugh	Putnam	Smith (TX)
McKeon	Radanovich	Souder
McMorris	Ramstad	Stearns
Rodgers	Regula	Sullivan
Mica	Rehberg	Tancredo
Miller (FL)	Reichert	Terry
Miller (MI)	Renzi	Thornberry
Miller, Gary	Reynolds	Tiahrt
Moran (KS)	Rogers (AL)	Tiberi
Murphy, Tim	Rogers (MI)	Turner
Musgrave	Rohrabacher	Upton
Myrick	Ros-Lehtinen	Walberg
Neugebauer	Roskam	Walden (OR)
Norwood	Royce	Walsh (NY)
Nunes	Ryan (WI)	Wamp
Pearce	Sali	Weldon (FL)
Pence	Saxton	Weller
Peterson (PA)	Schmidt	Westmoreland
Petri	Sensenbrenner	Whitfield
Pickering	Sessions	Wicker
Pitts	Shadegg	Wilson (NM)
Platts	Shimkus	Wilson (SC)
Poe	Shuster	Wolf
Porter	Simpson	Young (AK)
Price (GA)	Smith (NE)	Young (FL)

NOT VOTING—4

Brown (SC)	McCrery
Buyer	Rogers (KY)

□ 1710

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.

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

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 6

*Resolved,*

TITLE I. ADOPTION OF RULES OF ONE HUNDRED NINTH CONGRESS

SEC. 101. The Rules of the House of Representatives of the One Hundred Ninth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Ninth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Tenth Congress.

TITLE II. ETHICS

SEC. 201. That the Rules of the House of Representatives of the One Hundred Ninth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Ninth Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Tenth Congress, with the following amendments:

SEC. 202. ENDING THE K-STREET PROJECT.

Rule XXIII is amended by redesignating clause 14 as clause 15, and by inserting after clause 13 the following new clause:

“14. A Member, Delegate, or Resident Commissioner may not, with the intent to influence on the basis of partisan political affiliation an employment decision or employment practice of any private entity—

“(a) take or withhold, or offer or threaten to take or withhold, an official act; or

“(b) influence, or offer or threaten to influence, the official act of another.”.

SEC. 203. BAN ON GIFTS FROM LOBBYISTS.

(a) Clause 5(a)(1)(A) of rule XXV is amended by inserting “(i)” after “(A)” and adding at the end the following:

“(ii) A Member, Delegate, Resident Commissioner, officer, or employee of the House

may not knowingly accept a gift from a registered lobbyist or agent of a foreign principal or from a private entity that retains or employs registered lobbyists or agents of a foreign principal except as provided in subparagraph (3) of this paragraph.”.

(b) Clause 5(a)(1)(B) of rule XXV is amended by inserting “not prohibited by subdivision (A)(ii)” after the parenthetical.

SEC. 204. VALUATION OF TICKETS TO SPORTING AND ENTERTAINMENT EVENTS.

Clause 5(a)(1)(B) of rule XXV is further amended by inserting “(i)” after “(8)” and adding at the end the following:

“(i) A gift of a ticket to a sporting or entertainment event shall be valued at the face value of the ticket or, in the case of a ticket without a face value, at the highest cost of a ticket with a face value for the event. The price printed on a ticket to an event shall be deemed its face value only if it also is the price at which the issuer offers that ticket for sale to the public.”.

SEC. 205. RESTRICTION OF PRIVATELY FUNDED TRAVEL.

(a) PROHIBITION.—Clause 5(b)(1) of rule XXV is amended—

(1) in subdivision (A), by striking “from a private source” and all that follows through “prohibited by this clause” and inserting “for necessary transportation, lodging, and related expenses for travel to a meeting, speaking engagement, factfinding trip, or similar event in connection with his duties as an officeholder shall be considered as a reimbursement to the House and not a gift prohibited by this clause when it is from a private source other than a registered lobbyist or agent of a foreign principal or a private entity that retains or employs registered lobbyists or agents of a foreign principal (except as provided in subdivision (C))”; and

(2) by adding at the end the following new subdivision:

“(C) A reimbursement (including payment in kind) to a Member, Delegate, Resident Commissioner, officer, or employee of the House for any purpose described in subdivision (A) also shall be considered as a reimbursement to the House and not a gift prohibited by this clause (without regard to whether the source retains or employs registered lobbyists or agents of a foreign principal) if it is, under regulations prescribed by the Committee on Standards of Official Conduct to implement this provision—

“(i) directly from an institution of higher education within the meaning of section 101 of the Higher Education Act of 1965; or

“(ii) provided only for attendance at or participation in a one-day event (exclusive of travel time and an overnight stay).

“Regulations prescribed to implement this provision may permit a two-night stay when determined by the committee on a case-by-case basis to be practically required to participate in the one-day event.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on March 1, 2007.

SEC. 206. LOBBYIST ORGANIZATIONS AND PARTICIPATION IN CONGRESSIONAL TRAVEL.

(a) IN GENERAL.—Clause 5 of rule XXV is further amended by redesignating paragraphs (c), (d), (e), and (f) as paragraphs (e), (f), (g), and (h), respectively, and by inserting after paragraph (b) the following:

“(c)(1)(A) Except as provided in subdivision (8), a Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept a reimbursement (including payment in kind) for transportation, lodging, or related expenses for a trip on which the traveler is accompanied on any segment by a registered lobbyist or agent of a foreign principal.

(b) CONFORMING CHANGES IN CROSS-REFERENCES.—Clause 5 of rule XXV is further amended by—

(1) in clause 5(a)(3)(E), striking “paragraph (c)(3)” and inserting “paragraph (e)(3)”; and

(2) in clause 5(e)(2) (as redesignated), striking “paragraph (d)” and inserting “paragraph (f)”.

“(B) Subdivision (A) does not apply to a trip for which the source of reimbursement is an institution of higher education within the meaning of section 101 of the Higher Education Act of 1965.

“(2) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept a reimbursement (including payment in kind) for transportation, lodging, or related expenses under the exception in paragraph (b)(1)(C)(ii) of this clause for a trip that is financed in whole or in part by a private entity that retains or employs registered lobbyists or agents of a foreign principal unless any involvement of a registered lobbyist or agent of a foreign principal in the planning, organization, request, or arrangement of the trip is de minimis under rules prescribed by the Committee on Standards of Official Conduct to implement paragraph (b)(1)(C) of this clause.

“(3) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept a reimbursement (including payment in kind) for transportation, lodging, or related expenses for a trip (other than a trip permitted under paragraph (b)(1)(C) of this clause) if such trip is in any part planned, organized, requested, or arranged by a registered lobbyist or agent of a foreign principal.”.

“(d) A Member, Delegate, Resident Commissioner, officer, or employee of the House shall, before accepting travel otherwise permissible under paragraph (b)(1) of this clause from any private source—

“(1) provide to the Committee on Standards of Official Conduct before such trip a written certification signed by the source or (in the case of a corporate person) by an officer of the source—

“(A) that the trip will not be financed in any part by a registered lobbyist or agent of a foreign principal;

“(B) that the source either—

“(i) does not retain or employ registered lobbyists or agents of a foreign principal; or

“(ii) is an institution of higher education within the meaning of section 101 of the Higher Education Act of 1965; or

“(iii) certifies that the trip meets the requirements specified in rules prescribed by the Committee on Standards of Official Conduct to implement paragraph (b)(1)(C)(ii) of this clause and specifically details the extent of any involvement of a registered lobbyist or agent of a foreign principal in the planning, organization, request, or arrangement of the trip considered to qualify as de minimis under such rules;

“(C) that the source will not accept from another source any funds earmarked directly or indirectly for the purpose of financing any aspect of the trip;

“(D) that the traveler will not be accompanied on any segment of the trip by a registered lobbyist or agent of a foreign principal (except in the case of a trip for which the source of reimbursement is an institution of higher education within the meaning of section 101 of the Higher Education Act of 1965); and

“(E) that (except as permitted in paragraph (b)(1)(C) of this clause) the trip will not in any part be planned, organized, requested, or arranged by a registered lobbyist or agent of a foreign principal; and

“(2) after the Committee on Standards of Official Conduct has promulgated the regulations mandated in paragraph (i)(1)(8) of this clause, obtain the prior approval of the committee for such trip.”.

(b) CONFORMING CHANGES IN CROSS-REFERENCES.—Clause 5 of rule XXV is further amended by—

(1) in clause 5(a)(3)(E), striking “paragraph (c)(3)” and inserting “paragraph (e)(3)”; and

(2) in clause 5(e)(2) (as redesignated), striking “paragraph (d)” and inserting “paragraph (f)”.

(c) **TIMELINESS OF INFORMATION.**—Clause 5(b)(1)(A)(ii) of rule XXV is amended by striking “30 days” and inserting “15 days”.

(d) **CONFORMING AMENDMENT.**—Clause 5(b)(3) of rule XXV is amended by striking “of expenses reimbursed or to be reimbursed”.

(e) **PUBLIC AVAILABILITY.**—Clause 5(b)(5) of rule XXV is amended to read as follows:

“(5) The Clerk of the House shall make all advance authorizations, certifications, and disclosures filed pursuant to this paragraph available for public inspection as soon as possible after they are received.”

(f) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on March 1, 2007.

**SEC. 207. FURTHER LIMITATION ON THE USE OF FUNDS FOR TRAVEL.**

Rule XXIII is further amended by redesignating clause 15 (as earlier redesignated) as clause 16, and by inserting after clause 14 the following new clause:

“15. (a) A Member, Delegate, or Resident Commissioner may not use personal funds, official funds, or campaign funds for a flight on a non-governmental airplane that is not licensed by the Federal Aviation Administration to operate for compensation or hire.

“(b) In this clause, the term ‘campaign funds’ includes funds of any political committee under the Federal Election Campaign Act of 1971, without regard to whether the committee is an authorized committee of the Member, Delegate, or Resident Commissioner involved under such Act.”

**SEC. 208. EXPENSES FOR OFFICIALLY CONNECTED TRAVEL.**

Clause 5 of rule XXV is further amended by adding at the end the following:

“(i)(1) Not later than 45 days after the date of adoption of this paragraph and at annual intervals thereafter, the Committee on Standards of Official Conduct shall develop and revise, as necessary—

“(A) guidelines on judging the reasonableness of an expense or expenditure for purposes of this clause, including the factors that tend to establish—

“(i) a connection between a trip and official duties;

“(ii) the reasonableness of an amount spent by a sponsor;

“(iii) a relationship between an event and an officially connected purpose; and

“(iv) a direct and immediate relationship between a source of funding and an event; and

“(B) regulations describing the information it will require individuals subject to this clause to submit to the committee in order to obtain the prior approval of the committee for any travel covered by this clause, including any required certifications.

“(2) In developing and revising guidelines under paragraph (1)(A), the committee shall take into account the maximum per diem rates for official Government travel published annually by the General Services Administration, the Department of State, and the Department of Defense.”

**SEC. 209. ADDITIONAL DISCLOSURE.**

Clause 5(b)(3) of rule XXV is further amended—

(a) by striking “and” after the semicolon at the end of subdivision (E);

(b) by redesignating subdivision (F) as subdivision (G); and

(c) by inserting after subdivision (E) the following new subdivision:

“(F) a description of meetings and events attended; and”.

**SEC. 210. CLERICAL CORRECTION.**

Clause 5(f)(1) of rule XXV (as earlier redesignated) is amended by striking “are” and inserting “is”.

**SEC. 211. ANNUAL ETHICS TRAINING FOR MEMBERS, OFFICERS AND EMPLOYEES OF THE HOUSE.**

(a) Training Program.—Clause 3(a) of rule XI is amended by adding at the end the following new subparagraph:

“(6)(A) The committee shall offer annual ethics training to each Member, Delegate, Resident Commissioner, officer, and employee of the House. Such training shall—

“(i) involve the classes of employees for whom the committee determines such training to be appropriate; and

“(ii) include such knowledge of the Code of Official Conduct and related House rules as may be determined appropriate by the committee.

“(B)(i) A new officer or employee of the House shall receive training under this paragraph not later than 60 days after beginning service to the House.

“(ii) Not later than January 31 of each year, each officer and employee of the House shall file a certification with the committee that the officer or employee attended ethics training in the last year as established by this subparagraph.”

(b) Effective Date.—The amendment made by subsection (a) shall take effect on March 1, 2007.

**SEC. 212. DESIGNATING COMMITTEE ON EDUCATION AND LABOR.**

(a) Clause 1 (e) of rule X is amended by striking “Committee on Education and the Workforce” and inserting “Committee on Education and Labor”.

(b) Clause 3(d) of rule X is amended by striking “Committee on Education and the Workforce” and inserting “Committee on Education and Labor”.

**SEC. 213. DESIGNATING COMMITTEE ON FOREIGN AFFAIRS.**

(a) Clause 1 of rule X is amended by—

(1) redesignating the existing paragraphs (h) through (m), as paragraphs (m), (i), (V), (h), (k), and (l), respectively (inserting paragraph (h), as redesignated, after paragraph (g)); and

(2) in paragraph (h), as redesignated, striking “Committee on International Relations” and inserting “Committee on Foreign Affairs”.

(b) Clause 3 of rule X is amended by—

(1) redesignating the existing paragraphs (b) through (i) as paragraphs (c), (e), (d), (i), (g), (f), (b) and (h), respectively (inserting paragraph (b), as redesignated, after paragraph (a); inserting paragraph (d), as redesignated, after paragraph (c); and inserting paragraph (f), as redesignated, after paragraph (e)); and

(2) in paragraph (f), as redesignated, striking “Committee on International Relations” and inserting “Committee on Foreign Affairs”.

(c) Clause 11 (a)(1)(C) of rule X is amended by striking “Committee on International Relations” and inserting “Committee on Foreign Affairs”.

(d) Clause 2(d) of rule XII is amended by striking “Committee on International Relations” and inserting “Committee on Foreign Affairs”.

**SEC. 214. DESIGNATING COMMITTEE ON NATURAL RESOURCES.**

(a) Clause 1 (I) of rule X (as earlier redesignated) is amended by striking “Committee on Resources” and inserting “Committee on Natural Resources”.

(b) Clause 3(h) of rule X (as earlier redesignated) is amended by striking “Committee on Resources” and inserting “Committee on Natural Resources”.

**SEC. 215. DESIGNATING COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.**

(a) Clause 1 of rule X is further amended by—

(1) inserting paragraph (m) (as earlier redesignated), after paragraph (I) (as earlier redesignated); and

(2) in paragraph (m) (as earlier redesignated), striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”.

(b) Clause 2 of rule X is amended by—

(1) in paragraph (d)(1), striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”; and

(2) in paragraph (d)(2), striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”.

(c) Clause 3 of rule X is further amended by—

(1) inserting paragraph (i) (as earlier redesignated) after paragraph (h) (as earlier redesignated); and

(2) in paragraph (i), (as earlier redesignated), striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”.

(d) Clause 4 of rule X is amended by—

(1) in paragraph (c)(1), striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”; and

(2) in paragraph (c)(2), striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”.

(e) Clause 5(d)(2) of rule X is amended by striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”.

(f) Clause 4 of rule XV is amended by striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”.

**SEC. 216. DESIGNATING COMMITTEE ON SCIENCE AND TECHNOLOGY.**

(a) Clause 1 (o) of rule X is amended by striking “Committee on Science” and inserting “Committee on Science and Technology”.

(b) Clause 3(k) of rule X is amended by striking “Committee on Science” and inserting “Committee on Science and Technology”.

**SEC. 217. SEPARATE ORDER: NUMBERING OF BILLS.**

In the One Hundred Tenth Congress, the first 10 numbers for bills (H.R. 1 through H.R. 10) shall be reserved for assignment by the Speaker to such bills as she may designate.

**TITLE III. CIVILITY**

**SEC. 301.** The Rules of the House of Representatives of the One Hundred Ninth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Ninth Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Tenth Congress, with the following amendments:

**SEC. 302. PROPER CONDUCT OF VOTES.**

Clause 2(a) of rule XX is amended by inserting after the second sentence the following sentence: “A record vote by electronic device shall not be held open for the sole purpose of reversing the outcome of such vote.”

**SEC. 303. FULL AND OPEN DEBATE IN CONFERENCE.**

In rule XXII—

(a) clause 12(a) is amended by adding at the end the following new subparagraphs:

“(3) In conducting conferences with the Senate, managers on the part of the House should endeavor to ensure—

“(A) that meetings for the resolution of differences between the two Houses occur

only under circumstances in which every manager on the part of the House has notice of the meeting and a reasonable opportunity to attend;

“(B) that all provisions on which the two Houses disagree are considered as open to discussion at any meeting of a conference committee; and

“(C) that papers reflecting a conference agreement are held inviolate to change without renewal of the opportunity of all managers on the part of the House to reconsider their decisions to sign or not to sign the agreement.

“(4) Managers on the part of the House shall be provided a unitary time and place with access to at least one complete copy of the final conference agreement for the purpose of recording their approval (or not) of the final conference agreement by placing their signatures (or not) on the sheets prepared to accompany the conference report and joint explanatory statement of the managers.”

(b) add the following new clause at the end: “13. It shall not be in order to consider a conference report the text of which differs in any way, other than clerical, from the text that reflects the action of the conferees on all of the differences between the two Houses, as recorded by their placement of their signatures (or not) on the sheets prepared to accompany the conference report and joint explanatory statement of the managers.”

#### TITLE IV. FISCAL RESPONSIBILITY

SEC. 401. The Rules of the House of Representatives of the One Hundred Ninth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Ninth Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Tenth Congress, with the following amendments:

#### SEC. 402. RECONCILIATION.

Rule XXI is amended by adding at the end the following new clause:

“7. It shall not be in order to consider a concurrent resolution on the budget, or an amendment thereto, or a conference report thereon that contains reconciliation directives under section 310 of the Congressional Budget Act of 1974 that specify changes in law reducing the surplus or increasing the deficit for either the period comprising the current fiscal year and the five fiscal years beginning with the fiscal year that ends in the following calendar year or the period comprising the current fiscal year and the ten fiscal years beginning with the fiscal year that ends in the following calendar year. In determining whether reconciliation directives specify changes in law reducing the surplus or increasing the deficit, the sum of the directives for each reconciliation bill (under section 310 of the Congressional Budget Act of 1974) envisioned by that measure shall be evaluated.

#### SEC. 403. APPLYING POINTS OF ORDER UNDER BUDGET ACT TO BILLS AND JOINT RESOLUTIONS CONSIDERED UNDER SPECIAL RULES.

Rule XXI is amended by adding at the end the following new clause:

“8. With respect to measures considered pursuant to a special order of business, points of order under title III of the Congressional Budget Act of 1974 shall operate without regard to whether the measure concerned has been reported from committee. Such points of order shall operate with respect to (as the case may be)—

“(a) the form of a measure recommended by the reporting committee where the stat-

ute uses the term “as reported” (in the case of a measure that has been so reported);

“(b) the form of the measure made in order as an original bill or joint resolution for the purpose of amendment; or

“(c) the form of the measure on which the previous question is ordered directly to passage.”

#### SEC. 404. CONGRESSIONAL EARMARK REFORM.

(a) Point of Order against Congressional Earmarks.—Rule XXI is amended by adding at the end the following new clause:

“9. (a) It shall not be in order to consider—

“(1) a bill or joint resolution reported by a committee unless the report includes a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or in the report (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits;

“(2) a bill or joint resolution not reported by a committee unless the chairman of each committee of initial referral has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration;

“(3) an amendment to a bill or joint resolution to be offered at the outset of its consideration for amendment by a member of a committee of initial referral as designated in a report of the Committee on Rules to accompany a resolution prescribing a special order of business unless the proponent has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the amendment (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the proponent for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration; or

“(4) a conference report to accompany a bill or joint resolution unless the joint explanatory statement prepared by the managers on the part of the House and the managers on the part of the Senate includes a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the conference report or joint statement (and the name of any Member, Delegate, Resident Commissioner, or Senator who submitted a request to the House or Senate committees of jurisdiction for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.

“(b) It shall not be in order to consider a rule or order that waives the application of paragraph (a). As disposition of a point of order under this paragraph, the Chair shall put the question of consideration with respect to the rule or order that waives the application of paragraph (a). The question of consideration shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn.

“(c) In order to be cognizable by the Chair, a point of order raised under paragraph (a) may be based only on the failure of a report,

submission to the Congressional Record, or joint explanatory statement to include a list required by paragraph (a) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.

“(d) For the purpose of this clause, the term ‘congressional earmark’ means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

“(e) For the purpose of this clause, the term ‘limited tax benefit’ means—

“(1) any revenue-losing provision that—

“(A) provides a Federal tax deduction, credit, exclusion, or preference to 10 or fewer beneficiaries under the Internal Revenue Code of 1986, and

“(B) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

“(2) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986.

“(f) For the purpose of this clause, the term ‘limited tariff benefit’ means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

(b) Related Amendment to Code of Official Conduct.—Rule XXIII is amended—

(a) by redesignating clause 16 (as earlier redesignated) as clause 18; and

(b) by inserting after clause 15 the following new clauses:

“16. A Member, Delegate, or Resident Commissioner may not condition the inclusion of language to provide funding for a congressional earmark, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (including an accompanying joint explanatory statement of managers) on any vote cast by another Member, Delegate, or Resident Commissioner. For purposes of this clause and clause 17, the terms ‘congressional earmark,’ ‘limited tax benefit,’ and ‘limited tariff benefit’ shall have the meanings given them in clause 9 of rule XXI.

“17. (a) A Member, Delegate, or Resident Commissioner who requests a congressional earmark, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (or an accompanying joint statement of managers) shall provide a written statement to the chairman and ranking minority member of the committee of jurisdiction, including—

“(1) the name of the Member, Delegate, or Resident Commissioner;

“(2) in the case of a congressional earmark, the name and address of the intended recipient, or, if there is no specifically intended recipient, the intended location of the activity;

“(3) in the case of a limited tax or tariff benefit, identification of the individual or entities reasonably anticipated to benefit, to the extent known to the Member, Delegate, or Resident Commissioner;

“(4) the purpose of such congressional earmark or limited tax or tariff benefit; and

“(5) a certification that the Member, Delegate, or Resident Commissioner or spouse has no financial interest in such congressional earmark or limited tax or tariff benefit.



“(b) Each committee shall maintain the information transmitted under paragraph (a), and the written disclosures for any congressional earmarks, limited tax benefits, or limited tariff benefits included in any measure reported by the committee or conference report filed by the chairman of the committee or any subcommittee thereof shall be open for public inspection.”

#### SEC. 405. PAY-AS-YOU-GO POINT OF ORDER.

Rule XXI is amended by adding at the end the following new clause:

“10. It shall not be in order to consider any bill, joint resolution, amendment, or conference report if the provisions of such measure affecting direct spending and revenues have the net effect of increasing the deficit or reducing the surplus for either the period comprising the current fiscal year and the five fiscal years beginning with the fiscal year that ends in the following calendar year or the period comprising the current fiscal year and the ten fiscal years beginning with the fiscal year that ends in the following calendar year. The effect of such measure on the deficit or surplus shall be determined on the basis of estimates made by the Committee on the Budget relative to—

(a) the most recent baseline estimates supplied by the Congressional Budget Office consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 used in considering a concurrent resolution on the budget; or

(b) after the beginning of a new calendar year and before consideration of a concurrent resolution on the budget, the most recent baseline estimates supplied by the Congressional Budget Office consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985.”

#### TITLE V. MISCELLANEOUS

SEC. 501. The Rules of the House of Representatives of the One Hundred Ninth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Ninth Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Tenth Congress, with the following amendments:

#### SEC. 502. DEPOSITION AUTHORITY.

Clause 4(c) of rule X is amended by adding at the end the following new subparagraph:

“(3)(A) The Committee on Oversight and Government Reform may adopt a rule authorizing and regulating the taking of depositions by a member or counsel of the committee, including pursuant to subpoena under clause 2(m) of rule XI (which hereby is made applicable for such purpose).

“(B) A rule adopted by the committee pursuant to this subparagraph—

“(i) may provide that a deponent be directed to subscribe an oath or affirmation before a person authorized by law to administer the same; and

“(ii) shall ensure that the minority members and staff of the committee are accorded equitable treatment with respect to notice of and a reasonable opportunity to participate in any proceeding conducted thereunder.

“(C) Information secured pursuant to the authority described in subdivision (A) shall retain the character of discovery until offered for admission in evidence before the committee, at which time any proper objection shall be timely.”

#### SEC. 503. RECORD VOTES IN THE COMMITTEE ON RULES.

The second sentence of clause 3(b) of rule XIII is amended by inserting “a report by the Committee on Rules on a rule, joint rule, or the order of business or to” after “to”.

#### SEC. 504. CHANGES TO REFLECT INTELLIGENCE COMMUNITY REFORM.

Clause 11 of rule X is amended by—

(a) in paragraph (b)(1)(A), striking “Director of Central Intelligence” and inserting “Director of National Intelligence”;

(b) in paragraph (b)(1)(A), striking “Foreign”;

(c) in paragraph (b)(1)(D)(i), striking “Director of Central Intelligence” and inserting “Director of National Intelligence”;

(d) in paragraph (b)(1)(D)(i), striking “Foreign”;

(e) in paragraph (c)(2), inserting “the Director of National Intelligence,” before “the Director of the Central Intelligence Agency”;

(f) in paragraph (e)(2), striking “Central” and inserting “National”;

(g) in paragraph (i), striking subparagraphs (1) through (6) and inserting in lieu thereof the following:

“(1) The activities of the Director of National Intelligence and the Office of the Director of National Intelligence.

“(2) The activities of the Central Intelligence Agency.

“(3) The activities of the Defense Intelligence Agency.

“(4) The activities of the National Security Agency.

“(5) The intelligence and intelligence-related activities of other agencies and subdivisions of the Department of Defense.

“(6) The intelligence and intelligence-related activities of the Department of State.

“(7) The intelligence and intelligence-related activities of the Federal Bureau of Investigation.

“(8) The intelligence and intelligence-related activities of all other departments and agencies of the executive branch.”

#### SEC. 505. TECHNICAL AND CONFORMING CHANGES.

(a) Clause 12(b) of rule I is amended to read as follows:

“(b)(1) To suspend the business of the House when notified of an imminent threat to its safety, the Speaker may declare an emergency recess subject to the call of the Chair.”

“(2) To suspend the business of the Committee of the Whole House on the state of the Union when notified of an imminent threat to its safety, the Chairman of the Committee of the Whole may declare an emergency recess subject to the call of the Chair.”

(b) Clause 6(b) of rule XIII is amended to read as follows:

“(b) Pending the consideration of a report by the Committee on Rules on a rule, joint rule, or the order of business, the Speaker may entertain one motion that the House adjourn but may not entertain any other dilatory motion until the report shall have been disposed of.”

(c) Clause 1(b) of rule XV is amended to read as follows:

“(b) Pending a motion that the House suspend the rules, the Speaker may entertain one motion that the House adjourn but may not entertain any other motion until the vote is taken on the suspension.”

(d) In clause 2(e) of rule XV, subparagraph (1) is amended to read as follows:

“(1) If a motion prevails to discharge the Committee on Rules from consideration of a resolution, the House shall immediately consider the resolution, pending which the Speaker may entertain one motion that the House adjourn but may not entertain any other dilatory motion until the resolution has been disposed of. If the resolution is adopted, the House shall immediately proceed to its execution.”

#### SEC. 506. SPECIAL ORDER OF BUSINESS: 9/11 SELECT PANEL.

Upon the adoption of this resolution it shall be in order without intervention of any

point of order to consider in the House a resolution to enhance intelligence oversight authority. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion except: (1) one hour of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (2) one motion to recommit which may not contain instructions.

#### SEC. 507. SPECIAL ORDER OF BUSINESS: 9/11 RECOMMENDATIONS.

(a) Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1) to provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States. All points of order against the bill and against its consideration are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) three hours of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (2) one motion to recommit.

(b) During consideration of H.R. 1 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

#### SEC. 508. SPECIAL ORDER OF BUSINESS: MINIMUM WAGE.

(a) Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2) to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage. All points of order against the bill and against its consideration are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) three hours of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (2) one motion to recommit.

(b) During consideration of H.R. 2 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

#### SEC. 509. SPECIAL ORDER OF BUSINESS: STEM CELL.

(a) Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3) to amend the Public Health Service Act to provide for human embryonic stem cell research. All points of order against the bill and against its consideration are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) three hours of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (2) one motion to recommit.

(b) During consideration of H.R. 3 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

#### SEC. 510. SPECIAL ORDER OF BUSINESS: PRESCRIPTION DRUGS.

(a) Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4) to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate lower covered part D drug prices on behalf of Medicare beneficiaries. All points of order against the bill and against its consideration are waived. The bill shall be considered as read. The previous question shall

be considered as ordered on the bill to final passage without intervening motion except: (1) three hours of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (2) one motion to recommit.

(b) During consideration of H.R. 4 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

#### SEC. 511. SEPARATE ORDERS.

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

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

(3) During the One Hundred Tenth Congress, a provision in a bill or joint resolution, or in an amendment thereto or a conference report thereon, that establishes prospectively for a Federal office or position a specified or minimum level of compensation shall not be considered as providing new entitlement authority under section 401 of the Congressional Budget Act of 1974.

(4)(A) During the One Hundred Tenth Congress, pending the adoption of a concurrent resolution on the budget for fiscal year 2008, the provisions of House Concurrent Resolution 376 of the One Hundred Ninth Congress, as adopted by the House, shall have force and effect in the House as though the One Hundred Tenth Congress has adopted such a concurrent resolution.

(B) The chairman of the Committee on the Budget (when elected) shall submit for printing in the Congressional Record—

(i) the allocations contemplated by section 302(a) of the Congressional Budget Act of 1974 to accompany the concurrent resolution described in subparagraph (A), which shall be considered to be such allocations under a concurrent resolution on the budget; and

(ii) “Accounts Identified for Advance Appropriations,” which shall be considered to be the programs, projects, activities, or accounts referred to in section 401(b) of House Concurrent Resolution 376 of the One Hundred Ninth Congress, as adopted by the House.

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

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

(C) Subsection (A) shall not apply—

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

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

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

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

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

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

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

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

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

(c) EXERCISE FACILITIES FOR FORMER MEMBERS.—During the One Hundred Tenth 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 of the House of Representatives” includes a Delegate or Resident Commissioner to the Congress.

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

The SPEAKER pro tempore. Pursuant to House Resolution 5, the question shall be divided among each of the five titles of House Resolution 6. The previous question is ordered on each portion of the divided question, except as specified in sections 2 through 4 of House Resolution 5.

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

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

The Chair recognizes the gentleman from Maryland.

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

First, Mr. Speaker, let me say, this is truly a proud and historic moment for this institution, the people’s House in our Nation. Today, for the first time in our history, the Members of this great body have elected a woman, the gentlewoman from California (Ms. PELOSI), to serve as our Speaker. I want to offer my heartfelt congratulations to Speaker PELOSI, as well as her husband Paul, and her children and all of her family.

Last November 7, the American people delivered a resounding message that was heard in every corner of this

Nation. They want change and a new direction in our Nation. Today, as we open this new 110th Congress, with hope and great optimism, we will take the first steps in offering the voters precisely that by changing the way business is done in Washington.

As we open this new chapter in American history, we will seek to elevate results over rhetoric and put progress before partisanship as we affirm our commitment to transparency, accountability, and civility.

Mr. Speaker, this rules package includes sweeping ethics reforms that begin to address some of the most egregious transgressions of the recent past. Among other things, we will ban gifts, including meals and tickets, from lobbyists and the organizations that employ them. We will ban lobbyists and the organizations that employ them from financing travel for Members or their staffs, except for one-day travel to visit a site, attend a forum, participate in a panel, or give a speech, all obviously in the pursuance of the Members’ duties. We will require Members and staff to obtain preapproval from the Ethics Committee for permitted travel; and, Mr. Speaker, we will end the K Street Project, a practice that brought shame on this House when some Members promised access in return for patronage hiring.

Now let me say, very frankly, as importantly as these rules changes are, they alone will not ensure the integrity of this institution. Rather, the Members of this House will ensure the integrity of this institution when we conduct ourselves with integrity and hold accountable those who fail to abide by these rules and the highest ethical standards.

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Thus during the next 2 years, we have an obligation, each and every one of us, to ensure that the Ethics Committee does the job that it was constituted to perform. The implementation of rules, while vital, must be followed by effective, real enforcement.

Through this rules package, Mr. Speaker, we also signal our sincere intent to foster an environment in which civility, consensus, and compromise are nurtured. The American people are tired of partisanship. They are rightfully demanding progress on the critical priorities that face our Nation. Surely we will disagree on many issues, but that does not require us to be disagreeable, and we surely can disagree without impugning or questioning the motives, the character of our colleagues.

In addition, Mr. Speaker, this rules package restores fiscal discipline by reinstating the budget rules that helped us produce record budget surpluses in the 1990s and which previously were supported on a bipartisan basis.

Mr. Speaker, we simply cannot continue on our current fiscal course. In the last 72 months, our Nation has turned a projected 10-year budget surplus of \$5.6 trillion into a deficit of

more than \$3 trillion. It is, in my opinion, Mr. Speaker, immoral of this generation of Americans to force our children and grandchildren to pay our bills. Our current course threatens our economic as well as our national security. Pay-as-you-go budget rules will help us restore the fiscal discipline that the American people demand. These measures represent the foundation of our mission and the basis for the good work we will do together as one body with the best interests of those we serve at heart.

Mr. Speaker, we have a profound responsibility to fulfill and make hard choices. However, we also share an extraordinary opportunity that is distinctive in the American experience, to heal a deeply divided Nation, to conquer national doubt and restore public confidence in the United States Congress. I look forward, Mr. Speaker, to working with each and every one in this body in our pursuit of that progress.

In conclusion, let me leave you with the words of our 35th President, John Kennedy, who said this: "Let us not seek the Republican answer or the Democratic answer, but the right answer. Let us not seek to fix the blame for the past. Let us accept our own responsibility for the future."

Mr. Speaker, let us now embrace our responsibility and fulfill the trust that the American people have placed in us to lead, to govern effectively, and to make the greatest Nation on Earth even greater. I urge my colleagues to support this resolution.

Mr. Speaker, at this time I would ask unanimous consent that the remaining time allocated to me be controlled by Mr. HASTINGS of Florida, a member of the Rules Committee.

The SPEAKER pro tempore (Mr. SCOTT of Virginia). Is there objection to the request of the gentleman from Maryland?

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DREIER) as the designee of the minority leader.

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

I would like to begin by extending my compliments to my very good friend from Maryland, the distinguished majority leader, Mr. HOYER. In fact, Mr. HOYER just quoted John F. Kennedy and I believe that he was right on target in focusing on that brilliant quote of President Kennedy's where he said that we should not seek the Republican answer, we should not seek the Democratic answer, we should seek the right answer. I was struck with that, Mr. Speaker, and I believe that we should join in strong support of this resolution, of support of this title; and I am going to urge my colleagues to join in voting in support of this title which uses the rules base of the 109th Congress as the basis for which these proposed changes are being offered.

But I think it is very important for us to note that if we are going to, in

fact, seek the right answer as opposed to the Republican answer or the Democratic answer, we need to do that by vigorously pursuing the deliberative process about which we all speak. And I know that during the past several years, my very distinguished colleagues on the other side of the aisle raised concerns about a lack of deliberation that existed in this House and the fact that more amendments could have been made in order. I will acknowledge that we could have made more amendments in order. That was clearly an option there. But as my friend, having served in the majority, knows very well, there are challenges that need to be addressed when you are in the majority, challenges of managing this institution. I see him sitting there very comfortably and I am glad that he is comfortable at this point, but I know full well that he, Mr. Speaker, is going to face many management challenges in the days and weeks and months ahead.

But during the past couple of years, what we have heard is a commitment to minority rights made by those who were formerly in the majority, who were in the minority at that time and are now back in the majority. And so I would argue that the words of President Kennedy can best be implemented if we in fact do increase the level of deliberation, and that is why as we look at the proposed changes that we are going to be considering, I have to say that when it comes to the actual management, I am concerned. I am concerned about the prospect of, for the first time in the history of this institution, taking prospectively five closed rules and placing that in the opening-day rules package.

Similarly, Mr. Speaker, I am concerned about the prospect of taking this issue of transparency, accountability, and disclosure about which we on both sides of the aisle regularly talk because we are here to represent all of the American people, the notion of now saying again for the first time in the history of this great institution that we are going to create an opportunity whereby we will not have accountability and transparency in our very important deliberations that will take place in the Rules Committee.

And so again I would say in response to the brilliant words of President John F. Kennedy, as outlined by our distinguished majority leader, Mr. HOYER, that we do seek the right answer; and I believe that the best way to seek the right answer is through enhanced deliberation, and we have a chance to do that.

Now, I will when it comes to this vote urge my colleagues to vote in favor of title I. Title I, as you know, Mr. Speaker, simply provides a chance to use the opening rules package of the 109th Congress, and I think that that is a correct thing for us to do; and I hope the Democrats and Republicans alike, and the majority leader has just called for support of title I and I will urge the

colleagues on our side of the aisle to join so that again we will be coming together and I think having the right answer on that.

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

The SPEAKER pro tempore. The gentleman from Florida has 9½ minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the majority leader for yielding me time.

Mr. Speaker, House rules allowing for cosponsors have yet to be adopted. Therefore, I would submit this list of cosponsors for House Resolution 6 for the RECORD.

Pursuant to clause 7 of Rule XII of the Rules of the House of Representatives, the following sponsors are hereby added to H. Res. 6.

Louise Slaughter, David Obey, John Spratt, Zach Space, Chris Carney, Baron Hill, Heath Shuler, Steny Hoyer, James Clyburn, Rahm Emanuel, John Larson, Xavier Becerra, Chris Van Hollen, Rosa DeLauro, George Miller, Jim McGovern, Alcee Hastings, Doris Matsui, Kathy Castor, Betty Sutton, Peter Welch.

Gary Ackerman, Tom Allen, Jason Altmire, Rob Andrews, Michael Arcuri, Joe Baca, Brian Baird, Tammy Baldwin, Melissa Bean, Shelley Berkley, Howard Berman, Marion Berry, Tim Bishop, Earl Blumenauer, Madeleine Bordallo, Leonard Boswell, Nancy Boyda, Robert Brady, Bruce Braley.

G.K. Butterfield, Lois Capps, Mike Capuano, Dennis Cardoza, Russ Carnahan, Ben Chandler, Donna Christensen, Yvette Clarke, Emanuel Cleaver, Steve Cohen, John Conyers, Jim Cooper, Joe Courtney, Joe Crowley, Henry Cuellar, Elijah Cummings, Susan Davis, Danny Davis, Artur Davis, Lincoln Davis.

Peter DeFazio, Diana DeGette, Bill Delahunt, Norm Dicks, John Dingell, Lloyd Doggett, Joe Donnelly, Mike Doyle, Keith Ellison, Brad Ellsworth, Anna Eshoo, Bob Etheridge, Eni Faleomavaega, Sam Farr, Chaka Fattah, Bob Filner, Barney Frank, Gabby Giffords, Kirsten Gillibrand, Bart Gordon.

Al Green, Gene Green, Raul Grijalva, John Hall, Phil Hare, Jane Harman, Stephanie Herseth, Brian Higgins, Maurice Hinchey, Mazie Hirono, Paul Hodes, Tim Holden, Michael Honda, Darlene Hooley, Jay Inslee, Steve Israel, Jesse Jackson, Sheila Jackson-Lee, Eddie Bernice Johnson, Hank Johnson.

Steve Kagen, Marcy Kaptur, Patrick Kennedy, Dale Kildee, Ron Kind, Ron Klein, Dennis Kucinich, Nick Lampson, Jim Langevin, Tom Lantos, Richard Larsen, Barbara Lee, Sander Levin, John Lewis, Dan Lipinski, Dave Loebsack, Zoe Lofgren, Stephen Lynch, Tim Mahoney, Carolyn Maloney.

Ed Markey, Carolyn McCarthy, Betty McCollum, Jim McDermott, Mike McIntyre, Jerry McNerney, Mike McNulty, Martin Meehan, Kendrick Meek, Michael Michaud, Juanita Millender-McDonald, Harry Mitchell, Dennis Moore, Jim Moran, Chris Murphy, Patrick Murphy, Jerry Nadler, Grace Napolitano, Eleanor Holmes Norton, James Oberstar.

John Olver, Frank Pallone, Bill Pascrell, Ed Pastor, Donald Payne, Ed Perlmutter, Collin Peterson, Earl Pomeroy, David Price, Nick Rahall, Charlie Rangel, Silvestre Reyes, Ciro Rodriguez, Mike Ross, Steve Rothman, Lucille Roybal-Allard, Dutch Ruppersberger, Bobby Rush, Tim Ryan, John Salazar.

Linda Sánchez, John Sarbanes, Jan Schakowsky, Adam Schiff, Allyson

Schwartz, David Scott, José Serrano, Joe Sestak, Carol Shea-Porter, Brad Sherman, Albio Sires, Ike Skelton, Adam Smith, Vic Snyder, Hilda Solis, Pete Stark, Ellen Tauscher, Bennie Thompson, Mike Thompson, John Tierney.

Stephanie Tubbs Jones, Mark Udall, Tom Udall, Nydia Velázquez, Tim Walz, Debbie Wasserman Shultz, Maxine Waters, Diane Watson, Henry Waxman, Anthony Weiner, Robert Wexler, Charlie Wilson, Lynn Woolsey, David Wu, Al Wynn, John Yarmuth, Rush Holt, Bobby Scott.

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

I enjoyed listening to my colleague and good friend, and he is my good friend, former chairman of the Rules Committee, speak about closed rules. Since he is the master of closed rules, I know he knows of what he speaks.

Title I of our rules package is, or at least should be, the least controversial part, as the ranking member has said, of what we are going to discuss over the next few hours. Title I is very simply the rules of the 109th Congress. We are taking the Republican rules from the last Congress and using this as our base. The changes we will make to improve on the previous Congress's rules will come later and will be discussed by the members of the Rules Committee. This section of the House rules package makes it clearer that the former chairperson of the Rules Committee, my friend from California, was being just a bit disingenuous when he said the other day that, and I quote him, we have not received even a draft, unquote, of the Democrats' rules. Of course he had, Mr. Speaker. They were the rules of the House that he helped draft as Chair of the Rules Committee 2 years ago. All we have done is taken the old House rules and improved them to make the House a more ethical, more democratic, more open institution.

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

Mr. HASTINGS of Florida. Of course I will yield to my friend.

Mr. DREIER. I thank my friend for yielding. I really am very hesitant to interrupt the brilliance of my good friend from Fort Lauderdale.

Mr. HASTINGS of Florida. Now that you have.

Mr. DREIER. Now that I have interrupted it, I just couldn't hesitate to interrupt when I heard that I somehow had a draft by virtue of knowing what the rules package that was put into place for the operation of the 109th Congress was? That was all we had. We had nothing whatsoever beyond the rules of the House and that is it.

I thank my friend for yielding.

Mr. HASTINGS of Florida. Well, you helped make those rules, my good friend. Perhaps you didn't utilize the fact that you did as a draft. But in either event, I take it that I have made my point and you have made yours.

Frankly, Mr. Speaker, many of the changes to House rules that our Republican colleagues did make in 1995 and subsequently, in my opinion, were good

ones and some of them we have kept. Proxy voting in committees was eliminated. That was an excellent reform. We have kept it. It is in our rules package. You gave the Speaker emergency power to recess the House and convene in another place in case of a terrorist incident. That was a good reform, and it is in the package that we have offered. You prohibited public works projects being named for serving Members of Congress. That always kind of bothered me, and I am glad that you got rid of it, and it was a good reform and it is in our package.

So, Mr. Speaker, title I, I think, is pretty straightforward. I think we should all be able to agree on it, and the distinguished ranking member of the Rules Committee has indicated he agrees. They are the Republican rules of last Congress that today's majority agrees with, draft or no draft. We will get to the changes later. But title I are the rules that today's minority wrote 2 years ago.

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

Mr. DREIER. Mr. Speaker, before I yield to my good friend from Pasco, I would simply like to ask unanimous consent to enter into the RECORD at this point a copy of the draft that we received that is dated January 2, 2007. The time stamp on that is 5:45 p.m. I was informed that we had it last night at 6:10 p.m., and it had already been circulated to those in the press gallery by that point.

I would be happy to yield to my friend.

Mr. HASTINGS of Florida. I am glad my friend yields. You do agree that the rules that you wrote are the rules that are being adopted in this section that we are talking about?

Mr. DREIER. The section that we are talking about right now is simply implementation—

Mr. HASTINGS of Florida. Can I get a yes or no?

Mr. DREIER. It is simply implementation of the rules that have existed for the 109th Congress. I clearly was talking about the rules for the 110th Congress. In fact, if the gentleman was here when I had an exchange with the distinguished new Chair of the Rules Committee when she tried to argue that we somehow were debating the rules for the 109th Congress, the Chair confirmed the fact that we are in fact considering in toto the package for the 110th Congress using as base text the 109th.

What I have here and if I am able to gain unanimous consent for this, Mr. Speaker, to include in the RECORD, is the draft which uses the 109th base text and has the proposed changes, the different titles for the proposed changes for the rules of the 110th Congress.

I would ask unanimous consent to include this draft with the date and the time on it showing that it did not fall within the 24-hour notification period of time that my friends have consistently insisted on.

Mr. HASTINGS of Florida. I object, and I reserve the right to object.

Mr. DREIER. The gentleman objects to my including the draft?

Mr. HASTINGS of Florida. I reserve the right to object.

The SPEAKER pro tempore. The gentleman reserves the right to object and is recognized under his reservation.

□ 1730

Mr. HASTINGS of Florida. I just wish to share with Mr. DREIER in the spirit of bipartisanship that mincing words with reference to whether or not you knew that this portion of the draft of the 109th rules are those of the 110th actually don't even get to the level of substance that we ought be dealing with, with something as important as the rules.

You know the rules. I agree with you that that draft that you are talking about came from the 109th; but all I am suggesting to you is that you are not surprised by anything in title I, because you participated in writing it and, therefore, I think that the record should reflect that, notwithstanding the fact.

Now, I assure you, having served on the Rules Committee with you with distinction and respecting you greatly, that you can reasonably expect that you are not only going to have 24 hours notice, you are going to have a lot of notice regarding a lot of measures that we were never accorded. And, toward that end, in the spirit of bipartisanship, I will not object to your offer.

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

Mr. HASTINGS of Florida. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, the simple point that I am trying to make is that we all know what the rules for the 109th Congress were. We have lived under those rules for the last 2 years. Yes, I was proud to have crafted those, working with my colleagues on this side of the aisle, and we passed those at the beginning of the Congress and we are going to have a chance in just a few minutes to vote on those again.

The point is, it is not the rules of the 109th Congress that we didn't have a draft of. We did not have a draft until January 3 at 5:45 p.m., which clearly did not comply with that 24-hour requirement that has been put forward. And that is the only point that I am trying to make.

Mr. HASTINGS of Florida. Reclaiming my time, I think the gentleman has made his point.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. FRANK of Massachusetts). Is there objection to the request of the gentleman from California?

There was no objection.

January 3, 2007—4:45 p.m.

H. RES. 6

Resolved,

**TITLE I. ADOPTION OF RULES OF ONE HUNDRED NINTH CONGRESS**

SEC. 101. The Rules of the House of Representatives of the One Hundred Ninth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Ninth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Tenth Congress.

**TITLE II. ETHICS**

SEC. 201. That the Rules of the House of Representatives of the One Hundred Ninth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Ninth Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Tenth Congress, with the following amendments:

**SEC. 202. ENDING THE K-STREET PROJECT.**

Rule XXIII is amended by redesignating clause 14 as clause 15, and by inserting after clause 13 the following new clause:

"14. A Member, Delegate, or Resident Commissioner may not, with the intent to influence on the basis of partisan political affiliation an employment decision or employment practice of any private entity—

"(a) take or withhold, or offer or threaten to take or withhold, an official act; or

"(b) influence, or offer or threaten to influence, the official act of another."

**SEC. 203. BAN ON GIFTS FROM LOBBYISTS.**

(a) Clause 5(a)(1)(A) of rule XXV is amended by inserting "(i)" after "(A)" and adding at the end the following:

"(i) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not knowingly accept a gift from a registered lobbyist or agent of a foreign principal or from a private entity that retains or employs registered lobbyists or agents of a foreign principal except as provided in subparagraph (3) of this paragraph."

(b) Clause 5(a)(1)(B) of rule XXV is amended by inserting "not prohibited by subdivision (A)(i)" after the parenthetical.

**SEC. 204. VALUATION OF TICKETS TO SPORTING AND ENTERTAINMENT EVENTS.**

Clause 5(a)(1)(B) of rule XXV is further amended by inserting "(i)" after "(B)" and adding at the end the following:

"(i) A gift of a ticket to a sporting or entertainment event shall be valued at the face value of the ticket or, in the case of a ticket without a face value, at the highest cost of a ticket with a face value for the event. The price printed on a ticket to an event shall be deemed its face value only if it also is the price at which the issuer offers that ticket for sale to the public."

**SEC. 205. RESTRICTION OF PRIVATELY FUNDED TRAVEL.**

(a) PROHIBITION.—Clause 5(b)(1) of rule XXV is amended—

(1) in subdivision (A), by striking "from a private source" and all that follows through "prohibited by this clause" and inserting "for necessary transportation, lodging, and related expenses for travel to a meeting, speaking engagement, factfinding trip, or similar event in connection with his duties as an officeholder shall be considered as a reimbursement to the House and not a gift prohibited by this clause when it is from a private source other than a registered lobbyist or agent of a foreign principal or a private entity that retains or employs registered lobbyists or agents of a foreign principal (except as provided in subdivision (C))"; and

(2) by adding at the end the following new subdivision:

"(C) A reimbursement (including payment in kind) to a Member, Delegate, Resident

Commissioner, officer, or employee of the House for any purpose described in subdivision (A) also shall be considered as a reimbursement to the House and not a gift prohibited by this clause (without regard to whether the source retains or employs registered lobbyists or agents of a foreign principal) if it is, under regulations prescribed by the Committee on Standards of Official Conduct to implement this provision—

"(i) directly from an institution of higher education within the meaning of section 101 of the Higher Education Act of 1965; or

"(ii) provided only for attendance at or participation in a one-day event (exclusive of travel time and an overnight stay).

"Regulations prescribed to implement this provision may permit a two-night stay when determined by the committee on a case-by-case basis to be practically required to participate in the one-day event."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on March 1, 2007.

**SEC. 206. LOBBYIST ORGANIZATIONS AND PARTICIPATION IN CONGRESSIONAL TRAVEL.**

(a) IN GENERAL.—Clause 5 of rule XXV is further amended by redesignating paragraphs (c), (d), (e), and (f) as paragraphs (e), (f), (g), and (h), respectively, and by inserting after paragraph (b) the following:

"(c)(1)(A) Except as provided in subdivision (B), a Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept a reimbursement (including payment in kind) for transportation, lodging, or related expenses for a trip on which the traveler is accompanied on any segment by a registered lobbyist or agent of a foreign principal.

"(B) Subdivision (A) does not apply to a trip for which the source of reimbursement is an institution of higher education within the meaning of section 101 of the Higher Education Act of 1965.

"(2) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept a reimbursement (including payment in kind) for transportation, lodging, or related expenses under the exception in paragraph (b)(1)(C)(ii) of this clause for a trip that is financed in whole or in part by a private entity that retains or employs registered lobbyists or agents of a foreign principal unless any involvement of a registered lobbyist or agent of a foreign principal in the planning, organization, request, or arrangement of the trip is de minimis under rules prescribed by the Committee on Standards of Official Conduct to implement paragraph (b)(1)(C) of this clause.

"(3) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept a reimbursement (including payment in kind) for transportation, lodging, or related expenses for a trip (other than a trip permitted under paragraph (b)(1)(C) of this clause) if such trip is in any part planned, organized, requested, or arranged by a registered lobbyist or agent of a foreign principal."

"(d) A Member, Delegate, Resident Commissioner, officer, or employee of the House shall, before accepting travel otherwise permissible under paragraph (b)(1) of this clause from any private source—

"(1) provide to the Committee on Standards of Official Conduct before such trip a written certification signed by the source or (in the case of a corporate person) by an officer of the source—

"(A) that the trip will not be financed in any part by a registered lobbyist or agent of a foreign principal;

"(B) that the source either—

"(i) does not retain or employ registered lobbyists or agents of a foreign principal; or

"(ii) is an institution of higher education within the meaning of section 101 of the Higher Education Act of 1965; or

"(iii) certifies that the trip meets the requirements specified in rules prescribed by the Committee on Standards of Official Conduct to implement paragraph (b)(1)(C)(ii) of this clause and specifically details the extent of any involvement of a registered lobbyist or agent of a foreign principal in the planning, organization, request, or arrangement of the trip considered to qualify as de minimis under such rules;

"(C) that the source will not accept from another source any funds earmarked directly or indirectly for the purpose of financing any aspect of the trip;

"(D) that the traveler will not be accompanied on any segment of the trip by a registered lobbyist or agent of a foreign principal (except in the case of a trip for which the source of reimbursement is an institution of higher education within the meaning of section 101 of the Higher Education Act of 1965); and

"(E) that (except as permitted in paragraph (b)(1)(C) of this clause) the trip will not in any part be planned, organized, requested, or arranged by a registered lobbyist or agent of a foreign principal; and

"(2) after the Committee on Standards of Official Conduct has promulgated the regulations mandated in paragraph (1)(1)(B) of this clause, obtain the prior approval of the committee for such trip."

(b) CONFORMING CHANGES IN CROSS-REFERENCES.—Clause 5 of rule XXV is further amended by—

(1) in clause 5(a)(3)(E), striking "paragraph (c)(3)" and inserting "paragraph (e)(3)"; and

(2) in clause 5(e)(2) (as redesignated), striking "paragraph (d)" and inserting "paragraph (f)".

(c) TIMELINESS OF INFORMATION.—Clause 5(b)(1)(A)(ii) of rule XXV is amended by striking "30 days" and inserting "15 days".

(d) CONFORMING AMENDMENT.—Clause 5(b)(3) of rule XXV is amended by striking "of expenses reimbursed or to be reimbursed".

(e) PUBLIC AVAILABILITY.—Clause 5(b)(5) of rule XXV is amended to read as follows:

"(5) The Clerk of the House shall make all advance authorizations, certifications, and disclosures filed pursuant to this paragraph available for public inspection as soon as possible after they are received."

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on March 1, 2007.

**SEC. 207. FURTHER LIMITATION ON THE USE OF FUNDS FOR TRAVEL.**

Rule XXIII is further amended by redesignating clause 15 (as earlier redesignated) as clause 16, and by inserting after clause 14 the following new clause:

"15. (a) A Member, Delegate, or Resident Commissioner may not use personal funds, official funds, or campaign funds for a flight on a non-governmental airplane that is not licensed by the Federal Aviation Administration to operate for compensation or hire.

"(b) In this clause, the term 'campaign funds' includes funds of any political committee under the Federal Election Campaign Act of 1971, without regard to whether the committee is an authorized committee of the Member, Delegate, or Resident Commissioner involved under such Act."

**SEC. 208. EXPENSES FOR OFFICIALLY CONNECTED TRAVEL.**

Clause 5 of rule XXV is further amended by adding at the end the following:

"(i)(1) Not later than 45 days after the date of adoption of this paragraph and at annual intervals thereafter, the Committee on Standards of Official Conduct shall develop and revise, as necessary—

“(A) guidelines on judging the reasonableness of an expense or expenditure for purposes of this clause, including the factors that tend to establish—

“(i) a connection between a trip and official duties;

“(ii) the reasonableness of an amount spent by a sponsor;

“(iii) a relationship between an event and an officially connected purpose; and

“(iv) a direct and immediate relationship between a source of funding and an event; and

“(B) regulations describing the information it will require individuals subject to this clause to submit to the committee in order to obtain the prior approval of the committee for any travel covered by this clause, including any required certifications.

“(2) In developing and revising guidelines under paragraph (1)(A), the committee shall take into account the maximum per diem rates for official Government travel published annually by the General Services Administration, the Department of State, and the Department of Defense.”

#### SEC. 209. ADDITIONAL DISCLOSURE.

Clause 5(b)(3) of rule XXV is further amended—

(a) by striking “and” after the semicolon at the end of subdivision (E);

(b) by redesignating subdivision (F) as subdivision (G); and

(c) by inserting after subdivision (E) the following new subdivision:

“(F) a description of meetings and events attended; and”.

#### SEC. 210. CLERICAL CORRECTION.

Clause 5(f)(1) of rule XXV (as earlier redesignated) is amended by striking “are” and inserting “is”.

#### SEC. 211. ANNUAL ETHICS TRAINING FOR MEMBERS, OFFICERS AND EMPLOYEES OF THE HOUSE.

(a) TRAINING PROGRAM.—Clause 3(a) of rule XI is amended by adding at the end the following new subparagraph:

“(6)(A) The committee shall offer annual ethics training to each Member, Delegate, Resident Commissioner, officer, and employee of the House. Such training shall—

“(i) involve the classes of employees for whom the committee determines such training to be appropriate; and

“(ii) include such knowledge of the Code of Official Conduct and related House rules as may be determined appropriate by the committee.

“(B)(i) A new officer or employee of the House shall receive training under this paragraph not later than 60 days after beginning service to the House.

“(ii) Not later than January 31 of each year, each officer and employee of the House shall file a certification with the committee that the officer or employee attended ethics training in the last year as established by this subparagraph.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on March 1, 2007.

#### SEC. 212. DESIGNATING COMMITTEE ON EDUCATION AND LABOR.

(a) Clause 1(e) of rule X is amended by striking “Committee on Education and the Workforce” and inserting “Committee on Education and Labor”.

(b) Clause 3(d) of rule X is amended by striking “Committee on Education and the Workforce” and inserting “Committee on Education and Labor”.

#### SEC. 213. DESIGNATING COMMITTEE ON FOREIGN AFFAIRS.

(a) Clause 1 of rule X is amended by—

(1) redesignating the existing paragraphs (h) through (m), as paragraphs (m), (i), (j), (h), (k), and (l), respectively (inserting para-

graph (h), as redesignated, after paragraph (g)); and

(2) in paragraph (h), as redesignated, striking “Committee on International Relations” and inserting “Committee on Foreign Affairs”.

(b) Clause 3 of rule X is amended by—

(1) redesignating the existing paragraphs (b) through (i) as paragraphs (c), (e), (d), (i), (g), (f), (b) and (h), respectively (inserting paragraph (b), as redesignated, after paragraph (a); inserting paragraph (d), as redesignated, after paragraph (c); and inserting paragraph (f), as redesignated, after paragraph (e)); and

(2) in paragraph (f), as redesignated, striking “Committee on International Relations” and inserting “Committee on Foreign Affairs”.

(c) Clause 11(a)(1)(C) of rule X is amended by striking “Committee on International Relations” and inserting “Committee on Foreign Affairs”.

(d) Clause 2(d) of rule XII is amended by striking “Committee on International Relations” and inserting “Committee on Foreign Affairs”.

#### SEC. 214. DESIGNATING COMMITTEE ON NATURAL RESOURCES.

(a) Clause 1(l) of rule X (as earlier redesignated) is amended by striking “Committee on Resources” and inserting “Committee on Natural Resources”.

(b) Clause 3(h) of rule X (as earlier redesignated) is amended by striking “Committee on Resources” and inserting “Committee on Natural Resources”.

#### SEC. 215. DESIGNATING COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.

(a) Clause 1 of rule X is further amended by—

(1) inserting paragraph (m) (as earlier redesignated), after paragraph (l) (as earlier redesignated); and

(2) in paragraph (m) (as earlier redesignated), striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”.

(b) Clause 2 of rule X is amended by—

(1) in paragraph (d)(1), striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”; and

(2) in paragraph (d)(2), striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”.

(c) Clause 3 of rule X is further amended by—

(1) inserting paragraph (i) (as earlier redesignated) after paragraph (h) (as earlier redesignated); and

(2) in paragraph (i), (as earlier redesignated), striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”.

(d) Clause 4 of rule X is amended by—

(1) in paragraph (c)(1), striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”; and

(2) in paragraph (c)(2), striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”.

(e) Clause 5(d)(2) of rule X is amended by striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”.

(f) Clause 4 of rule XV is amended by striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”.

#### SEC. 216. DESIGNATING COMMITTEE ON SCIENCE AND TECHNOLOGY.

(a) Clause 1(o) of rule X is amended by striking “Committee on Science” and insert-

ing “Committee on Science and Technology”.

(b) Clause 3(k) of rule X is amended by striking “Committee on Science” and inserting “Committee on Science and Technology”.

#### SEC. 217. SEPARATE ORDER: NUMBERING OF BILLS

In the One Hundred Tenth Congress, the first 10 numbers for bills (H.R. 1 through H.R. 10) shall be reserved for assignment by the Speaker to such bills as she may designate.

#### TITLE III. CIVILITY

SEC. 301. The Rules of the House of Representatives of the One Hundred Ninth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Ninth Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Tenth Congress, with the following amendments:

#### SEC. 302. PROPER CONDUCT OF VOTES.

Clause 2(a) of rule XX is amended by inserting after the second sentence the following sentence: “A record vote by electronic device shall not be held open for the sole purpose of reversing the outcome of such vote.”

#### SEC. 303. FULL AND OPEN DEBATE IN CONFERENCE.

In rule XXII—

(a) clause 12(a) is amended by adding at the end the following new subparagraphs:

“(3) In conducting conferences with the Senate, managers on the part of the House should endeavor to ensure—

“(A) that meetings for the resolution of differences between the two Houses occur only under circumstances in which every manager on the part of the House has notice of the meeting and a reasonable opportunity to attend;

“(B) that all provisions on which the two Houses disagree are considered as open to discussion at any meeting of a conference committee; and

“(C) that papers reflecting a conference agreement are held inviolate to change without renewal of the opportunity of all managers on the part of the House to reconsider their decisions to sign or not to sign the agreement.

“(4) Managers on the part of the House shall be provided a unitary time and place with access to at least one complete copy of the final conference agreement for the purpose of recording their approval (or not) of the final conference agreement by placing their signatures (or not) on the sheets prepared to accompany the conference report and joint explanatory statement of the managers.”

(b) add the following new clause at the end: “13. It shall not be in order to consider a conference report the text of which differs in any way, other than clerical, from the text that reflects the action of the conferees on all of the differences between the two Houses, as recorded by their placement of their signatures (or not) on the sheets prepared to accompany the conference report and joint explanatory statement of the managers.”

#### TITLE IV. FISCAL RESPONSIBILITY

SEC. 401. The Rules of the House of Representatives of the One Hundred Ninth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Ninth Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Tenth Congress, with the following amendments:

**SEC. 402. RECONCILIATION.**

Rule XXI is amended by adding at the end the following new clause:

"7. It shall not be in order to consider a concurrent resolution on the budget, or an amendment thereto, or a conference report thereon that contains reconciliation directives under section 310 of the Congressional Budget Act of 1974 that specify changes in law reducing the surplus or increasing the deficit for either the period comprising the current fiscal year and the five fiscal years beginning with the fiscal year that ends in the following calendar year or the period comprising the current fiscal year and the ten fiscal years beginning with the fiscal year that ends in the following calendar year. In determining whether reconciliation directives specify changes in law reducing the surplus or increasing the deficit, the sum of the directives for each reconciliation bill (under section 310 of the Congressional Budget Act of 1974) envisioned by that measure shall be evaluated.

**SEC. 403. APPLYING POINTS OF ORDER UNDER BUDGET ACT TO BILLS AND JOINT RESOLUTIONS CONSIDERED UNDER SPECIAL RULES.**

Rule XXI is amended by adding at the end the following new clause:

"8. With respect to measures considered pursuant to a special order of business, points of order under title III of the Congressional Budget Act of 1974 shall operate without regard to whether the measure concerned has been reported from committee. Such points of order shall operate with respect to (as the case may be)—

"(a) the form of a measure recommended by the reporting committee where the statute uses the term "as reported" (in the case of a measure that has been so reported);

"(b) the form of the measure made in order as an original bill or joint resolution for the purpose of amendment; or

"(c) the form of the measure on which the previous question is ordered directly to passage."

**SEC. 404. CONGRESSIONAL EARMARK REFORM.**

(a) POINT OF ORDER AGAINST CONGRESSIONAL EARMARKS.—Rule XXI is amended by adding at the end the following new clause:

"9. (a) It shall not be in order to consider—

"(1) a bill or joint resolution reported by a committee unless the report includes a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or in the report (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits;

"(2) a bill or joint resolution not reported by a committee unless the chairman of each committee of initial referral has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration;

"(3) an amendment to a bill or joint resolution to be offered at the outset of its consideration for amendment by a member of a committee of initial referral as designated in a report of the Committee on Rules to accompany a resolution prescribing a special order of business unless the proponent has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the amendment (and the name of any Member, Delegate, or Resident Commis-

sioner who submitted a request to the proponent for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration; or

"(4) a conference report to accompany a bill or joint resolution unless the joint explanatory statement prepared by the managers on the part of the House and the managers on the part of the Senate includes a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the conference report or joint statement (and the name of any Member, Delegate, Resident Commissioner, or Senator who submitted a request to the House or Senate committees of jurisdiction for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.

"(b) It shall not be in order to consider a rule or order that waives the application of paragraph (a). As disposition of a point of order under this paragraph, the Chair shall put the question of consideration with respect to the rule or order that waives the application of paragraph (a). The question of consideration shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn.

"(c) In order to be cognizable by the Chair, a point of order raised under paragraph (a) may be based only on the failure of a report, submission to the Congressional Record, or joint explanatory statement to include a list required by paragraph (a) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.

"(d) For the purpose of this clause, the term 'congressional earmark' means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

"(e) For the purpose of this clause, the term 'limited tax benefit' means—

"(1) any revenue-losing provision that—

"(A) provides a Federal tax deduction, credit, exclusion, or preference to 10 or fewer beneficiaries under the Internal Revenue Code of 1986, and

"(B) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

"(2) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986.

"(f) For the purpose of this clause, the term 'limited tariff benefit' means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

(b) RELATED AMENDMENT TO CODE OF OFFICIAL CONDUCT.—Rule XXIII is amended—

(a) by redesignating clause 16 (as earlier redesignated) as clause 18; and

(b) by inserting after clause 15 the following new clauses:

"16. A Member, Delegate, or Resident Commissioner may not condition the inclusion of language to provide funding for a congressional earmark, a limited tax benefit, or a

limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (including an accompanying joint explanatory statement of managers) on any vote cast by another Member, Delegate, or Resident Commissioner. For purposes of this clause and clause 17, the terms 'congressional earmark,' 'limited tax benefit,' and 'limited tariff benefit' shall have the meanings given them in clause 9 of rule XXI.

"17. (a) A Member, Delegate, or Resident Commissioner who requests a congressional earmark, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (or an accompanying joint statement of managers) shall provide a written statement to the chairman and ranking minority member of the committee of jurisdiction, including—

"(1) the name of the Member, Delegate, or Resident Commissioner;

"(2) in the case of a congressional earmark, the name and address of the intended recipient or, if there is no specifically intended recipient, the intended location of the activity;

"(3) in the case of a limited tax or tariff benefit, identification of the individual or entities reasonably anticipated to benefit, to the extent known to the Member, Delegate, or Resident Commissioner;

"(4) the purpose of such congressional earmark or limited tax or tariff benefit; and

"(5) a certification that the Member, Delegate, or Resident Commissioner or spouse has no financial interest in such congressional earmark or limited tax or tariff benefit.

"(b) Each committee shall maintain the information transmitted under paragraph (a), and the written disclosures for any congressional earmarks, limited tax benefits, or limited tariff benefits included in any measure reported by the committee or conference report filed by the chairman of the committee or any subcommittee thereof shall be open for public inspection."

**SEC. 405. PAY-AS-YOU-GO POINT OF ORDER.**

Rule XXI is amended by adding at the end the following new clause:

"10. It shall not be in order to consider any bill, joint resolution, amendment, or conference report if the provisions of such measure affecting direct spending and revenues have the net effect of increasing the deficit or reducing the surplus for either the period comprising the current fiscal year and the five fiscal years beginning with the fiscal year that ends in the following calendar year or the period comprising the current fiscal year and the ten fiscal years beginning with the fiscal year that ends in the following calendar year. The effect of such measure on the deficit or surplus shall be determined on the basis of estimates made by the Committee on the Budget relative to—

(a) the most recent baseline estimates supplied by the Congressional Budget Office consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 used in considering a concurrent resolution on the budget; or

(b) after the beginning of a new calendar year and before consideration of a concurrent resolution on the budget, the most recent baseline estimates supplied by the Congressional Budget Office consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985."

**TITLE V. MISCELLANEOUS**

SEC. 501. The Rules of the House of Representatives of the One Hundred Ninth Congress, including applicable provisions of law

or concurrent resolution that constituted rules of the House at the end of the One Hundred Ninth Congress, together with such amendments thereto in this resolution as may otherwise have been adopted, are adopted as the Rules of the House of Representatives of the One Hundred Tenth Congress, with the following amendments:

**SEC. 502. DEPOSITION AUTHORITY.**

Clause 4(c) of rule X is amended by adding at the end the following new subparagraph:

“(3)(A) The Committee on Oversight and Government Reform may adopt a rule authorizing and regulating the taking of depositions by a member or counsel of the committee, including pursuant to subpoena under clause 2(m) of rule XI (which hereby is made applicable for such purpose),

“(B) A rule adopted by the committee pursuant to this subparagraph—

“(i) may provide that a deponent be directed to subscribe an oath or affirmation before a person authorized by law to administer the same; and

“(ii) shall ensure that the minority members and staff of the committee are accorded equitable treatment with respect to notice of and a reasonable opportunity to participate in any proceeding conducted thereunder.

“(C) Information secured pursuant to the authority described in subdivision (A) shall retain the character of discovery until offered for admission in evidence before the committee, at which time any proper objection shall be timely.”

**SEC. 503. RECORD VOTES IN THE COMMITTEE ON RULES.**

The second sentence of clause 3(b) of rule XIII is amended by inserting “a report by the Committee on Rules on a rule, joint rule, or the order of business or to” after “to”.

**SEC. 504. CHANGES TO REFLECT INTELLIGENCE COMMUNITY REFORM.**

Clause 11 of rule X is amended by—

(a) in paragraph (b)(1)(A), striking “Director of Central Intelligence”; and inserting “Director of National Intelligence”;

(b) in paragraph (b)(1)(A), striking “Foreign”;

(c) in paragraph (b)(1)(D)(i), striking “Director of Central Intelligence” and inserting “Director of National Intelligence”;

(d) in paragraph (b)(1)(D)(i), striking “Foreign”;

(e) in paragraph (c)(2), inserting “the Director of National Intelligence,” before “the Director of the Central Intelligence Agency”;

(f) in paragraph (e)(2), striking “Central” and inserting “National”; and

(g) in paragraph (1), striking subparagraphs (1) through (6) and inserting in lieu thereof the following:

“(1) The activities of the Director of National Intelligence and the Office of the Director of National Intelligence.

“(2) The activities of the Central Intelligence Agency.

“(3) The activities of the Defense Intelligence Agency.

“(4) The activities of the National Security Agency.

“(5) The intelligence and intelligence-related activities of other agencies and subdivisions of the Department of Defense.

“(6) The intelligence and intelligence-related activities of the Department of State.

“(7) The intelligence and intelligence-related activities of the Federal Bureau of Investigation.

“(8) The intelligence and intelligence-related activities of all other departments and agencies of the executive branch.”

**SEC. 505. TECHNICAL AND CONFORMING CHANGES.**

(a) Clause 12(b) of rule I is amended to read as follows:

“(b)(1) To suspend the business of the House when notified of an imminent threat to its safety, the Speaker may declare an emergency recess subject to the call of the Chair.”

“(2) To suspend the business of the Committee of the Whole House on the state of the Union when notified of an imminent threat to its safety, the Chairman of the Committee of the Whole may declare an emergency recess subject to the call of the Chair.”

(b) Clause 6(b) of rule XIII is amended to read as follows:

“(b) Pending the consideration of a report by the Committee on Rules on a rule, joint rule, or the order of business, the Speaker may entertain one motion that the House adjourn but may not entertain any other dilatory motion until the report shall have been disposed of.”

(c) Clause 1(b) of rule XV is amended to read as follows:

“(b) Pending a motion that the House suspend the rules, the Speaker may entertain one motion that the House adjourn but may not entertain any other motion until the vote is taken on the suspension.”

(d) In clause 2(e) of rule XV, subparagraph (1) is amended to read as follows:

“(1) If a motion prevails to discharge the Committee on Rules from consideration of a resolution, the House shall immediately consider the resolution, pending which the Speaker may entertain one motion that the House adjourn but may not entertain any other dilatory motion until the resolution has been disposed of. If the resolution is adopted, the House shall immediately proceed to its execution.”

**SEC. 506. SPECIAL ORDER OF BUSINESS: 9/11 SELECT PANEL.**

Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House a resolution to enhance intelligence oversight authority. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion except: (1) one hour of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (2) one motion to recommit which may not contain instructions.

**SEC. 507. SPECIAL ORDER OF BUSINESS: 9/11 RECOMMENDATIONS.**

(1) Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1) to provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States. All points of order against the bill and against its consideration are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) three hours of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (2) one motion to recommit.

(b) During consideration of H.R. 1 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

**SEC. 508. SPECIAL ORDER OF BUSINESS: MINIMUM WAGE.**

(a) Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2) to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage. All points of order against the bill and against its consideration are waived. The bill shall be considered as read. The previous question shall be

considered as ordered on the bill to final passage without intervening motion except: (1) three hours of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (2) one motion to recommit.

(b) During consideration of H.R. 2 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

**SEC. 509. SPECIAL ORDER OF BUSINESS: STEM CELL.**

(a) Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3) to amend the Public Health Service Act to provide for human embryonic stem cell research. All points of order against the bill and against its consideration are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) three hours of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (2) one motion to recommit.

(b) During consideration of H.R. 3 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

**SEC. 510. SPECIAL ORDER OF BUSINESS: PRESCRIPTION DRUGS.**

(a) Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4) to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate lower covered part D drug prices on behalf of Medicare beneficiaries. All points of order against the bill and against its consideration are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) three hours of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (2) one motion to recommit.

(b) During consideration of H.R. 4 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

**SEC. 511. SEPARATE ORDERS.**

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

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

(3) During the One Hundred Tenth Congress, a provision in a bill or joint resolution, or in an amendment thereto or a conference report thereon, that establishes prospectively for a Federal office or position a specified or minimum level of compensation to be funded by annual discretionary appropriations shall not be considered as providing new entitlement authority under section 401 of the Congressional Budget Act of 1974.

(4)(A) During the One Hundred Tenth Congress, pending the adoption of a concurrent resolution on the budget for fiscal year 2008,



the provisions of House Concurrent Resolution 376 of the One Hundred Ninth Congress, as adopted by the House, shall have force and effect in the House as though the One Hundred Tenth Congress has adopted such a concurrent resolution.

(B) The chairman of the Committee on the Budget (when elected) shall submit for printing in the Congressional Record—

(i) the allocations contemplated by section 302(a) of the Congressional Budget Act of 1974 to accompany the concurrent resolution described in subparagraph (A), which shall be considered to be such allocations under a concurrent resolution on the budget; and

(ii) "Accounts Identified for Advance Appropriations," which shall be considered to be the programs, projects, activities, or accounts referred to in section 401(b) of House Concurrent Resolution 376 of the One Hundred Ninth Congress, as adopted by the House.

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

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

(C) Subsection (A) shall not apply—

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

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

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

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

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

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

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

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

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

(c) EXERCISE FACILITIES FOR FORMER MEMBERS.—During the One Hundred Tenth 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 "Mem-

ber of the House of Representatives" includes a Delegate or Resident Commissioner to the Congress.

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

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the gentleman from Pasco, Washington.

Mr. HASTINGS of Washington. I thank the gentleman for yielding. And I will say right up front I intend to support title I and the rules package, and I take literally what the gentleman, my friend from Florida, talked about what we can expect from the Rules Committee when we restructure, hopefully next week, as to the timing and so forth of the business that we take up.

But I want to talk about one issue that is not addressed in the proposed changes for the 110th that is in the 109th package, and that is, the requirement to have recorded votes in the Rules Committee.

What the provision in the bill and the proposed changes say is that the Rules members now will comply as the Ethics Committee does. I was the chairman of the Ethics Committee in the last Congress and the ranking member in this Congress, and we have recorded votes in those committees, but we have the option of making them public or not.

Under the proposed rules packages, for the life of me, I cannot understand why that needs to be extended to the Rules Committee. It is obvious for the Committee on Official Standards, it is obvious there. But why it is in the Rules Committee is beyond what I can understand. Now, I do understand one of the reasons is that if there are errors, then you would certainly want to be able to correct those errors.

My first term was the 104th Congress, and that is when we made some major changes in voting. Since that time, there have been 1,304 recorded votes in the Rules Committee; the number of errors in the rules report in those 12 years is zero. And I think one of the reasons why is because this is a committee of only 13. There are nine Democrats and there are four Republicans in this Congress. It was the reverse in the last Congress. As a matter of fact, I would suggest that you could probably, on most of those votes, predict what the outcome is going to be.

So why, for the life of me, we would want to take the transparency of the Rules Committee away from public knowledge is absolutely beyond me. It just simply doesn't make any sense.

So I enthusiastically support adopting the rules of the 109th Congress. It would be my wish that that would be the rules for the 110th Congress, but we are going to debate that later and we will see what happens. But, again, why we want to take transparency out of votes in the Rules Committee, and I understand there will be new members on your side, why they won't want to stand the transparency for their constituency is beyond me.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1¼ minutes to the distinguished chairman of the Agriculture Committee.

Mr. PETERSON of Minnesota. Mr. Speaker, some of us that have big huge districts use our airplanes to fly around the district to get to meetings just like some people use their automobiles, and there is concern amongst the few of us that do this about a provision in here. So, Mr. HASTINGS, could you clarify for me that it is not the intent of section 207 of House Resolution 6 to prohibit a Member to use his or her own airplane; specifically, that is not intended to apply to the use of the Members' representational allowance to reimburse a Member for mileage on his or her own airplane?

Mr. HASTINGS of Florida. I want to assure my colleagues that this is not the intent of this provision. It is not intended to apply to a Member who is using her or his own airplane, whether or not it is on his personal campaign or official business. Specifically, it is not intended to apply to the use of the Members' representational allowance to reimburse a Member for mileage on his or her own airplane. We will work closely with the Ethics Committee and the Committees on House Administration to ensure that this is how these committees will interpret the rule.

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

Mr. HASTINGS of Florida. Mr. Speaker, for the purpose of debate only, I yield 2 minutes to the distinguished gentlewoman from Florida, my good friend, KATHY CASTOR, who is the first new Member to speak in the 110th Congress.

Ms. CASTOR. Mr. Speaker, I thank my fellow Floridian very much. And I am proud to stand here with many other new Members who are very reform-minded, and let me assure you we are ready to chart the new direction for America.

The election is over, and it is time for us to keep our commitment for honest leadership and open government rules changes. During this first 100 hours of the 110th Congress, all of us in this Congress must work together to pass key measures affecting the everyday lives of all Americans. We will begin by adopting the rules of the 109th Congress. This is the baseline proposal that is before us now. But then we shall continue on, on other proposals to clean up Washington, to sever unethical ties between lawmakers and lobbyists. We will start by banning travel and gifts from lobbyists, requiring full transparency to end the abuse of special interest earmarks, and ending the abusive processes that have undermined democracy in this House. These measures are the first steps to ensure that the Congress upholds the highest ethical standards.

Americans have paid the cost of corruption in Washington with skyrocketing prices at the pump, spiraling drug costs, and the waste and fraud of

no bid contracts in the Gulf and Iraq. No more. Reform is a top priority for this House because reform is a top priority for the American people.

As our first responsibility in fulfilling the mandate of this critical election, the Democrats are offering an aggressive reform package to restore the public trust. So, let's begin.

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

Mr. Speaker, I am very pleased that we can, in fact, join in a bipartisan way in supporting implementation of title I of this provision. And I believe that it is great that my friend from Florida (Mr. HASTINGS) began heaping praise on the many accomplishments of the 104th Congress when we implemented things like an end to proxy voting, term limits on committee chairmen, and the other items which we have which go on and on and on, increased transparency and accountability and disclosure.

I will say that, as I have said, I am very, very troubled and saddened by the inconsistency when it comes to the issue of transparency and disclosure in light of the discussion that Mr. HASTINGS of Pasco, Washington and I have had about closing down transparency in the Rules Committee now.

My friend from Florida mentioned the fact that I may be the champion of closed rules. I will admit that as chairman of the Rules Committee, I did bring more than a few closed rules here, primarily on bills that related to tax issues, which was done under the Democratic majorities of the past and I suspect will be done in the future as well. But I will say this: Never before, never before have I, as chairman of the Rules Committee, prevented the Rules Committee from having an opportunity to deliberate and including in an opening day rules package five closed rules. I am concerned as we move forward with that. We will have that debate later on. But I look forward to urging my colleagues to join in support of title I.

Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, at this time I am very pleased to yield 1¼ minutes to the distinguished gentleman from Florida, who is my neighbor, Mr. RON KLEIN, who I believe is speaking for the first time.

Mr. KLEIN of Florida. Mr. Speaker, I thank the gentleman from Florida and my new friend from California. My name is RON KLEIN, and today I am proudly sworn in as all of us were in the new Congress, and I represent Florida's 22nd district. I believe I can speak on behalf of all my fellow freshmen colleagues today in saying that we are all truly honored to be here to represent the value of America's families.

It is time to bring a new direction to Washington and promote honesty, integrity, and real leadership in the United States Congress. That is why we have introduced an ethics reform package that will restore the public's trust and confidence in Congress. Those of us

who were just recently on the campaign trail heard that frequently, and we know we need to do something about it.

One of these reforms has been introduced by my colleague, ZACK SPACE from Ohio's 18 district, and it is a measure banning Members of Congress and their staff from accepting gifts from lobbyists. This bill will also put a stop to the common but inappropriate practice of allowing Members of Congress to use money from their campaign coffers to pay for corporate jets for travel purposes.

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Letting special interests run the Congress is simply not right, and we have a responsibility to put a stop to this unscrupulous practice.

Simply put, it is time to return Congress to the people's House, not the auction house. I congratulate Speaker PELOSI, and all of the Members of Congress who were sworn in today, and I ask all Members to join us in these new policy changes.

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

The question is on that portion of the divided question.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 8, as follows:

[Roll No. 6]  
YEAS—426

Abercrombie	Boyd (FL)	Courtney
Ackerman	Boyda (KS)	Cramer
Aderholt	Brady (PA)	Crenshaw
Akin	Brady (TX)	Crowley
Alexander	Brale (IA)	Cubin
Allen	Brown, Corrine	Cuellar
Altmire	Brown-Waite,	Culberson
Andrews	Ginny	Cummings
Arcuri	Buchanan	Davis (AL)
Baca	Burgess	Davis (CA)
Bachmann	Burton (IN)	Davis (IL)
Bachus	Butterfield	Davis, David
Baird	Calvert	Davis, Jo Ann
Baker	Camp (MI)	Davis, Lincoln
Baldwin	Campbell (CA)	Davis, Tom
Barrett (SC)	Cannon	Deal (GA)
Barrow	Cantor	DeFazio
Bartlett (MD)	Capito	DeGette
Barton (TX)	Capps	Delahunt
Bean	Capuano	DeLauro
Becerra	Cardoza	Dent
Berkley	Carnahan	Diaz-Balart, L.
Berman	Carney	Diaz-Balart, M.
Berry	Carson	Dicks
Biggert	Carter	Dingell
Bilbray	Castle	Doggett
Bilirakis	Castor	Donnelly
Bishop (GA)	Chabot	Doolittle
Bishop (NY)	Chandler	Doyle
Bishop (UT)	Clarke	Drake
Blackburn	Clay	Dreier
Blumenauer	Cleaver	Duncan
Blunt	Clyburn	Edwards
Boehner	Coble	Ehlers
Bonner	Cohen	Ellison
Bono	Cole (OK)	Ellsworth
Boozman	Conaway	Emanuel
Boren	Conyers	Emerson
Boswell	Cooper	Engel
Boucher	Costa	English (PA)
Boustany	Costello	Eshoo

Etheridge	Larson (CT)	Regula
Everett	Latham	Rehberg
Fallin	LaTourette	Reichert
Farr	Lee	Renzi
Fattah	Levin	Reyes
Feeney	Lewis (CA)	Reynolds
Ferguson	Lewis (GA)	Rodriguez
Filner	Lewis (KY)	Rogers (AL)
Flake	Linder	Rogers (KY)
Forbes	Lipinski	Rogers (MI)
Fortenberry	LoBiondo	Rohrabacher
Fossella	Loeb	Ros-Lehtinen
Foxx	Lofgren, Zoe	Roskam
Frank (MA)	Lowey	Ross
Franks (AZ)	Lucas	Rothman
Frelinghuysen	Lungren, Daniel	Roybal-Allard
Gallegly	E.	Royce
Garrett (NJ)	Lynch	Ruppersberger
Gerlach	Mack	Rush
Giffords	Mahoney (FL)	Ryan (OH)
Gilchrest	Manzullo	Ryan (WI)
Gillibrand	Marchant	Salazar
Gillmor	Markey	Sali
Gingrey	Marshall	Sánchez, Linda
Gohmert	Matheson	T.
Gonzalez	Matsui	Sanchez, Loretta
Goode	McCarthy (CA)	Sarbantes
Goodlatte	McCarthy (NY)	Saxton
Gordon	McCollum (MN)	Schakowsky
Granger	McCotter	Schiff
Graves	McDermott	Schmidt
Green, Al	McGovern	Schwartz
Green, Gene	McHenry	Scott (GA)
Grijalva	McHugh	Scott (VA)
Gutierrez	McIntyre	Sensenbrenner
Hall (NY)	McKeon	Serrano
Hall (TX)	McMorris	Sessions
Hare	Rodgers	Sestak
Harman	McNerney	Shadegg
Hastert	McNulty	Shays
Hastings (FL)	Meehan	Shea-Porter
Hastings (WA)	Meek (FL)	Sherman
Hayes	Meeks (NY)	Shimkus
Heller	Melancon	Shuler
Hensarling	Mica	Shuster
Herger	Michaud	Simpson
Herseth	Millender-	Sires
Higgins	McDonald	Skelton
Hill	Miller (FL)	Slaughter
Hinchee	Miller (MI)	Smith (NE)
Himn	Miller (NC)	Smith (NJ)
Hirono	Miller, Gary	Smith (TX)
Hobson	Miller, George	Smith (WA)
Hodes	Mitchell	Snyder
Hoekstra	Mollohan	Solis
Holden	Moore (KS)	Souder
Holt	Moore (WI)	Space
Honda	Moran (KS)	Spratt
Hooley	Moran (VA)	Stark
Hoyer	Murphy (CT)	Stearns
Hulshof	Murphy, Patrick	Stupak
Hunter	Murphy, Tim	Sullivan
Inglis (SC)	Murtha	Sutton
Inslee	Musgrave	Tancredo
Israel	Myrick	Tanner
Issa	Nadler	Tauscher
Jackson (IL)	Napolitano	Taylor
Jefferson	Neal (MA)	Terry
Jindal	Neugebauer	Thompson (CA)
Johnson (GA)	Nunes	Thompson (MS)
Johnson (IL)	Oberstar	Thornberry
Johnson, E. B.	Obey	Tiahrt
Johnson, Sam	Olver	Tiberi
Jones (NC)	Ortiz	Tierney
Jones (OH)	Pallone	Towns
Jordan	Pascrell	Turner
Kagen	Pastor	Udall (CO)
Kanjorski	Paul	Udall (NM)
Kaptur	Payne	Upton
Keller	Pearce	Van Hollen
Kennedy	Pence	Velázquez
Kildee	Perlmutter	Visclosky
Kilpatrick	Peterson (MN)	Walberg
Kind	Peterson (PA)	Walden (OR)
King (IA)	Petri	Walsh (NY)
King (NY)	Pickering	Walz (MN)
Kingston	Pitts	Wamp
Kirk	Platts	Wasserman
Klein (FL)	Poe	Schultz
Kline (MN)	Pomeroy	Waters
Knollenberg	Porter	Watson
Kucinich	Price (GA)	Watt
Kuhl (NY)	Price (NC)	Waxman
LaHood	Pryce (OH)	Weiner
Lamborn	Putnam	Welch (VT)
Lampson	Radanovich	Weldon (FL)
Langevin	Rahall	Weller
Lantos	Ramstad	Westmoreland
Larsen (WA)	Rangel	Wexler

Whitfield	Wilson (SC)	Wynn
Wicker	Wolf	Yarmuth
Wilson (NM)	Woolsey	Young (AK)
Wilson (OH)	Wu	Young (FL)

## NOT VOTING—8

Brown (SC)	Jackson-Lee	McCaul (TX)
Buyer	(TX)	McCreery
Davis (KY)	Maloney (NY)	Norwood

□ 1811

Mr. KING of Iowa changed his vote from “nay” to “yea.”

So that portion of the divided question 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. MCCAUL of Texas. Madam Speaker, on Rollcall No. 6 with family in town I was given insufficient notice of the vote. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore (Mr. FRANK of Massachusetts). The portion of the divided question comprising title II is now debatable for 60 minutes.

The gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from California (Mr. DREIER) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, it may seem like the November elections took place ages ago, but the sentiments that created new majorities in the House and Senate are still strong.

The American people spoke loud and clear on November 7. Together, Republicans and Democrats and independents from across this great Nation voted for change. They voted to end the cycle of corruption, pay to play, and junkets.

Today, Mr. Speaker, the new Democratic majority is fulfilling the pledge we made to the voters. We are going to clean up Washington, D.C. We are going to give the people their House back.

Two years ago my friends on the other side of the aisle brought forward a rules package that, in my opinion, did not go nearly far enough in upholding the highest ethical standards. Today we offer a package that is based on real change. Members of Congress are elected to serve the American people, not their own individual private interests. And I am proud to say that today, this House of Representatives will enact a reform package that ends the culture of corruption once and for all. The days of the K Street project are over. No longer will Members of this House be able to dictate to any private entity the hiring or firing of anyone based on their political affiliation.

This rules package prohibits Members of Congress from traveling on corporate jets. My constituents in Massachusetts don't have the opportunity to get cheap travel on corporate jets and neither should Members of Congress.

□ 1815

Mr. Speaker, this rules package also changes the way Members of Congress

and staff can travel for official business. I strongly believe that overseas trips and other travel can be important tools to helping Members of Congress understand complex domestic and international issues.

But the days of lobbyist-sponsored golf junkets will be relics of the past. The actions this package takes are simple and straightforward: no more junkets, no more gifts from lobbyists, no more travel on corporate jets.

This rules package is comprehensive, and it is historic. We are going to change the way this place is run, and we are going to change the way people look at the Congress. The American people don't want to pick up their morning newspapers and read about golf junkets to St. Andrews. They don't want to hear stories about how their Congressman or Congresswoman was wined and dined with \$100 steak dinners.

Mr. Speaker, this is not complicated. These are commonsense items that should have been dealt with years ago. The time has come to do what is right, to hold Members of this House to the highest ethical standards.

With the election of NANCY PELOSI as Speaker of the House, the first woman Speaker in the history of the United States, Democrats are ushering in a new era and putting an end to the culture of corruption. We are changing the tone in Washington, and we are changing the way we conduct business.

Now, I know full well that the ethical problems of the past were not limited to one side of the aisle, and the solutions to those problems can and should come from both Democrats and Republicans. I know that many of my Republican friends agree that change is needed, and they wish that their leadership in the past would have moved forward on some of these changes. I look forward to working closely with them in the weeks and the months ahead.

Mr. Speaker, the American people demand, and they deserve, a higher standard of conduct from their elected officials. Today, we are raising the bar for how Members of the 110th Congress will carry out their duties and do their jobs.

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

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

Mr. Speaker, I rise in support of this package. Once again, I think we will have an opportunity for bipartisanship. The issue of ethics and lobbying reform is something that we believe is very, very important. As I sit here today, I am reminded of the fact that 1 year ago this month, Speaker HASTERT and I stood right upstairs in the press gallery and unveiled a package for lobbying and ethics reform, which was maligned by many of our colleagues, unfortunately.

But I will say that I am very pleased with the fact that we were ultimately able to pass out of the House our measure, which did a number of things that

I am happy to see are incorporated in this provision that is coming forward from the new majority.

The thing that troubles me most, Mr. Speaker, is the fact that this was done in a unilateral way. We are all very proud of the fact that we have a working, strong, vibrant bipartisan Ethics Committee. It would have been great if we could have had the Ethics Committee come forward with these recommendations.

There has been no consultation whatsoever between the majority and the minority, although I will say, again, I congratulate those Members of the new majority for including, including many of the items that were either incorporated in H.R. 4975, which was our lobbying and disclosure act that we passed out of the House last year, and some of the provisions that Speaker HASTERT and I outlined a year ago this month: free clearance of travel, a ban on travel and an end to gifts. An end to the K Street Project. These are all very important reforms that I do think are essential.

I will say this, Mr. Speaker, as I listen to my very good friend from Massachusetts, and I congratulate him on his new position in the majority on the Rules Committee, what happens between today and March 1 of this year? Well, let us see, we have the month of January and the month of February, and, guess what, under this package, the status quo in the 110th Congress, under the Democratic majority, remains in place without any kind of reform or change.

So I have got to ask rhetorically, anyone who wants to answer as to why we are waiting until March 1 before we see any kind of implementation here. They want to see guidelines put forward, maybe by the Ethics Committee. If that is what they would like to do, why don't we impose an immediate ban until they come up with recommended guidelines?

So I will say that as I listen to these proposals, they are interesting, I am very pleased that they have incorporated them. I don't believe they go far enough. In a few minutes, my colleagues, Mr. KIRK and Mr. SHADDEGG, will be talking about concern on the pension issue, which unfortunately has been left out of this, but I do believe that by and large this is a measure that is going to be worthy of bipartisan support, and I am going to urge my colleagues to support it.

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

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

Mr. Speaker, let me just say to my good friend from California, whom I have a lot of respect for, there is a big difference between what his leadership proposed in terms of higher ethical standards and what is being proposed here today. I have got to say to the gentleman that we include a little bit more than just banning lobbyists from the locker rooms. They are banned

from the locker rooms in this bill, but there is a heck of a lot more.

Mr. DREIER. Will the gentleman yield? If you will recall, we passed H.R. 4975.

Mr. MCGOVERN. I am in the middle of my statement. I would also say to the gentleman that his party has been in control for 12 years, and there has been ample opportunity to change the status quo. The gentleman's party not only embraced the status quo, but we saw a proliferation of the culture of corruption, and that is what this is a response to. In answer to the gentleman's question as to this March 1 deadline, that is to give the Committee on Standards of Official Conduct ample time to put the rules and regulations and the disclosure requirements into place so that this can be an effective change.

So this is real historic change. We are going to end the culture of corruption in this Congress today. I am glad that the gentleman has said that he is going to support it. I hope that this is a bipartisan vote.

Mr. Speaker, I yield 5 minutes, for the purpose of debate, to the gentleman from Ohio (Mr. SPACE).

Mr. SPACE. Mr. Speaker, I rise today to ask you to support this historic rules package. The winds of change have brought me here. I don't think it is too much to say that my very presence before you constitutes a message to this body, a message sent from the good people of Ohio's 18th District. By these presence, I wish to deliver this message on behalf of my constituents.

The message is that the legislative process is broken. Rather than serving the needs of working families, this Congress has shown through past actions a preference for serving interests of the privileged few. Nowhere has this been more clear than in the influence wielded by lobbyists. The influence of lobbyists has compromised the reputation and even the health of this body.

In order to restore the integrity to this Chamber and restore America's faith in its elected officials, we must undertake substantial ethics reform. Our actions today will not only enhance the most fundamental principles of a democratic society; they will remind our constituents that we are a body of the people and not above the people.

The package before you will breach the circle of deceit between lobbyists, their wealthy clients, and this body. It represents long overdue real ethics reform. It bans House Members and their employees from accepting gifts from lobbyists and the organizations that hire them. It prohibits lobbyists from paying for or organizing Member travel, and it eliminates the all-too-common practice of legislative jet-setting. In short, the ethics package is the first step toward restoring integrity and beginning the process necessary to restore faith in our system of government.

Coming from a district whose previous Congressman became mired, and

then consumed, by scandal, my fellow district residents and I understand all too intimately the perils associated with weak and loosely monitored ethics regulations.

We have suffered the frustration, disappointment, and anger associated with betrayal. We have suffered from not having a Member of Congress available to attend to the needs of the citizens of our district. But we are not alone. Other districts have suffered similar letdowns. That is inexcusable, and it is unconscionable.

At a moment in time when our Nation needs truly heroic leadership, as the challenges of the changing world continue to grow, this body has failed to step up and lead. The institution of Congress has failed to make clear its commitment to the principles of democracy; and it has frustrated, disappointed, and angered the American public.

The winds of change have, indeed, blown many among us into this Chamber, and there is much work to do.

We cannot begin our work in good faith without this declaration today that we are of, and not above, the American people. The time to act is now. We have an extraordinary burden to prove to those who have given us this honor. We must make clear to them that we are representing their interests, not bartering legislative favors in order to gain gifts and trips.

I ask my colleagues to join me in supporting this important ethics reform package.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Omaha, Nebraska (Mr. TERRY).

Mr. TERRY. Thank you, I appreciate this opportunity.

Mr. Speaker, to the gentleman from Ohio, the new Member who just spoke, I appreciate and respect his point of view. I will add, though, that the disgust, the frustration with the ethics violation, the disregard for the public's trust in this body because of a few of our colleagues isn't relegated to one side of the aisle or the other, nor one district or the other.

I think all of us in this institution today that took the oath of office are disgusted by the past; and that is why this body that last May passed a comprehensive ethics bill, which mostly was incorporated in this one, ironically, I think, it is fairly humorous, that most of our colleagues on the other side voted against it because it was not good enough, yet substantially similar to the one that is brought forward without our input into the process today.

Now I stand here today saying this isn't good enough. We could have done a better job of tightening down with lobbyists and gifts. Frankly, I don't know how to interpret the plane part, but I am concerned about establishing the public trust when someone accepts bribes.

In our package that was voted against by a lot of our colleagues from

the other side of the aisle that are pounding their chests today, in that was saying that you cannot receive the fruits that you earned during your tenure in this office if you have violated the public's trust.

That is not part of the bill that stands before us today. If you have accepted a bribe, you are convicted of a felony and are sitting in jail, you should not be able to accept the part of the government-funded pension or other government-funded benefits that you earned while you were here. You just simply cannot do that.

My folks back in Nebraska think that is absolutely absurd. I just wish we had a process in place where we could have worked in a partnership to improve this bill, to make it better. But we didn't have that opportunity, and I don't have the opportunity on behalf of my Nebraskans, who feel that it is absurd that you have cash in a freezer, that you can accept bribes like we had in a California or in an Ohio district, and still accept your pension. I think it is absurd that we don't have that opportunity today.

Frankly, the fact that those folks that voted against a comprehensive ethics reform package introduced one without Republican input to improve the bill smacks of partisanship to me. I thought we were going to clear the decks of that and start working together for the public good, and it just doesn't seem like it is happening today.

That is a poor start for civility in this body.

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

Let me just educate the gentleman that the change that he is asking for requires a statutory change. Today we are dealing with the House rules. I will assure the gentleman and his constituents in Nebraska and people all over the United States who agree with him that we will have the opportunity to do that. We will go through House Administration and you will have the opportunity to do that. We will hopefully have a unanimous vote on that.

□ 1830

I am also happy to hear the gentleman and others on the other side of the aisle all of a sudden speak in favor of ethics reform and real change and ending the culture of corruption in this House. It is amazing what an election will do.

With that, Mr. Speaker, I yield 4 minutes to the gentlewoman from Ohio (Ms. SUTTON), a new member of the Rules Committee.

Ms. SUTTON. Mr. Speaker, I thank the distinguished gentleman for yielding me this time.

I rise in strong support of the rules package.

Trust is a fragile thing. It is difficult to win, but easy to lose. It finds its hold on promises kept and honesty sustained and unquestionable integrity.

As the representative of the 13th District of Ohio, I am honored to rise on

this historic day to speak for the first time on the floor of the people's House.

And in so rising, I am proud that I do so to keep the faith with the people who sent me here to serve.

With our actions today, on this first day of the reform Congress, we begin to fulfill the awesome responsibility entrusted to us by the American people.

We have heard the call for change and it shall be heeded. Today, we sever the links between those who would buy influence on Capitol Hill and those who would willingly sell it.

We act to clean up the corruption which has eroded the public trust and resulted in far too many policies that benefit the well connected and the privileged few, at the expense of the greater good.

Title II of our rules package does just this. We end the K Street Project, which took peddling of access and influence to soaring new heights. We act to eradicate the cronyism and corruption. We cut off the gifts, the perks and travel wielded by special interests. We take the darkest inner workings of government and sanitize them with the light of day.

We will work to adopt this set of anti-corruption reforms to dismantle the dark corridors and backrooms and avenues to abuse that have allowed corruption to grow and flourish.

We will beat back the culture and abuses that have hurt the American people, both in policy and in spirit.

Today, we heed the call to put a halt to the corruption that has tarnished this House.

Trust is a fragile, sacred thing. And we, in the new 110th Congress, will protect it with all the power of our office.

Mr. DREIER. Mr. Speaker, let me, again, say that we look forward to supporting this package, much of which, the items that the gentlewoman just outlined, were included in H.R. 4975, which passed this House last May with strong bipartisan support.

Mr. Speaker, with that, I yield 2 minutes to my very good friend from Highland Park, Illinois (Mr. KIRK).

Mr. KIRK. Mr. Speaker, this House needs more ethics reforms, rather than less. And the package before the House makes a positive step, but falls short in several key areas.

The most important ethics reform that is missing from this package concerns taxpayer-funded pensions for Members of Congress convicted of a felony. Under current law, both Congressmen Trafficant of the Democratic Party and Cunningham of the Republican Party would still be eligible to collect a taxpayer-funded pension, even after being indicted and convicted beyond a shadow of a doubt by a jury of their peers of a felony.

Stopping taxpayer funded pensions for lawmakers who break the law is not a new issue. My home State of Illinois, a State not known for its clean government, in that State, we, at least, kill pensions for lawmakers who break the law, and we have done so for 30 years.

Ten years ago, Speaker PELOSI voted for H.R. 4011. That would have killed pensions for Congressmen for a conviction on any one of 21 separate felonies. She was right then, and it would be right now to terminate taxpayer-funded pensions for lawbreakers.

Mr. Speaker, Democratic Congressman BRAD SHERMAN and I joined to support these very reforms in the last Congress. And we, at least, passed limited reforms and allowed the Senate at least to consider them.

But today, the 100 hours fails to take up this issue. None of these pension killing reforms are in the package or are currently scheduled.

I take what the gentleman from Massachusetts (Mr. MCGOVERN) says very seriously, that he has made a commitment to bring up legislation to kill pensions for Members of Congress convicted of a felony.

I have introduced legislation, H.R. 14, to do exactly that, modeled after the legislation supported by former Speaker HASTERT as well as Speaker PELOSI. These are commonsense reforms, already part of the law of the land in the land of Lincoln, and long ago should be part of the ethics reforms of this House.

Mr. MCGOVERN. Mr. Speaker, let me just respond to the gentleman from Illinois (Mr. KIRK) by saying I know I am from Massachusetts, and you may think I have a funny accent and you have trouble understanding me. But let me repeat what I said before. In order to make the changes on the pension issue that he is asking for, which we all support, it requires a statutory change. And I think the staff over there will help clarify that. We are all for that.

In H.R. 4011, which Ms. PELOSI supported that you mentioned was a statute. We are going to do that.

Let me just say one other thing to the gentleman. You keep on referring to your ethics reform package as if it was some kind of this monumental change and reform.

You didn't ban the K Street Project, which has really resulted in so much outrage across the country. You had a temporary suspension on the issue of travel, and you had no ban on lobbyists' gifts.

This is real reform. We are going to end the culture of corruption.

With that, Mr. Speaker, I yield for the purpose of debate only 2 minutes to the gentlewoman from New York (Mrs. GILLIBRAND).

Mrs. GILLIBRAND. Mr. Speaker, the honorable Member from my neighboring district, I am honored to be here. My new colleagues, thank you for the opportunity to speak on such an important issue.

The voters of my district and this Nation were very clear about this past election. They want change. They want real ethics reform, and they want our country to be placed in a new direction. This is what we are here to do today. We are going to restore the ethics and integrity back to Congress.

I am honored to be here today to have the opportunity to help do that restoration and take an important step to end the influence and corruption in Congress that special interests have over the legislative process.

The honest leadership package that we are voting on today and tomorrow specifically addresses the concerns that the American people have had about the legislative process and about our elected leaders. This legislation will end the practice of privately funded trips from lobbyists. If I take an official trip, my congressional budget will pay for it. If I take a vacation, I will pay for it. That is how it should be for everyone.

I also pledge to my constituents, and will vote as part of this legislation, to never accept any gifts from lobbyists, nor will my staff.

My job, and all of our jobs, is to represent the citizens of our districts. And this is the only group that I will be answerable to.

I encourage my colleagues to join me in voting in favor of ending the culture of corruption and providing the environment where we can get back to what is most important, working for the people of the United States.

Thank you, Mr. Speaker, for the opportunity to speak on this very important issue to the constituents of my 20th Congressional District of New York.

Mr. DREIER. Mr. Speaker, let me just, before yielding to the gentleman from Marietta, say very quickly again, the legislation that passed the House, H.R. 4975, specifically banned the K Street Project. Look at the language. It is virtually identical. We focused on the issue of lobbyist travel and gifts. And I believe that we can come together in a bipartisan way. We want to work in a civil tone, as was outlined by Speaker PELOSI today.

Mr. Speaker, with that I am happy to yield 3 minutes to my very good friend, former member of the Rules Committee, the gentleman from Marietta, Dr. GINGREY.

Mr. GINGREY. Mr. Speaker, I was surprised when reading title II of this resolution, as it looks conspicuously like the ethics package passed by the Republican majority last Congress; the ethics package that only eight Democrats voted to support. I suspect today more than eight Democrats will finally agree with the Republicans that meaningful ethics reform is a priority of the American people.

In fact, the most obvious change in the Democratic package is the overly partisan and adversarial tone, adding headlines like "Ending the K Street Project" to language that was included in the Republican legislation. And for what purpose other than a partisan poke in the minority's eye?

Democrats campaigned on the promise of a more open and inclusive government, assuring us of their bipartisan intentions. Well, today, on the first day of the 110th, that promise has

been broken. Indeed, it has been smashed.

Additionally, as the focus of title II is on fostering a spirit of civility, I find it particularly troubling that the Democrats have decided to allow only 10 minutes of debate, 5 minutes on each side, on title V of this resolution, which we will take up tomorrow.

During this brief 10 minutes of debate, we will dramatically change the way the Rules Committee does business and outline the process by which five bills, including stem cell research, the 9/11 Commission recommendation, and minimum wage legislation will be considered. That is not even 2 minutes per proposal.

So this is hardly, Mr. Speaker, the tone of civility my colleagues on the other side of the aisle are promising to foster in the 110th Congress.

The American people and the Members of this body expect more from the Democrats. Their false promises of bringing a new age of bipartisanship and transparency to the halls of this Congress have clearly not materialized, despite the insistence on this by my former colleague, Mr. MCGOVERN, while a minority member of the Rules Committee who stated, on September 28, 2006, while discussing the Electronic Surveillance Modernization Act, and I quote, "If my Republican friends want that trend of closed rules and no amendments, of no democracy in the House to continue, then, by all means, vote for this. Just go along to get along. But if you believe, as I do, that the monopoly on good ideas is not held by a few members of the leadership in a closed room, then vote "no." Have the guts to vote "no." End quote.

Mr. Speaker, I know why the Democratic leadership is trying to limit debate on these liberal bills, but the American people deserve to have a voice in this process, the voice of their elected representatives. Today, it is clear we have been denied that voice.

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

Let me just say, respond to my good friend from Georgia (Mr. GINGREY), who I am going to miss on the Rules Committee, if he thinks that the Republican reform package was meaningful reform, I will lend you my bifocals so you can read it more carefully. What ended up happening, what you ended up enacting essentially, after 12 years in the majority, was banning lobbyists from the locker room. That is all that became law.

You controlled the House of Representatives. You controlled the Congress. And you controlled the United States Senate, and that is basically all that you did.

So I would just say to the gentleman, if he wants to vote "no" on this, he can go right ahead and vote "no" on it. But that is defending the status quo.

I think the American people made it very clear during the last election that they are sick of the culture of corruption; that they want a ban on lobby-

ists' gifts; that they want an end to the K Street Project. They want a ban on Members using corporate jets to fly around the country. And so if you want to vote for the status quo, vote "no" on this. If you want to vote for real meaningful change, vote "yes."

Mr. Speaker, for the purpose of debate only, I yield 2 minutes to the gentleman from New Hampshire (Mr. HODES).

Mr. HODES. Mr. Speaker, thank you to the gentleman from Massachusetts for yielding time.

Dear colleagues, it is my great privilege to rise today for the first time as the Representative for New Hampshire's Second District. It is humbling to serve with so many men and women I have admired for so long and to stand in this Chamber, hallowed by American history as the people's House.

But while today is dedicated, in part, to celebration, there is no time to waste in fixing the ills that have plagued this House in recent years.

Traveling across my State of New Hampshire this fall, I heard one clear, consistent message from voters—from Democrats, Independents and Republicans. We are fed up with the mess in Washington. Go down there and fix it.

Mr. Speaker, while most Americans see Congress as somewhat distant from their lives, they probably couldn't rattle off the names of Congressional leadership, for example, or quote bill numbers, they do understand with absolute clarity when Members of Congress are working for them or when Members of Congress are working for themselves.

□ 1845

Now, the Democratic ethics reform package is much needed and it is long overdue. While some in this body may bristle at its stringency, and some are now heard to complain, apparently, that it doesn't go far enough, as a new Member, I can tell you that it is only logical and only just to make these changes to the House rules, starting today and starting now.

We must ban gifts and travel from lobbyists, we must put a stop to the pernicious K Street Project, we must reform the way we spend taxpayers' money and the way we write and pass the bills meant to protect taxpayers' interests.

I strongly support the adoption of the Democratic rules package. I urge my colleagues on both sides of the aisle to vote "yes."

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to congratulate the gentleman from New Hampshire. We welcome him here. Unfortunately, this package doesn't start today and start now. It starts March 1 of 2007, 2 months from now.

I also want to say to my very good friend from Massachusetts once again that if you look at the package that we passed in May of last year, it is a package that enjoyed bipartisan support. It is one of which we are very proud. And I believe that if you look at the fact

that we did go beyond preventing registered lobbyists from coming onto the House floor and the gym, we are doing many of those same things here. It has been done before.

And that is why we are proud to be here in support of this effort, which, again, some of us believe does not go far enough and there are some problems with it, but we do believe it is a positive step. Why? Because it is a reaffirmation of what Speaker HASTERT led us to last year.

With that, Mr. Speaker, I am very happy to yield 4 minutes to my good friend from Arizona (Mr. SHADEGG).

Mr. SHADEGG. I thank the gentleman for yielding, and I want to express my concern about the tone of this debate. Let me make it clear: I compliment my colleagues on the other side of the aisle. Ethics reform is needed here, and today you are making a good first step. But please listen carefully to those of us on this side of the aisle who will vote with you for this package when we implore you to go further and when we take some credit for the efforts of the past.

It is true that we passed as a law through this House, sadly the Senate did not follow suit, a bill that corrected many of these things. Your bill, in some respects, goes further, but some of us are concerned that it needs to go even further. And it is not because we are revisionists.

I have campaigned in this body and out of this body throughout my career for reform. I believe it is not enough just to do so-called lobbyist reform. We must direct our ethics reform at the Members of this institution. And one way to do that is a way that was recognized by our new Speaker a decade ago, and that is to say that the Hiss Act, passed clear back in 1954, which said a Member of Congress who was convicted of bribery would lose his or her pension, should be reinstated, because it was repealed in 1961.

Over a year ago, watching what I was disappointed in in the criminal conduct of some Members of this body, I introduced a bill with 57 cosponsors saying that any Member, any Member, Republican, Democrat or otherwise, convicted of bribery in connection with their office ought to, at an absolute minimum, lose their pension. And I believe that is the standard we owe the American people, and no less.

My colleague says this is just a rules package, but this is your first hundred hours. There is no rule that says you could not have brought a statute, and I implore the gentleman and tell him that I will join with him, as will my colleague from Illinois and my colleague from Nebraska, each of whom had introduced bills a year ago or more seeking to prohibit Members from collecting a taxpayer-funded pension when they have, as the gentleman from Massachusetts pointed out, used this office not as one of public trust but one of public abuse to benefit themselves.

There is no time for delay. Pass a reform now punishing Members who misuse their office. Take away their pensions and do it now.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume, and I will commit to the gentleman from Arizona that we are going to enter into that exchange, and I look forward to having that statute on the floor where he can speak in favor of it and we can speak in favor of it too.

Let me also, Mr. Speaker, correct the record. The distinguished former chairman of the Rules Committee said none of this ethics reform takes place for 4 months. That is true on the travel, and I clarified that earlier as to why that is the case, so we had time to implement the rules and regulations of disclosure. But everything else, I will assure him, takes place immediately.

So once this ethics package passes, I would urge my colleague from California not to go out to dinner with any of his lobbyist friends because he might be breaking the law.

Mr. Speaker, I yield for purposes of debate only 2 minutes to the distinguished gentleman from Florida (Mr. MAHONEY).

Mr. MAHONEY of Florida. Mr. Speaker, I rise today representing Florida's 16th District and a voice in support of title II of the rules of the House relating to ethics reform in the House of Representatives.

Today, Democrats, and I hope with the support of our Republican colleagues, will pass an aggressive reform package that keeps our promise to the American people and reforms how we do business here in Washington. These ethics reforms mark an end to a tragic era in American history where the pursuit of power has cost us the faith of the American people.

We are here today to rebuild America's trust and make a promise that never again will special interest trump the interest of this great Nation. As Americans communicated on election day, they want political debate and they want the ability to choose. They are not interested in monopolies by either party on political power.

As we move forward, we can only solve the key challenges facing this great Nation by reestablishing the credibility, our credibility, to the American people. Under the new House leadership, the era of special interest politics will end and hardworking families, not lobbyists, will have a voice in Congress again.

I urge my colleagues to support these important changes to the House ethics rules.

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from California has 14½ minutes remaining, and the gentleman from Massachusetts has 9½ minutes remaining.

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

Mr. MCGOVERN. Mr. Speaker, at this time it is my privilege to yield 2 minutes to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. Mr. Speaker, I appreciate the opportunity to address the body and speak to the issue of finance, ethics, and other reform that is before the body; and I do it in support of those you have already heard today, many of whom represent the outrage, as has been mentioned, of their constituencies because of situations that were faced by those that they ran against. It is an opportunity that we had to send a clear and positive message to the American people that what they called for in this past election is going to be carried out.

The exit polls all across this country reflected that the number one issue, the number one issue on which the voters cast their vote in the election of 2006 was concern about ethics and reforming ethics. We owe it to the American people, we owe it to all those in this body, and I sincerely recognize that everyone in this body is committed to this. We owe it to all of those to articulate and enact a rules package that incorporates this significant reform.

It is a privilege and an honor for me to stand in support of this package and in support of the ethics reforms being called for by the American people.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to say that I do congratulate my colleagues. I want to begin by saying as a Californian that I am very proud of the fact that California has provided the first female Speaker of the House of Representatives. Similarly, I have congratulated our colleague, Ms. SLAUGHTER, who will be the first woman to chair the Rules Committee in our Nation's history.

This has been a historic day and I believe a very exciting day for us. I am pleased that we have been able to do a number of things already in a bipartisan way, and I think this issue of ethics and lobbying reform, building on the reforms that we passed in the 109th Congress, utilizing those very positive provisions, is exactly what we are about to vote on here in just a few minutes; and I think that it is a time when we can be civil.

And I will say to all of my friends on both sides of the aisle, the American people want us to deal with these problems, and I will reaffirm my commitment to my colleagues on the Rules Committee that I will continue to strive to comport myself in the most dignified way possible in dealing with my colleagues, and I urge support of this very important measure.

I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to say to my colleague from California (Mr. DREIER) that I appreciate his words of cooperation and bipartisanship, and I do hope, and it is my belief, that you will see a change in terms of more outreach across the aisle and more respect, quite frankly, for the

opinions of every single Member of this House.

I agree this is a historic day. This is not only a historic day because we have elected the first woman Speaker of the House in the history of the United States of America, but this is also a historic day for what we are about to vote on. We are about to change the way we do business here in Washington. We are responding to what the American people made very clear on election day, that they are tired of the ethical lapses of their leaders in government; that they want an end to the culture of corruption; that they want a government that has high ethical standards; that they want Members of Congress to adhere to those high ethical standards and, if they do not, that they will be held accountable. So what we are doing today in this ethics package, I think, is also an important moment in our history.

What we are doing is we are doing what is right. We are holding the Members of this House to the very highest ethical standards. And I want to say to my colleague from Arizona (Mr. SHAD-EGG) that I agree with him on the pension issue. So do, I think, everybody on our side of the aisle. And we are going to address that and we are going to hopefully get a unanimous vote on that issue, because he is right on that issue. But, again, we are not dealing with that. That requires a statutory change, and today we are dealing with the House rules.

Mr. Speaker, what we are doing here today, I will remind my colleagues again, is very important. We are ending gifts by lobbyists to Members of Congress, we are banning the use of corporate jets for Members of Congress for a minimal price so that they can take a corporate jet and fly anywhere in this country. No one else can do that, yet that has been a practice by too many Members in this Congress. That will be banned.

We will end the lobbyist-sponsored golf junkets. They will be relics of the past. This is a new day. This is a day where ethics and where integrity are going to hold a very, very high place. We are going to end the culture of corruption with this vote, and I urge my colleagues on both sides of the aisle to vote "yes" on that.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of Title II of H.R. 6, the Rules of the House of Representatives for the 110th Congress. With the adoption of this title, we begin to make good on our pledge to "drain the swamp" and end the "culture of corruption" that pervaded the 109th Congress.

Mr. Speaker, it is critically important that we adopt the ethics rules contained in Title II because Americans are paying for the cost of corruption in Washington with skyrocketing prices at the pump, spiraling drug costs, and the waste, fraud and no-bid contracts in the Gulf Coast and Iraq, for Administration cronies like Halliburton.

Ethics and legal scandals plagued the Republican Congress—from the resignation of Reps. Tom DeLay and Duke Cunningham to

the admission of illegal or improper conduct by Reps. Bob Ney and Mark Foley.

The cozy relationship between Congress and special interests we saw during the 109th resulted in serious lobbying scandals, such as those involving Republican super lobbyist Jack Abramoff. In this scandal, a former congressman pleaded guilty to conspiring to commit fraud—accepting all-expense-paid trips to play golf in Scotland and accepting meals, sports and concert tickets, while providing legislative favors for Abramoff's clients.

But that is not all. Under the previous Republican leadership of the House, lobbyists were permitted to write legislation, 15-minute votes were held open for hours, and entirely new legislation was sneaked into signed conference reports in the dead of night.

The American people registered their disgust at this sordid way of running the Congress last November and voted for reform. Democrats picked up 30 seats held by Republicans and exits polls indicated that 74 percent of voters cited corruption as an extremely important or a very important issue in their choice at the polls.

Ending the culture of corruption and delivering ethics reform is one of the top priorities of the new majority of House Democrats. That is why as our first responsibility in fulfilling the mandate of this critical election, Democrats are offering an aggressive ethics reform package. We seek to end the excesses we witnessed under the Republican leadership and to restore the public's trust in the Congress of the United States.

Mr. Speaker, I commend Chairman SLAUGHTER and the members of the Rules Committee for their excellent work in preparing this ethics reform package. The reforms contained in the package are tough but not nearly too tough for persons elected to represent the interests of the 600,000 constituents in their congressional districts. Indeed, similar bipartisan lobbying and government reform proposals were debated and passed by the House and Senate in 2006 but the Congress failed to reconcile the two versions.

Mr. Speaker, I support each element of the ethics reform package, which bans gifts from lobbyists; bans lobbyist financed trips and travel; requires pre-approval and certification for travel financed by outside groups; prohibits use of corporate aircraft; ends the notorious K Street Project; and mandates ethics training for all House employees.

#### BANS GIFTS FROM LOBBYISTS

Members of Congress are paid enough by the taxpayers to afford to pay for their own meals. Lobbyists can make their case by providing Members of Congress accurate, reliable, and persuasive information. Thus, it is appropriate that the House rules should ban gifts, including meals and tickets, from lobbyists and the organizations that employ them, and require that tickets to sporting and other events given to Members and staff by non-lobbyists are valued at market price.

#### BANS LOBBYIST TRAVEL

Another reform that I support is the ban on lobbyists and the organizations that employ them from financing travel for Members or staff, except for one-day travel to visit a site, attend a forum, participate in a panel, or give a speech. As the scandal involving Jack Abramoff revealed, lobbyist financed travel led to serious abuse. The new rules do not ban such travel altogether but directs the Com-

mittee on Standards of Official Conduct to develop guidelines for minimal lobbyist involvement for one-day/one-night travel. It should be noted, however, that travel provided by a private university is not to be affected by anything in the rules package.

#### REQUIRES CERTIFICATION AND PRE-APPROVAL FOR TRAVEL PAID FOR BY OUTSIDE GROUPS

I also support the travel certification and pre-approval provisions. The new ethics rules require sponsors of all other permitted travel to certify that they have abided by all restrictions on lobbyist involvement and requires Members and staff to obtain pre-approval from the ethics committee for travel to ensure trips are connected to official duties, the amount spent is limited to reasonable expenses, and the destination is related to the purpose of the trip. The rules require the full disclosure of all travel within 15 days after the trip. Travel provisions take effect beginning on March 1, 2007.

#### PROHIBITS USE OF COMPANY PLANES

Next, the new rules prohibit the use of official, personal or campaign funds to pay for the use of non-commercial, corporate jets. This provision does not apply to charter plane services or to airplanes owned by Members.

#### ENDS THE K STREET PROJECT

Clarifies that no Member can take or withhold an official act, or influence, or offer or threaten to influence, the official act of another with the intent to influence on the basis of partisan political affiliation an employment decision or employment practice of any private entity.

#### MANDATES ETHICS TRAINING

Finally, and effective March 1, 2007, the new rules require the Committee on Standards of Official Conduct to offer annual ethics training to members, delegates, the resident commissioner, officers and employees of the House. This training would be required to involve the classes of employees deemed appropriate by the committee and must include the aspects of the Code of Official Conduct and related House rules deemed appropriate.

The required training is to be provided to new officers or employees within 60 days of their employment, and each officer or employee is to file a certification with the committee by January 31 certifying that they have attended training in the past year.

#### CONCLUSION

Mr. Speaker, it is wholly fitting and proper that the Members of this House, along with all of the American people, paid fitting tribute to the late President Gerald R. "Jerry" Ford, a former leader in this House, who did so much to heal our Nation in the aftermath of Watergate. Upon assuming the presidency, President Ford assured the Nation: "My fellow Americans, our long national nightmare is over." By his words and deeds, President Ford helped turn the country back on the right track. He will be forever remembered for his integrity, good character, and commitment to the national interest.

This House today faces a similar challenge. To restore public confidence in this institution we must commit ourselves to being the most honest, most ethical, most responsive Congress in history. We can end the nightmare of the last 6 years by putting the needs of the American people before those of the lobbyists and special interests. To do that, we must start by adopting Title II of H.R. 6, the ethics

reforms to the Rules of the House of Representatives for the 110th Congress.

Mr. LEVIN. Mr. Speaker, I rise in strong support of the Honest Leadership and Open Government rules package currently before the House.

Reform of the way this House conducts its business is not an option. It is an absolute necessity. A recent poll found that only 37 percent of Americans approve of how Congress is doing its job. Does anyone here doubt that the ethical scandals and procedural abuses of recent years are a major factor for this low public approval rating? In 2006 alone, four Members of the House resigned their seats under a cloud. Two of these former Members have already been convicted for unethical and illegal ties to lobbyists.

I do not believe that these specific abuses represent the majority of Members, but I do believe it is the responsibility of the Majority party to set out strong rules that can begin to regain the trust of the American people in their institution of Congress.

For many years now, our constituents have been bombarded by media reports of cozy relationships between Congress and special interests lobbyists. They are incensed by news reports of Members accepting all-expense-paid trips to play golf in Scotland, the flagrant abuse of House rules to hold 15-minute votes open for hours for the sole purpose of affecting the outcome, the widening Jack Abramoff lobbying scandal, and the lack of accountability and transparency in how congressional earmarks are awarded.

I mentioned that our constituents learned about these abuses from the media, in their morning newspapers and on the nightly news. Too often in recent years, it is also from the media that rank-and-file Members of Congress have learned about special interest provisions that were secretly inserted into legislation in the dead of night and brought up for a vote before Members had an opportunity to read what they were being asked to vote on. This form of secret legislating has got to stop, and it will stop under this reform package.

The reform package before the House will also curb a large number of the other abuses that have come to light. These reforms will ban gifts from lobbyists, expand and tighten the restrictions on congressional travel paid for by outside groups, prohibit travel on corporate jets, and require greater public disclosure of targeted special interest legislation. The reforms will also prohibit the practice of holding votes open for the sole purpose of affecting the outcome.

There are many other needed reforms contained here, but the one I want to single out is the provision that restores pay-as-you-go budgeting. Pay-as-you-go budgeting simply means that Congress will not consider any legislation to boost entitlement spending or cut taxes unless it is fully paid for. Before they were abandoned in 2002, the pay-as-you-go rules helped to turn record deficits into record surpluses in the 1990s. Since abandoning pay-as-you-go, the cumulative deficit for the past four years has totaled over \$1.36 trillion. We simply cannot continue to pile up more and more debt and pass it along to our children and grandchildren.

For all these reasons, I urge all my colleagues to join me in voting for the House rules reform package before the House.

Mr. SIRES. Mr. Speaker, I rise in support of H.R. 6.



Throughout history, there has been an on-going struggle to put the people's interest ahead of special interests. With this legislation, we put an end to this age-old struggle. The 110th Congress has been given a mandate by the people and make sure their's are the voices that are heard.

To do this, we must ban gifts and meals from lobbyists and the organizations that they represent. We must ban lobbyists from planning, organizing, financing and participating in travel for Members or staff. We must protect the American taxpayer by requiring full disclosure of earmarks so that they know how their money is being spent. We must ensure that the business of the people is completed in a fair and open way.

As we start the 110th Congress, we must govern our own chamber in a manner that represents the interests of our constituents. This is why I proudly rise in support of this measure and urge my colleagues to do the same.

Mr. TERRY. Mr. Speaker, I rise today to express my deep disappointment in the rules package we are considering today.

The message from the American public last fall was "we want Republicans and Democrats to work together." We all had high expectations for a "new way of doing business in Washington."

This past week during the Nation's remembrance of former President Gerald Ford, we were all reminded of the way Republicans and Democrats were able to find common ground to solve the country's problems. There was a time when the two parties could come together in the national interest.

Where, Mr. Speaker, did all of those grand and high-minded promises of bipartisanship go? I hope this is not a precedent for how the House will operate during the rest of the 110th Congress. Our constituents expect us to work together and get things done for the good of the country.

Included in this rules package are a number of ethics reforms, but they do not go far enough. We must have tougher and stronger ethics reform.

Today, there are Members serving in the House who have contributed to the American public's loss of confidence in this body. One Member was found to have \$90,000 in cash in his freezer; another Member of the Appropriations Committee established separate entities that were recipients of appropriation funds. Yet, this rules package and the ethics reforms in it do nothing to punish such behavior.

We must adopt tougher and stronger measures if we are going to regain the trust of the American public. In my District, Nebraskans sent a clear message that said if Members take bribes and abuse the public's trust, they should not be protected and should not be allowed to reap the benefits of their House service such as a pension paid for by the taxpayers. Under this new Congressional leadership, Nebraska's voice will not be heard. I won't be allowed to even offer an amendment to be denied by the Rules Committee.

Mr. Speaker, I am introducing today legislation that I introduced last year—to deny pension benefits to any Member or government official who is convicted of a crime that violates the public trust. Because of the lack of a fair and open process in this House, I have been denied the opportunity to offer this legislation as an amendment.

This is not what American voters wanted to see after last fall's election. We are being denied the chance to work together. We need to restore the public's confidence in this House and one way to do that is to work together to solve the problems facing this Nation.

Mr. Speaker, I yield back the balance of my time.

□ 1900

The SPEAKER pro tempore (Mr. McNULTY). Pursuant to House Resolution 5, the previous question is ordered on the portion of the divided question comprising title II.

The question is on that portion of the divided question.

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

Mr. McGOVERN. 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 430, nays 1, not voting 4, as follows:

[Roll No. 7]

YEAS—430

Abercrombie  
Ackerman  
Aderholt  
Akin  
Alexander  
Allen  
Altmire  
Andrews  
Arcuri  
Baca  
Bachmann  
Bachus  
Baird  
Baker  
Baldwin  
Barrett (SC)  
Barrow  
Bartlett (MD)  
Barton (TX)  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehner  
Bonner  
Bono  
Boozman  
Boren  
Boswell  
Boucher  
Boustany  
Boyd (FL)  
Boyd (KS)  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Butterfield  
Calvert  
Camp (MI)  
Campbell (CA)  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney

Carson  
Carter  
Castle  
Castor  
Chabot  
Chandler  
Clarke  
Clay  
Cleaver  
Clyburn  
Coble  
Cohen  
Cole (OK)  
Conaway  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cramer  
Crenshaw  
Crowley  
Cubin  
Cuellar  
Culberson  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (KY)  
Davis, David  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Donnelly  
Doolittle  
Doyle  
Drake  
Dreier  
Duncan  
Edwards  
Ehlers  
Ellison  
Ellsworth  
Emanuel  
Emerson  
Engel  
English (PA)  
Eshoo  
Etheridge  
Everett  
Fallin  
Farr

Fattah  
Feeney  
Ferguson  
Filner  
Flake  
Forbes  
Fortenberry  
Fossella  
Foxy  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Garrett (NJ)  
Gerlach  
Giffords  
Gilchrest  
Gillibrand  
Gillmor  
Gingrey  
Gohmert  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Granger  
Graves  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hall (NY)  
Hall (TX)  
Hare  
Harman  
Hastert  
Hastings (FL)  
Hastings (WA)  
Hayes  
Heller  
Hensarling  
Herger  
Herseth  
Higgins  
Hill  
Hinchev  
Hinojosa  
Hirono  
Hobson  
Hodes  
Hoekstra  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Hulshof  
Hunter  
Inglis (SC)  
Inslee  
Israel  
Issa  
Jackson (IL)

Jackson-Lee  
(TX)  
Jefferson  
Jindal  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Jordan  
Kagen  
Kanjorski  
Kaptur  
Keller  
Kennedy  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Klein (FL)  
Kline (MN)  
Knollenberg  
Kucinich  
Kuhl (NY)  
LaHood  
Lamborn  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Loeback  
Lofgren, Zoe  
Lowey  
Lucas  
Lungren, Daniel  
E.  
Lynch  
Mack  
Mahoney (FL)  
Maloney (NY)  
Manzullo  
Marchant  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul (TX)  
McCollum (MN)  
McCotter  
McCrery  
McDermott  
McGovern  
McHenry  
McHugh  
McIntyre  
McKeon  
McMorris  
Rodgers  
McNerney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Melancon  
Mica  
Michaud

Millender-  
McDonald  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Musgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Neugebauer  
Nunes  
Oberstar  
Obey  
Oliver  
Ortiz  
Pallone  
Pascrell  
Pastor  
Paul  
Payne  
Pearce  
Pelosi  
Pence  
Perlmutter  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Poe  
Pomeroy  
Porter  
Price (GA)  
Price (NC)  
Pryce (OH)  
Putnam  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reichert  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Roskam  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sali  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Saxton  
Schakowsky

Schiff  
Schmidt  
Schwartz  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Sestak  
Shadegg  
Shays  
Shea-Porter  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Skelton  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Space  
Spratt  
Stark  
Stearns  
Stupak  
Sullivan  
Sutton  
Tancredo  
Tanner  
Tauscher  
Taylor  
Terry  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Towns  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velázquez  
Viscosky  
Walberg  
Walden (OR)  
Walsh (NY)  
Walz (MN)  
Wamp  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch (VT)  
Weldon (FL)  
Weller  
Westmoreland  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (OH)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Yarmuth  
Young (AK)  
Young (FL)

NAYS—1

Burton (IN)

NOT VOTING—4

Brown (SC)  
Buyer

Davis, Lincoln  
Norwood

□ 1929

So that portion of the divided question 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. LINCOLN DAVIS of Tennessee. Mr. Speaker, on rollcall No. 7, had I been present, I would have voted "yea."

The SPEAKER pro tempore (Mr. McNULTY). Pursuant to section 4 of House Resolution 5, further proceedings will be postponed.

#### MESSAGE FROM THE SENATE

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

S. RES. 2

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

S. RES. 5

*Resolved*, That the House of Representatives be notified of the election of the Honorable Robert C. Byrd as President of the Senate pro tempore.

S. RES. 10

*Resolved*, That the House of Representatives be notified of the election of the Honorable Nancy Erickson as Secretary of the Senate.

S. RES. 13

*Resolved*, That the House of Representatives be notified of the election of the Honorable Terrance W. Gainer as Sergeant at Arms and Doorkeeper of the Senate.

The message also announced that pursuant to Public Law 95-521, the Chair, on behalf of the President pro tempore, appoints Patricia Mack Bryan, of Virginia, as Deputy Senate Legal Counsel, for a term of service to expire at the end of the 111th Congress.

The message also announced that pursuant to Public Law 95-521, the Chair, on behalf of the President pro tempore, appoints Morgan J. Frankel, of the District of Columbia, as Senate Legal Counsel, for a term of service to expire at the end of the 111th Congress.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 159. An act to redesignate the White Rocks National Recreation Area in the State of Vermont as the "Robert T. Stafford White Rocks National Recreation Area".

□ 1930

#### ELECTION OF MAJORITY MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. EMANUEL. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 7) 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 fol-

lowing standing committees of the House of Representatives:

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

(2) COMMITTEE ON APPROPRIATIONS.—Mr. Obey, Chairman; Mr. Murtha, Mr. Dicks, Mr. Mollohan, Ms. Kaptur, Mr. Visclosky, Mrs. Lowey, Mr. Serrano, Ms. DeLauro, Mr. Moran of Virginia, Mr. Olver, Mr. Pastor, Mr. Price of North Carolina, Mr. Edwards, Mr. Cramer, Mr. Kennedy of Rhode Island, Mr. Hinchey, Ms. Roybal-Allard, Mr. Farr, Mr. Jackson of Illinois, Ms. Kilpatrick of Michigan, Mr. Boyd of Florida, Mr. Fattah, Mr. Rothman, Mr. Bishop of Georgia, Mr. Berry, Ms. Lee, Mr. Udall of New Mexico, Mr. Schiff, Mr. Honda, Ms. McCollum of Minnesota, Mr. Israel, Mr. Ryan of Ohio, Mr. Ruppersberger, Mr. Chandler, Ms. Wasserman Schultz, Mr. Rodriguez.

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

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

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

(6) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Dingell, Chairman; Mr. Waxman, Mr. Markey, Mr. Boucher, Mr. Towns, Mr. Pallone, Mr. Gordon of Tennessee, Mr. Rush, Ms. Eshoo, Mr. Stupak, Mr. Engel, Mr. Wynn, Mr. Gene Green of Texas, Ms. DeGette, Mrs. Capps, Mr. Doyle, Ms. Harman, Mr. Allen, Ms. Schakowsky, Ms. Solis, Mr. Gonzalez, Mr. Inslee, Ms. Baldwin, Mr. Ross, Ms. Hooley, Mr. Weiner, Mr. Matheson, Mr. Butterfield, Mr. Melancon, Mr. Barrow, Mr. Hill.

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

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

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

(10) COMMITTEE ON HOUSE ADMINISTRATION.—Ms. Millender-McDonald, Chairman.

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

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

(13) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Waxman, Chairman.

(14) COMMITTEE ON RULES.—Ms. Slaughter, Chairman.

(15) COMMITTEE ON SCIENCE AND TECHNOLOGY.—Mr. Gordon of Tennessee, Chairman.

(16) COMMITTEE ON SMALL BUSINESS.—Ms. Velázquez, Chairman.

(17) COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT.—Mrs. Jones of Ohio, Chairman.

(18) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. Oberstar, Chairman.

(19) COMMITTEE ON VETERANS' AFFAIRS.—Mr. Filner, Chairman.

(20) COMMITTEE ON WAYS AND MEANS.—Mr. Rangel, Chairman; Mr. Stark, Mr. Levin, Mr. McDermott, Mr. Lewis of Georgia, Mr. Neal of Massachusetts, Mr. McNulty, Mr. Tanner, Mr. Becerra, Mr. Doggett, Mr. Pomeroy, Mrs. Jones of Ohio, Mr. Thompson of California, Mr. Larson of Connecticut, Mr. Emanuel, Mr. Blumenauer, Mr. Kind, Mr. Pascarel, Ms. Berkley, Mr. Crowley, Mr. Van Hollen, Mr. Meek of Florida, Ms. Schwartz of Pennsylvania, Mr. Davis of Alabama.

Mr. EMANUEL (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 Illinois?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### ELECTION OF MINORITY MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. PUTNAM. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution (H. Res. 8) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 8

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

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

(2) COMMITTEE ON APPROPRIATIONS.—Mr. Lewis of California, Mr. Young of Florida, Mr. Regula, Mr. Rogers of Kentucky, Mr. Wolf, Mr. Walsh of New York, Mr. Hobson, Mr. Knollenberg, Mr. Kingston, Mr. Frelinghuysen, Mr. Wicker, Mr. Tiahrt, Mr. Wamp, Mr. Latham, Mr. Aderholt, Mrs. Emerson, Ms. Granger, Mr. Peterson of Pennsylvania, Mr. Goode, Mr. Doolittle, Mr. LaHood, Mr. Weldon of Florida, Mr. Simpson, Mr. Culberson, Mr. Kirk, Mr. Crenshaw, Mr. Rehberg, Mr. Carter, Mr. Alexander.

(3) COMMITTEE ON ARMED SERVICES.—Mr. Hunter.

(4) COMMITTEE ON THE BUDGET.—Mr. Ryan of Wisconsin.

(5) COMMITTEE ON EDUCATION AND LABOR.—Mr. McKeon.

(6) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Barton of Texas.

(7) COMMITTEE ON FINANCIAL SERVICES.—Mr. Bachus.

(8) COMMITTEE ON FOREIGN AFFAIRS.—Ms. Ros-Lehtinen.

(9) COMMITTEE ON HOMELAND SECURITY.—Mr. King of New York.

(10) COMMITTEE ON HOUSE ADMINISTRATION.—Mr. Ehlers, Mr. Daniel E. Lungren of California, Mr. McCarthy of California.

(11) COMMITTEE ON THE JUDICIARY.—Mr. Smith of Texas.

(12) COMMITTEE ON NATURAL RESOURCES.—Mr. Young of Alaska.

(13) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Tom Davis of Virginia.

(14) COMMITTEE ON RULES.—Mr. Dreier, Mr. Lincoln Diaz-Balart of Florida, Mr. Hastings of Washington, Mr. Sessions.

(15) COMMITTEE ON SCIENCE AND TECHNOLOGY.—Mr. Hall of Texas.

(16) COMMITTEE ON SMALL BUSINESS.—Mr. Chabot.

(17) COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT.—Mr. Hastings of Washington.

(18) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. Mica.

(19) COMMITTEE ON VETERANS' AFFAIRS.—Mr. Buyer.

(20) COMMITTEE ON WAYS AND MEANS.—Mr. McCrery, Mr. Herger, Mr. Camp of Michigan, Mr. Ramstad, Mr. Sam Johnson of Texas, Mr. English of Pennsylvania, Mr. Weller of Illinois, Mr. Hulshof, Mr. Lewis of Kentucky, Mr. Brady of Texas, Mr. Reynolds, Mr. Ryan of Wisconsin, Mr. Cantor, Mr. Linder, Mr. Nunes, Mr. Tiberi, Mr. Porter.

Mr. PUTNAM (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 Florida?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.