

Union Calendar No. 471104TH CONGRESS }
2d Session

HOUSE OF REPRESENTATIVES

{ REPORT
104-868

SURVEY OF ACTIVITIES
OF THE
HOUSE COMMITTEE ON RULES
104TH CONGRESS

R E P O R T
OF THE
COMMITTEE ON RULES



NOVEMBER 26, 1996.—Committed to the Committee of the Whole House
on the State of the Union and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

35-566

WASHINGTON : 1996

COMMITTEE ON RULES

GERALD B.H. SOLOMON, New York, *Chairman*

JAMES H. QUILLEN, Tennessee
DAVID DREIER, California
PORTER GOSS, Florida
JOHN LINDER, Georgia
DEBORAH PRYCE, Ohio
LINCOLN DIAZ-BALART, Florida
SCOTT McINNIS, Colorado
ENID GREENE, Utah

JOHN JOSEPH MOAKLEY, Massachusetts
ANTHONY C. BELLENSON, California
MARTIN FROST, Texas
TONY P. HALL, Ohio

DON WOLFENBERGER, *Chief of Staff*
WILLIAM D. CROSBY, Jr., *Chief Counsel*
GEORGE CRAWFORD, *Minority Staff Director*
DAVID POMERANTZ, *Deputy Staff Director*

SUBCOMMITTEE ON LEGISLATIVE AND BUDGET PROCESS

PORTER GOSS, Florida, *Chairman*

JAMES H. QUILLEN, Tennessee
JOHN LINDER, Georgia
DEBORAH PRYCE, Ohio
GERALD B.H. SOLOMON, New York

MARTIN FROST, Texas
JOHN JOSEPH MOAKLEY, Massachusetts

WENDY K.D. SELIG, *Counsel*
KRISTI WALSETH, *Minority Staff Director*

SUBCOMMITTEE ON RULES AND ORGANIZATION OF THE HOUSE

DAVID DREIER, California, *Chairman*

LINCOLN DIAZ-BALART, Florida
SCOTT McINNIS, Colorado
ENID GREENE, Utah
GERALD B.H. SOLOMON, New York

ANTHONY C. BELLENSON, California
TONY P. HALL, Ohio

VINCENT RANDAZZO, *Counsel*
MELISSA RICE KUCKRO, *Minority Counsel*

*This survey was the product of diligence and hard work by a number of professional staff. A special acknowledgement of their effort goes to William D. Crosby, Jr., Jim Doran, Erin Fleming, Peter Hamm, Dan Keniry, Heath Morris, Eric Pelletier, Vincent Randazzo, Veronica Rolocut, Bryan Roth, Wendy K.D. Selig, Celeste West, Don Wolfensberger and Gena Woolner.

LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
Washington, DC, November 26, 1996.

Hon. ROBIN H. CARLE,
Clerk, House of Representatives,
Washington, DC.

DEAR MS. CARLE: Pursuant to House rule XI, clause 1(d) and H. Res. 546, 104th Congress, I am hereby transmitting a report entitled, "Survey of Activities of the House Committee on Rules, 104th Congress."

Sincerely,

GERALD B. SOLOMON, *Chairman.*

CONTENTS

	Page
I. History, Function, and Organization of the Committee on Rules	1
A. Introduction	1
B. History and Function	2
C. Committee Organization During the 104th Congress	5
D. Rules Committee on the Internet	6
E. Rules of the Committee on Rules	8
II. House Rules Changes Adopted at the Beginning of the 104th Congress	16
A. Introduction	16
B. Procedures for Consideration of the House Rules Resolution for the 104th Congress	17
C. Summary of Provisions of H. Res. 6, Adopting House Rules for the 104th Congress	19
III. Committee Jurisdiction and Activities	23
A. Introduction	23
B. Special Orders or Rules	25
1. Rule Requests	25
2. Hearings	25
3. Types of Special Orders or Rules	26
a. Background	26
b. Explanation of Types of Rules Granted	29
(1) Open	29
(2) Modified Open—Time Cap on Consideration of Amend- ments	29
(3) Modified Open—Required Preprinting in the Congres- sional Record	29
(4) Modified Open—Both Time Cap on Consideration of Amendments and Required Preprinting in the Congres- sional Record	29
(5) Structured or Modified Closed Rule	30
(6) Closed	30
c. A Move Toward a More Open Congress	30
d. Special Procedures—“King-of-the-Hill” displaced by “Most- Votes-Wins”	31
4. Floor Consideration of the Rule	31
5. Rules Rejected, Tabled or Pending	32
6. Waivers of House Rules	34
7. Waivers of the Budget Act (except for Unfunded Mandate Points of Order)	41
8. Waivers of Unfunded Mandate Points of Order	45
9. Waiving All Points of Order	46
C. Original Jurisdiction Matter	51
1. Committee Consideration of Original Jurisdiction Measures	51
2. Original Jurisdiction Measures Reported or Discharged	51
a. Committee Hearing Schedules (H. Res. 43)	51
b. Unfunded Mandates Reform Act (H.R. 5)	53
c. House Corrections Calendar (H. Res. 168)	54
d. The House Gift Rule (H. Res. 250)	55
e. Legislative Line Item Veto (H.R. 2)	57
f. Deficit Reduction Lock Box (H.R. 1162)	59
g. Technical Corrections (H. Res. 254)	61
h. Book Contracts (H. Res. 299)	62
i. Special Authorities for Committee on Government Reform and Oversight (H. Res. 369)	63
j. Establishing a Select Subcommittee of the International Re- lations Committee (H. Res. 416)	65
k. United States—Puerto Rico Political Status Act (H.R. 3024) .	66
IV. Activities of the Subcommittees	67
A. Subcommittee on Legislative and Budget Process	67

	Page
B. Subcommittee on Rules and Organization of the House	73
V. Committee Oversight Plans and Accomplishments	82
A. Summary of Committee Oversight Plan	82
B. Summary of Committee Oversight Accomplishments	83
VI. Statistical Profile of the Committee on Rules—104th Congress	90
A. Statistics on Special Orders or Rules	90
B. Statistics on Original Jurisdiction Measures	91
VII. Appendices	92
A. Table 1. Types of Rules Granted	92
B. Table 2. Resolutions Reported	106
C. Table 3. Resolutions Rejected	126
D. Table 4. Resolutions Discharged	126
E. Table 5. Resolutions Laid on the Table	126
F. Table 6. Resolutions Pending	126
G. Table 7. List of Original Jurisdiction Referrals	126
VIII. Publications	137
Additional Views	138

Union Calendar No. 471

104TH CONGRESS }
2d Session } HOUSE OF REPRESENTATIVES { REPORT
104-868

REPORT ON SURVEY OF ACTIVITIES OF THE HOUSE COMMITTEE ON RULES, 104TH CONGRESS

NOVEMBER 26, 1996.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. SOLOMON, from the Committee on Rules,
submitted the following

REPORT

together with

ADDITIONAL VIEWS

Pursuant to the provisions of Rule XI, clause 1(d) of the Rules of the House of Representatives, the Committee on Rules submits the following report on its activities during the 104th Congress.

I. HISTORY, FUNCTION, AND ORGANIZATION OF THE COMMITTEE ON RULES

A. INTRODUCTION

Although the House of Representatives struck a dramatic new course in its organization, operations, and legislative priorities with the first turnover in party control of the institution in 40 years, the Rules Committee retained its traditional structure and function in the new House of the 104th Congress. Its size and super-majority party ratio remained the same as in previous Congresses as did its central role and operation as the scheduling arm of the majority leadership on major legislation.

The Committee has been variously described by scholars and Members as a “legislative traffic cop,” “gatekeeper,” “field commander,” the “Speaker’s Committee,” and the “dress rehearsal” for the House floor. All of these terms underscore the critical part the Committee plays in the conduct of legislative business on the House floor. The primary responsibility of the Committee remains

one of setting the terms for debate and amendments on major legislative measures reported from other committees. At the same time, the Rules Committee exercises “original jurisdiction” over changes in House Rules and the budget process.

While the principal purpose of this report is to summarize the activities of the Rules Committee in the historic 104th Congress, a secondary purpose is to view these activities in the context of the evolution of the Committee since the First Congress, and how it operates today.

B. HISTORY AND FUNCTION

The history of the Rules Committee roughly parallels the evolution of the House over the past 208 years. The first Rules Committee was established as a select committee of the House on the second day of the First Congress, April 2, 1789, pursuant to the Constitutional mandate in Article I, section 5, clause 2, that “Each House may determine the rules of its proceedings. . . .” The Select Committee on Rules initially reported back a set of four rules five days after its appointment on: (1) the duties of the Speaker, (2) decorum and debate, (3) the disposition of bills, and (4) the operations of the Committee of the Whole. Six days later, on April 13th, the Select Committee reported an additional eight rules dealing with such matters as the service of Members on committees, Members’ attendance at floor proceedings, creation of a standing Committee on Elections, duties of the Clerk, and duties of the Sergeant-at-Arms. With the adoption by the House of these rules, the Select Committee was dissolved.

During the first 90 years of the House, the Rules Committee remained a select committee, reporting any recommended revisions in the standing rules at the beginning of a Congress from those of the previous Congress, and then going out of business. In some Congresses the House did not even bother to appoint a Select Committee on Rules and instead simply operated under the rules of the preceding Congress.

Although the House relied primarily on select committees in its early years to draft legislation, by the mid-nineteenth century this system had evolved into one consisting of 34 standing committees. The Rules Committee was also converted briefly into a standing committee between 1849 and 1853 but it was not until the House rules revision of 1880 that the Committee became a permanent, standing committee of the House. In 1858, the Speaker had been made a member of the Select Committee on Rules, and a year later was designated as its chairman. When the Committee became a standing committee in 1880, the Speaker retained the chairmanship, and, shortly thereafter, in 1883, the modern-day Rules Committee began to emerge when the House upheld the right of the Committee to issue “special orders” or “rules” providing for the consideration of legislation from other committees. By 1890, this new role became an accepted practice as the exclusive prerogative of the Rules Committee.

The importance of such special rules, which were simple House resolutions reported from the Rules Committee, was that they only needed a majority vote of the House to provide for the consideration of bills out of the order on which they appeared on their Cal-

endar, whereas previously, a two-thirds vote was required to suspend the rules and take up a bill out of order.

The person most responsible for recognizing and exploiting the full potential of the combined powers of Speaker and Rules Committee chairman was Representative Thomas Brackett Reed of Maine who served in those two roles in 1889–91, and 1895–99. Not only did he use the authority as Speaker to make rulings from the Chair that outlawed certain dilatory and obstructionist floor tactics, but he then proceeded to enshrine these rulings, known as “Reed’s Rules,” in the standing rules of the House in his capacity as Rules Committee chairman. And Reed made regular use of the Rules Committee to report special rules that enabled him to put the bills he wanted on the floor when he wanted them, and under his terms of debate and amendment.

It wasn’t until 1910 that this power combination was broken-up by a revolt against the conservative and autocratic Speaker Joe Cannon of Illinois who had served as Speaker and Rules Committee chairman since 1903. A group of progressive Republican insurgents joined with the Democratic minority in an attempt to directly amend House Rules from the floor. When Speaker Cannon upheld a point of order that only the Rules Committee could recommend changes in House Rules, the group voted to overturn the ruling and then proceeded to amend the rules to strip the Speaker of his chairmanship and membership on the Rules Committee as well as of his power to appoint the committee, and to enlarge the committee from five to 10 members, elected by the House. The following year, the new Democratic majority in the House completed the revolution by taking away the Speaker’s power to appoint all the other committees of the House. Ever since, all standing committees have been elected by the House.

The result of this revolt was far-reaching and long-lasting. The standing committees became independent power centers, no longer directly accountable to the Speaker. While the Rules Committee continued to serve as the scheduling arm of the Leadership, even it developed an independent streak of its own when reaction set in against the New Deal in 1937. From that time until 1961, the Committee was dominated by a conservative coalition of Southern Democrats and Republicans who would sometimes refuse to report rules on bills the majority leadership wanted on the floor, or would only report such rules under their terms and timing. A successful effort by Speaker Sam Rayburn of Texas and President John F. Kennedy in 1961 to enlarge the committee from 12 to 15 members, including two, more liberal Democrats, still did not bring the immediate results intended. It wasn’t until the mid-seventies, with a large influx of new Democrats, that the Rules Committee was fully restored as an arm of the majority leadership.

The reform revolt of the mid-seventies also produced further decentralization in the House with the emergence of more independent-minded Members and the proliferation of semi-autonomous subcommittees. This decentralization soon led to off-setting pressures to give the majority leadership, particularly the Speaker, acting through the Rules Committee, more authority to pull things back together. In 1975, the Democratic Speaker was given authority under Caucus rules to appoint all Rules Committee Democrats,

subject to Caucus ratification. In 1989 the Republican Conference gave the minority leader the same authority to appoint all Rules Committee Republicans. Beginning in the 1980s, a trend away from open rules began. Whereas in the 95th Congress (1977–78), 85% of all special rules were open, meaning any Member could offer a germane floor amendment, this percentage began to gradually decline. By the 103rd Congress (1993–94), only 30% of the special rules were open, while the rest were restrictive or structured, meaning only amendments specified in the special rules could be offered. In the 104th Congress, the trend towards restrictive rules was suddenly reversed with open and modified open rules comprising 57% of all rules reported for the original consideration of legislation compared to 44% open or modified open rules in the 103rd Congress. This may explain in part why six rules were defeated in the 103rd Congress while only one was defeated in the 104th Congress.

Ironically, the original role of the Rules Committee, dating back to 1789, of recommending revisions in House Rules at the beginning of each Congress, had disappeared by the beginning of this century. This function was effectively replaced by the majority party caucus after the 1910 overthrow of Speaker Cannon. In modern times, the majority party caucus develops a set of rules changes for consideration on the opening day of the new Congress, before a Rules Committee has even been authorized or elected. The minority party caucus also develops its own set of proposed rules changes at the beginning of each Congress, though the terms of consideration never allow a direct vote on the minority's alternative. It should be noted however, that Rules Committee members of both parties have usually served as members or even the chairs of their respective party caucus committees that recommend House Rules changes.

The resolution adopting the rules of a new Congress is usually called up by the former chairman of the Rules Committee or the majority leader, debated for one hour, and given an up-or-down vote after minority attempts to bring up its alternative are routinely beaten back on party-line, procedural votes.

Nevertheless, the Rules Committee still retains its original jurisdiction authority throughout a Congress to report further changes in House Rules and from time-to-time exercises that authority to make further minor adjustments. However, because so much of the time of the Committee today is consumed with reporting special rules for the consideration of bills from other committees, the work on most major rules reform efforts is often delegated to specially-created committees. For example, the landmark Legislative Reorganization Acts of 1946 and 1970, and the 1974 Budget Act were the products of joint, House-Senate panels, though in the latter two instances the Rules Committee further amended the recommendations of the joint panels before reporting them to the House floor. In 1992, the House and Senate created another Joint Committee on the Organization of Congress, but its recommendations at the end of 1993 languished in the Rules Committee for a year and were never reported to the House by the end of the 103rd Congress.

The 1974 Committee Reform Amendments were the product of a bipartisan, House Select Committee on Committees. While it was

authorized to report directly to the House, the rule providing for its consideration made in order a Democratic Caucus substitute that eventually prevailed after several amendments were adopted to it by the House. The 1989 Ethics Reform Act, on the other hand, while also the product of a bipartisan, House leadership task force, was reported to the House under a closed rule, without alteration.

C. COMMITTEE ORGANIZATION DURING THE 104TH CONGRESS

At the beginning of the 94th Congress, the Committee membership was increased from fifteen members (ten Democrats and five Republicans) to sixteen members (eleven Democrats and five Republicans). This ratio was retained until the 98th Congress, when the membership was reduced to thirteen members, nine Democrats and four Republicans. The membership remained at thirteen, through the 104th Congress. The ratio of majority party members to minority party members also remained the same in the 104th Congress, except that for the first time in 40 years, Republicans were in the majority.

Eight members of the Rules Committee in the 104th Congress served on the Committee during the previous Congress. The returning Republican Representatives were Gerald B.H. Solomon of New York, the new Chairman of the Committee, James H. Quillen of Tennessee, David Dreier of California and Porter Goss of Florida. The returning Democratic Representatives were John Joseph Moakley of Massachusetts, Anthony C. Beilenson of California, Martin Frost of Texas and Tony P. Hall of Ohio. New Republican members of the Committee were John Linder of Georgia, Deborah Pryce of Ohio, Lincoln Diaz-Balart of Florida, Scott McInnis of Colorado and Enid Greene Waldholtz of Utah. Because of the change in party control, former Democratic members of the Rules Committee not on the committee in the 104th Congress were David E. Bonior of Michigan (who took a leave of absence), Bart Gordon of Tennessee, and Louise M. Slaughter of New York. Democrat Alan Wheat of Missouri left the Committee to run for the U.S. Senate and was defeated in that race.

The Committee held its organizational meeting on January 5, 1995. Representative James H. Quillen of Tennessee, who has the distinction of being the longest serving Republican member of the Rules Committee in its entire history (thirty two years of Committee service by the end of the 104th Congress when he announced his retirement) opened the meeting and presented the new Chairman of the Committee, Gerald B.H. Solomon of New York. Chairman Solomon then designated James H. Quillen as the Chairman Emeritus of the Rules Committee. Chairman Solomon introduced the new members of the Rules Committee, Representatives Linder, Pryce, Diaz-Balart, McInnis and Greene Waldholtz.

Rep. Dreier offered a motion that the Committee rules that were in effect during the 103rd Congress be adopted as the rules of the Committee for the 104th Congress with seven amendments. The seven amendments were as follows: (1) eliminate a redundant consultation requirement with the minority; (2) permit the Chair to designate any member of the majority party on the committee as the vice chair; (3) require that all rollcall votes in the Committee on amendments and motions to report be included in the Commit-

tee report; (4) afford the audio and visual media the same access to Committee proceedings as the public; (5) require the Committee to adopt an oversight agenda for a Congress and to report on its implementation at the end of a Congress; (6) consolidate all staff funding under a single expense resolution and provide new authority of the Chairman and Ranking Minority Member over associate staff and subcommittee staff; and (7) require that Committee transcripts be a substantially verbatim account of proceedings.

Representative Dreier also offered a motion that pursuant to Rule 4 (d), the Subcommittee on Rules of the House and the Subcommittee on the Legislative Process, would each be composed of five majority and two minority members, identical to the ratio of the 103rd Congress. Both of Representative Dreier's motions were adopted by a voice vote.

Chairman Solomon subsequently appointed David Dreier as Chairman of the Subcommittee on Rules of the House and appointed Porter Goss to chair the Subcommittee on the Legislative Process. Chairman Solomon then appointed the majority and minority members of the two subcommittees as follows.

Subcommittee on Rules of the House: David Dreier (Chairman), Lincoln Diaz-Balart, Scott McInnis, Enid Greene Waldholtz, Gerald B.H. Solomon, Anthony C. Beilenson and Tony P. Hall.

Subcommittee on the Legislative Process: Porter Goss (Chairman), James H. Quillen, John Linder, Deborah Pryce, Gerald B.H. Solomon, Martin Frost, and John Joseph Moakley.

Chairman Solomon designated David Dreier as Vice Chairman of the Rules Committee. He designated Lincoln Diaz-Balart as Vice Chairman of the Subcommittee on Rules of the House and James H. Quillen as Vice Chairman of the Subcommittee on the Legislative Process.

At a subsequent meeting on February 8, 1995, the Rules Committee adopted the Committee budget and authorized Chairman Solomon to introduce a funding resolution.

D. THE RULES COMMITTEE ON THE INTERNET

The Rules Committee's Internet Web page, <http://www.house.gov/rules/>, went online June 20, 1996. From the first page the viewer is greeted by a banner, a picture of Chairman Solomon, and six related links; "Members, Coming Attractions, Rules News You Can Use, Subcommittees, Committee History, and Links." The intent is to create a series of pages that are easy to read and pleasing to the eye. Though that may be somewhat subjective, the "less is more" approach is taken when the ever evolving text and graphical content are discussed.

The "Coming Attractions" link will keep interested parties, both on and off the Hill, apprised of the Rules Committee's scheduled hearings and markups. Though proposed legislation sometimes comes to the committee at a moment's notice, every effort will be made to make sure that this link remains current and useful.

Following close on the heels of the schedule link is the "Rules News You Can Use" site. Rather than have a simple repository for parliamentary rules-speak, this link will contain all information relevant to the Rules Committee's role in the legislative process. As institutional barriers to the production and retrieval of electronic

documents are removed, this will be the link to follow in order to find: prepared statements, committee rules, oversight plans, activity reports, committee reports, and prints of bills.

The next link from the home page is the "Subcommittees." http://www.house.gov/rules_org/21home.html, is the address of the first Rules Committee related web-site, and is maintained by the Subcommittee on Rules and Organization of the House. Entitled "The Twenty-First Century Congress," the original page was designed to facilitate interactive communication between Congress and the public, as well as to explore how technology will transform the way Congress works. Since its inception, the page has been accessed many times as people take the time to fill out the survey within the page. Currently, the subcommittee is planning a complete overhaul of the page which should be ready by the beginning of the 105th Congress. The intent is to create a massive research tool to show how the Congress operates, while maintaining an interactive communication format. These are two goals which will surely help in bringing Congress into the digital age.

The Subcommittee on the Legislative and Budget Process web site is located at http://www.house.gov/rules_bud/homenew.htm. The subcommittee is charged with monitoring the legislative process and reviewing the budget process—two operations which are difficult to comprehend. The web site is designed to give people an easy map to follow in understanding how the rules and procedures of the House direct what is done in managing the nation's business.

The "Rules Committee History" link is complete with two articles from the Simon and Schuster publication, "Encyclopedia of the United States Congress." "Rules Committee—In the Beginning. . ." is a brief synopsis of the origins and evolution of the committee through the years. "What is a Special Rule?" defines the type of rule the committee recommends to govern debate of legislation on the House floor.

The final stop on the committee's page suggests links to other related web sites, the first of which is a link to the THOMAS web site. Unveiled on January 5, 1995 by the House Leadership and the Library of Congress, THOMAS is the first ever electronic information base to distribute information about the House and Senate to the public free of charge. The second is a link to "Federal Government Links." The site is maintained and constantly updated by House Information Resources. Therein one may find numerous links to the executive, legislative, and judicial branches of government, as well as links to "Federal Information Exchange, Inc.," "FedWorld," and "Federal Information Center (FIC)."

At the beginning of the 104th Congress there were very few E-mail addresses for members of Congress and no committee Web sites. The House of Representatives processed virtually all legislative information through paper-based systems. Use of paper and ink as a method of communication was so entrenched that the electronic files were actually discarded once the paper documents were created. Each standing committee has now been allocated disk space on the Web server maintained by the House for the purpose of providing access to Congressional information.

At the close of the 104th Congress, five of the committee's thirteen members had individual home pages. Member web sites are

especially useful in finding out how to contact the office, to research sponsored legislation, or gather information on constituent services. All thirteen members should have a home page by the beginning of the 105th Congress.

While the Internet offers almost limitless possibilities for the free communication of ideas, research and information, there are serious business and consumer issues concerning accessibility, cost, privacy, security, copyright, and standardization. From a government perspective, free access to Congressional documents would allow millions of citizens to become government watchdogs. This would represent a significant bridging of the gap between Hill insider and outsider, and the leap in citizen involvement could be considerable. However, the business of Congress, like any business, involves informal discussions surrounding documents that are amended and changed many times before official approval by a committee, subcommittee, or the House. Though there is an aggressive move to establish an infrastructure capable of supporting a timely, public distribution of official documents, a careful analysis into the ramifications of the release of draft and unofficial documents is needed.

As the foundation of common electronic and computable systems continues to grow, so will the Rules Committee's web site. As David Mason, Vice President of Government Relations for the Heritage Foundation said in a hearing before the two subcommittees of the Rules Committee, on July 24, 1996. "There are three clear principles you [the Congress] have already made . . . the second of which is an increase in public access to congressional information especially through the Internet." In an effort to improve citizen participation in government, Congress is taking its first steps into a digital age.

E. RULES OF THE COMMITTEE ON RULES

U.S. HOUSE OF REPRESENTATIVES

104TH CONGRESS

Rule XI, 1(a)(1) of the House of Representatives provides:

The rules of the House are the rules of its committees and subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege in committees and subcommittees.

Rule XI, 2(a) of the House of Representatives provides, in part:

Each standing committee of the House shall adopt written rules governing its procedure.* * *

In accordance with the foregoing, the Committee on Rules adopted the following Rules of Procedure on January 5, 1995, and amended them on February 14, 1995 to change the names of the two subcommittees.

RULE 1—APPLICABILITY OF THE HOUSE RULES

The Rules of the House of Representatives are the rules of the Committee on Rules (hereafter in these rules referred to as the

“Committee”) so far as applicable, together with the rules contained herein.

RULE 2—SCHEDULING AND NOTICE OF MEETINGS AND HEARINGS

MEETINGS

(a)(1) The Committee shall regularly meet at 10:30 a.m. on Tuesday of each week when the House is in session.

(2) A Tuesday meeting of the Committee may be dispensed with if, in the judgement of the Chairman of the Committee (hereafter in these rules referred to as the “Chair”), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair or by the filing of a written request, signed by a majority of the Members of the Committee, with the Chief of Staff of the Committee.

NOTICE FOR REGULAR MEETINGS

(b) The Chair shall notify each Member of the Committee of the agenda of each regular meeting or hearing of the Committee at least 48 hours before the time of the meeting or hearing and shall provide to each such Member, at least 24 hours before the time of each regular meeting or hearing—

(1) for each bill or resolution scheduled on the agenda for consideration of a rule, a copy of (A) the bill or resolution, (B) any committee reports thereon, and (C) any letter requesting a rule for the bill or resolution; and

(2) for each other bill, resolution, report, or other matter on the agenda, a copy of (A) the bill, resolution, report, or materials relating to the other matter in question, and (B) any report on the bill, resolution, report, or any other matter made by any subcommittee of the Committee.

EMERGENCY MEETINGS AND HEARINGS

(c)(1) The Chair may call an emergency meeting or hearing of the Committee at any time on any measure or matter which the Chair determines to be of an emergency nature; provided, however, that the Chair has made an effort to consult the Ranking Minority Member, or, in such Member’s absence, the next ranking minority party Members of the Committee.

(2) As soon as possible after calling an emergency meeting or hearing of the Committee, the Chair shall notify each Member of the Committee of the time and location of the meeting or hearing.

(3) To the extent feasible, the notice provided under paragraph (2) shall include the agenda for the emergency meeting or hearing and copies of available materials which would otherwise have been provided under subsection (b) if the emergency meeting or hearing was a regular meeting or hearing.

RULE 3—MEETING PROCEDURES

IN GENERAL

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair’s absence, by

the Member designated by the Chair as the Vice Chair of the Committee, or by the Ranking Majority Member of the Committee present as Acting Chair.

(2) Meetings and hearings of the committee shall be open to the public unless closed in accordance with clause 2(g) of rule XI of the Rules of the House of Representatives.

(3) The five-minute rule shall be observed in the interrogation of each witness before the Committee until each Member of the Committee has had an opportunity to question the witness.

(4) When a recommendation is made as to the kind of rule which should be granted for consideration of a bill or resolution, a copy of the language recommended shall be furnished to each Member of the Committee at the beginning of the Committee meeting at which a rule is to be considered or as soon thereafter as the proposed language becomes available.

VOTING

(b)(1) No vote may be conducted on any measure or motion pending before the Committee unless a majority of the Members of the Committee is actually present, except as otherwise specified in these rules.

(2) A rollcall vote of the Committee shall be provided on any question before the Committee upon the request of any Member of the Committee.

(3) A record of the vote of each Member of the Committee on each rollcall vote on any matter before the Committee shall be available for public inspection at the offices of the Committee, and, with respect to any rollcall vote on any motion to amend or report, shall be included in the report of the Committee on the bill or resolution.

(4) The Members of the Committee, or one of its subcommittees, present at a meeting or hearing of the committee or the subcommittee, respectively, may, by majority vote, limit the duration of debate, testimony, or Committee or subcommittee consideration with respect to any measure or matter before the Committee or subcommittee, respectively, or provide for such debate, testimony, or consideration to end at a time certain.

MEDIA COVERAGE OF COMMITTEE AND SUBCOMMITTEE PROCEEDINGS

(c) Any meeting or hearing of the Committee or any of its subcommittees that is open to the public shall be open to coverage by television, radio, and still photography in accordance with the provisions of clause 3 of the House rule XI (which are incorporated by reference as part of these rules).

QUORUM

(d)(1) For the purpose of hearing testimony on requests for rules, five Members of the Committee shall constitute a quorum.

(2) For the purpose of hearing and taking testimony on measures of matters of original jurisdiction before the Committee, three Members of the Committee shall constitute a quorum.

SUBPOENAS AND OATHS

(e)(1) Pursuant to clause 2(m) of rule XI of the Rules of the House of Representatives, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the Members voting, a majority being present.

(2) The Chair may authorize and issue subpoenas under such clause during any period in which the House has adjourned for a period of longer than three days.

(3) Authorized subpoenas shall be signed by the Chair or by any Member designated by the Committee, and may be served by any person designated by the Chair or such Member.

(4) The Chair, or any Member of the Committee designated by the Chair, may administer oaths to witnesses before the Committee.

GENERAL OVERSIGHT RESPONSIBILITY

(f)(1) The Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its jurisdiction.

(2) Not later than February 15 of the first session of a Congress, the committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Oversight and the Committee on Government Reform and Oversight, in accordance with the provisions of clause 2(d) of House rule X.

RULE 4—SUBCOMMITTEES

APPLICATION OF HOUSE AND COMMITTEE RULES

(a)(1) As provided by clause 1(a)(2) of rule XI of the Rules of the House of Representatives, subcommittees of the Committee are a part of the Committee and are subject to its authority and direction.

(2) Subcommittees of the Committee shall be subject (insofar as applicable) to the Rules of the House of Representatives and, except as provided in this rule, the rules of the Committee.

ESTABLISHMENT AND RESPONSIBILITIES OF SUBCOMMITTEES

(b)(1) There shall be two subcommittees of the Committee as follows:

(A) *Subcommittee on the Legislative and Budget Process*, which shall have general responsibility for measures or matters related to relations between the Congress and the Executive Branch.

(B) *Subcommittee on Rules and Organization of the House*, which shall have general responsibility for measures or matters related to relations between the two Houses of Congress, relations between the Congress and the Judiciary, and internal operations of the House. In addition, each such subcommittee

shall have specific responsibility for such other measures or matters as the Chair refers to it.

(2) Each subcommittee of the Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its general responsibility.

REFERENCE OF MEASURES AND MATTERS TO SUBCOMMITTEES

(c)(1) In view of the unique procedural responsibilities of the Committee—

(A) no special order providing for the consideration of any bill or resolution shall be referred to a subcommittee of the Committee, and

(B) all other measures or matters shall be subject to consideration by the full Committee except for those measures or matters referred by the Chair to one or both subcommittees of the Committee.

(2) The Chair may refer a measure or matter, which is within the general responsibility of one of the subcommittees of the Committee, jointly or exclusively to the other subcommittee of the Committee where the Chair deems it appropriate.

(3) In referring any measure or matter to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(4) The Chair or the Committee by motion may discharge a subcommittee from consideration of any measure or matter referred to a subcommittee of the Committee.

COMPOSITION OF SUBCOMMITTEES

(d) The size and ratio of each subcommittee shall be determined by the Committee at its organizational meeting at the beginning of each Congress, and Members shall be elected to each subcommittee, and to the positions of chairman and ranking minority member thereof, in accordance with the rules of the respective party caucuses.

SUBCOMMITTEE MEETINGS AND HEARINGS

(e)(1) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it.

(2) No subcommittee of the Committee may, without the Chair's approval, meet or hold a hearing at the same time as a meeting or hearing of the full Committee is being held.

(3) The chairman of each subcommittee shall schedule meetings and hearings of the subcommittee only after consultation with the Chair.

(4) A Member of the Committee who is not a Member of a particular subcommittee of the Committee may sit with the subcommittee during any of its meetings and hearings, but shall not have authority to vote, cannot be counted for a quorum, and cannot raise a point of order at the meeting or hearing.

QUORUM

(f)(1) For the purpose of taking testimony, two Members of the subcommittee shall constitute a quorum.

(2) For all other purposes, a quorum shall consist of a majority of the Members of a subcommittee, except as otherwise specified in these rules.

(3) Any vacancy in the membership of a subcommittee shall not affect the power of the remaining Members to execute the functions of the subcommittee.

RECORDS

(g) Each subcommittee of the Committee shall provide the full Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee as the Chair deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 5—BUDGET AND TRAVEL

BUDGET

(a) The Chair, in consultation with other Members of the Committee, shall prepare for each session of Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

TRAVEL

(b)(1) The Chair may authorize travel for any Member and any staff member of the Committee in connection with activities or subject matters under the general jurisdiction of the Committee. Before such authorization is granted, there shall be submitted to the Chair in writing the following:

(A) The purpose of the travel.

(B) The dates during which the travel is to occur.

(C) The names of the States or countries to be visited and the length of time to be spent in each.

(D) The names of Members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Oversight.

RULE 6—STAFF

IN GENERAL

(a)(1) Except as provided in paragraph (2), the professional and investigative staff of the Committee shall be appointed, and may

be removed, by the Chair and shall work under the general supervision and direction of the Chair.

(2) All professional, and any investigative, staff provided to the minority party members of the Committee shall be appointed, and may be removed, by the Ranking Minority Member of the Committee and shall work under the general supervision and direction of such Member.

ASSOCIATE STAFF

(b) Associate staff for members of the Committee may be appointed only at the discretion of the Chair (in consultation with the Ranking Minority Member regarding any minority party associate staff), after taking into account any staff ceilings and budgetary constraints in effect at the time, and any terms, limits, or conditions established by the Committee on House Oversight under clause 6 of House rule XI.

SUBCOMMITTEE STAFF

(c) From funds made available for the appointment of staff, the Chair of the Committee shall, pursuant to clause 5(d) of House rule XI, ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee, and, after consultation with the Ranking Minority Member of the Committee, that the minority party of the Committee is treated fairly in the appointment of such staff.

COMPENSATION OF STAFF

(d) The Chair shall fix the compensation of all professional and investigative staff of the Committee, after consultation with the Ranking Minority Member regarding any minority party staff.

CERTIFICATION OF STAFF

(e)(1) To the extent any staff member of the Committee or any of its subcommittees does not work under the supervision and direction of the Chair, the Member of the Committee who supervises and directs the staff member's work shall file with the Chief of Staff of the Committee (not later than the tenth day of each month) a certification regarding the staff member's work for that Member for the preceding calendar month.

(2) The certification required by paragraph (1) shall be in such form as the Chair may prescribe, shall identify each staff member by name, and shall state that the work engaged in by the staff member and the duties assigned to the staff member for the Member of the Committee with respect to the month in question met the requirements of clause 6 of rule XI of the Rules of the House of Representatives.

(3) Any certification of staff of the Committee, or any of its subcommittees, made by the Chair in compliance with any provision of law or regulation shall be made (A) on the basis of the certifications filed under paragraph (1) to the extent the staff is not under the Chair's supervision and direction, and (B) on his own responsibility to the extent the staff is under the Chair's supervision and direction.

RULE 7—COMMITTEE ADMINISTRATION

REPORTING

(a) Whenever the Committee authorizes the favorable reporting of a bill or resolution from the Committee—

(1) the Chair or Acting Chair shall report it to the House or designate a Member of the Committee to do so, and

(2) in the case of a bill or resolution in which the Committee has original jurisdiction, the Chair shall allow, to the extent that the anticipated floor schedule permits, any Member of the Committee a reasonable amount of time to submit views for inclusion in the Committee report on the bill or resolution.

Any such report shall contain all matters required by the Rules of the House of Representatives (or by any provision of law enacted as an exercise of the rulemaking power of the House) and such other information as the Chair deems appropriate.

RECORDS

(b)(1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the Members of the Committee requests such printing.

Any such transcripts shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks. Nothing in this paragraph shall be construed to require that all such transcripts be subject to correction and publication.

(2) The minutes of each executive meeting of the Committee shall be available to all Members of the House of Representatives in compliance with clause 2(e)(2) of rule XI of the Rules of the House of Representatives.

(3) The Committee shall keep a record of all actions of the Committee and of its subcommittees. The record shall contain all information required by clause 2(e)(1) of rule XI of the Rules of the House of Representatives and shall be available for public inspection at reasonable times in the offices of the Committee.

(4) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with rule XXXVI of the Rules of the House of Representatives. The Chair shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any Member of the Committee.

CALENDARS

(c)(1) The Committee shall maintain a Committee Calendar, which shall include all bills, resolutions, and other matters referred to or reported by the Committee and all bills, resolutions, and other matters reported by any other Committee on which a rule has been granted or formally requested, and such other matters as the Chair shall direct. The Calendar shall be published periodi-

cally, but in no case less often than once in each session of Congress.

(2) The staff of the Committee shall furnish each Member of the Committee with a list of all bills or resolutions (A) reported from the Committee but not yet considered by the House, and (B) on which a rule has been formally requested but not yet granted. The list shall be updated each week when the House is in session.

(3) For purposes of paragraphs (1) and (2), a rule is considered as formally requested when the Chairman of a committee which has reported a bill or resolution (or a Member of such committee authorized to act on the Chairman's behalf) (A) has requested, in writing to the Chair, that a hearing be scheduled on a rule for the consideration of the bill or resolution, and (B) has supplied the Committee with an adequate number of copies of the bill or resolution, as reported, together with the final printed committee report thereon.

OTHER PROCEDURES

(d) The Chair may establish such other Committee procedures and take such actions as may be necessary to carry out these rules or to facilitate the effective operation of the Committee and its subcommittees.

RULE 8—AMENDMENTS TO COMMITTEE RULES

The rules of the Committee may be modified, amended or repealed, but only if written notice of the proposed change has been provided to each such Member at least 48 hours before the time of the meeting at which the vote on the change occurs.

II. HOUSE RULES CHANGES ADOPTED AT THE BEGINNING OF THE 104TH CONGRESS

A. INTRODUCTION

The change from Democratic to Republican party control of the Congress with the 1994 congressional elections not only portended new legislative policy directions for the country, but fundamental changes in the internal operations of the Congress itself, especially in the House. Central to House congressional races was the "Contract With America," a detailed party legislative and congressional reform agenda for the 104th Congress that was unveiled in September of 1994 in a ceremony on the Capitol steps attended by most House Republican candidates.

In its opening paragraph, the Contract promised not only to change policies, but "to restore the bonds of trust between the people and their elected representatives." The Contract went on to promise to "transform the way the House works," and "to restore accountability to Congress." To this end, the Contract pledged that, "On the first day of the 104th Congress, the new Republican majority will immediately pass the following major reforms, aimed at restoring the faith and trust of the American people in their government:

"First, require all laws that apply to the rest of the country also apply equally to the Congress;

“Second, select a major, independent auditing firm to conduct a comprehensive audit of Congress for waste, fraud, or abuse;

“Third, cut the number of House committees, and cut committee staff by one-third;

“Fourth, limit the terms of all committee chairs;

“Fifth, ban the casting of proxy votes in committees;

“Sixth, require committee meetings to be open to the public;

“Seventh, require a three-fifths majority vote to pass a tax increase;

“Eighth, guarantee an honest accounting of our Federal Budget by implementing zero baseline budgeting.”

Following the election, two Rules Committee Republicans, Ranking Minority Member Gerald B.H. Solomon (NY) and David Dreier (CA), were charged with drafting these and other reform proposals for consideration by the Leadership and the Republican Conference.

Both Members had also served as members of the Joint Committee on the Organization of the Congress in the 103rd Congress, and they therefore had the advantage of drawing from many of the proposals that had either been adopted as part of the House portion of the Joint Committee’s recommendations or had been offered as amendments to it and rejected. Many of the recommendations finally included in the House Rules package for the 104th Congress had their antecedents in Republican House Rules substitutes offered on the opening days of preceding Congresses.

The preliminary draft of the proposed rules for the 104th Congress was presented to the Republican Conference at its organizational meetings in December of 1994. Further proposals were offered by Members of the Conference, including the new class of 73 freshmen Members, and these were given further consideration by the Leadership and included in the final resolution drafted for consideration on opening day.

B. PROCEDURES FOR CONSIDERATION OF THE HOUSE RULES RESOLUTION FOR THE 104TH CONGRESS

As was discussed in section one, the ordinary process for considering the rules of a new Congress was for the former chairman (in this case, the former ranking minority member) of the Rules Committee or the majority leader, to call up the resolution adopting the rules of the new Congress for consideration under the “hour rule.” That means that, after one hour of debate, if the previous question is adopted, the House proceeds to vote the entire package of rules changes up or down. The minority has two opportunities to amend the package: (1) if it defeats the previous question, in which case it would be recognized for an additional hour to offer its amendments; or (2) if it succeeds in moving to commit the package to a specified select committee with instructions to report back “forthwith” with certain amendments. However, as previously discussed, these procedural votes usually occur along strict party lines.

However, for the first time in a century, the new majority leadership decided upon a different procedure in order to highlight the important changes contained in the Contract by permitting a separate debate and vote on each of them. To achieve this result, it was

necessary first for a special rule or order of business resolution to be presented to the House.

Consequently, on January 4, 1995, the opening day of the 104th Congress, after the House had adopted H. Res. 4 informing the President of the election of the Speaker and Clerk of the House, the majority leader first propounded this special procedure as a unanimous consent request. When it was objected to by the minority, Rules Committee chairman designate Solomon, by direction of the Republican Conference, called up H. Res. 5 as a privileged resolution. The resolution provided that upon adoption of H. Res. 5 it would be in order to call-up the resolution adopting the rules of the House for the 104th Congress. The resolution would first be debated for 30 minutes, equally divided between the majority and minority leaders or their designees. The resolution next provided for a division of the question on the rules resolution into nine parts, the first eight parts being the Contract's House reform provisions, and the ninth part being an additional 23 rules changes, with each of the nine parts debatable for 20 minutes. Finally, the resolution provided for one motion to commit the resolution with or without instructions.

After the previous question on H. Res. 5 was adopted, 232 to 199, the minority offered a motion to commit H. Res. 5 to a select committee consisting of the majority and minority leaders with instructions to report back an amendment that would self-execute the adoption of an amendment to H. Res. 6 to restrict the acceptance of gifts and book royalties by Members, officers and employees of the House. The motion to commit was rejected, 196 to 235, and H. Res. 5 was then adopted, 251 to 181. The majority leader then called up H. Res. 6, adopting House Rules for the 104th Congress, and the House proceeded to debate and vote on its nine component parts.

Since H. Res. 5 had established a division of the question voting process, there would be no vote on final adoption of the resolution. Each of the nine parts stood as an individual proposition, not dependent on any of the others, and therefore could be rejected without bringing down the entire package. However, most of the propositions enjoyed large, bipartisan majority votes. For example: the provision cutting committee staffs by one-third was adopted, 416 to 12; the term limits on committee and subcommittee chairmen and the Speaker was adopted, 355 to 74; the proxy voting ban was adopted, 418 to 13; committee sunshine rules, 431 to 0; and the House audit, 430 to 1. The only provisions that were contentious were the three-fifths vote requirement for income tax rate increases, which was adopted, 279 to 152, and section 8 of Title I, which provided for consideration of the Congressional Accountability Act, which was adopted, 249 to 178.

The final of the nine votes was on the 23 additional rules changes in Title II. On this the minority offered its motion to commit with instructions containing additional amendments. The motion was rejected, 201 to 227. Subsequently, Title II was adopted by voice vote.

The House then proceeded to debate and vote on H.R. 1, the Congressional Accountability Act, under the terms of section 8 of Title I of H. Res. 6 which provided for one-hour of consideration in the

House (meaning no amendments unless contained in a motion to recommit with instructions). The bill was passed by a vote of 429 to 0. The first day of the 104th Congress, which had begun at 12 noon on January 4, 1995, was finally adjourned after a marathon 14-plus hours at 2:24 a.m. on January 5th.

C. SUMMARY OF PROVISIONS OF H. RES. 6, ADOPTING HOUSE RULES FOR THE 104TH CONGRESS

Below is a section-by-section summary of H. Res. 6, entitled, "A Contract for a New House," adopting House Rules for the 104th Congress, as offered by Majority Leader Armey on January 4, 1995.

The Rules of the House of the 103rd Congress are adopted as the rules for the 104th Congress together with the following amendment:

TITLE I. CONTRACT WITH AMERICA: A BILL OF ACCOUNTABILITY

SEC. 101. COMMITTEE, SUBCOMMITTEE AND STAFF REFORMS: Committee staff in the 104th Congress is reduced by at least one-third from comparable levels in the 103rd Congress. No committee could have more than 5 subcommittees (except Appropriations which could have no more than 13; Government Reform and Oversight, no more than 7; and Transportation and Infrastructure, no more than 6). Statutory and investigative staff salary authorization levels would be consolidated in a single, 2-year committee expense resolution (except for the Committee on Appropriations). The distinction between professional and clerical staff would be eliminated while retaining the overall core staff of 30 for each committee (20-majority, 10-minority, or a one-third guarantee to the minority if less than 30). Committee chairmen would be required to ensure that sufficient staff is made available to each subcommittee to exercise its responsibilities under committee rules, including fair treatment to the minority in subcommittee staffing. Interim funding authority for House committees, consistent with planned staff reductions, would be provided pending the adoption of the primary expense resolution for 1995-96.

SEC. 102. TRUTH-IN-BUDGETING BASELINE REFORM: Cost estimates in committee reports would include a comparison of total estimated funding for the program(s) to the appropriate levels under current law.

SEC. 103. TERM LIMITS FOR SPEAKER, COMMITTEE AND SUBCOMMITTEE CHAIRMEN: Beginning with the 104th Congress: (a) No person could serve as Speaker for more than four consecutive Congresses (disregarding any service for less than a session). (b) No Member could be the chairman of any committee, or of the same subcommittee of a committee, for more than three consecutive Congresses (excluding any service for less than a session in a Congress).

SEC. 104. PROXY VOTING BAN: No vote could be cast by proxy on any committee or subcommittee thereof.

SEC. 105. COMMITTEE SUNSHINE RULES: Committee meetings, which can now be closed for any reason, could only be closed by majority rollcall vote if disclosure would endanger national security, compromise sensitive law enforcement information, or tend to

defame, degrade or incriminate any person. Broadcast coverage of any committee or subcommittee meeting or hearing open to the public would be a right (not requiring a vote of approval as at present).

SEC. 106. LIMITATIONS ON TAX INCREASES: (a) No bill, joint resolution, amendment or conference report carrying an income tax rate increase, could be considered as passed or agreed to unless so determined by a vote of at least three-fifths of the House. (b) No measure or amendment could be considered that contains a retroactive income tax rate increase.

SEC. 107. COMPREHENSIVE HOUSE AUDIT: The Inspector General would be authorized to contract with one or more independent auditing firms to conduct a comprehensive audit of House financial records, physical assets, and operational facilities.

SEC. 108. CONSIDERATION OF "CONGRESSIONAL ACCOUNTABILITY ACT": The majority leader, or a designee, would be authorized to call up for consideration on Jan. 4, 1995, a bill (H.R. 1), the "Congressional Accountability Act of 1995," subject to one-hour of debate in the House, divided equally between the majority leader and minority leader, or their designees, and to one motion to recommit.

TITLE II. GENERAL

SEC. 201. HOUSE ADMINISTRATIVE REFORMS: The Office of Doorkeeper would be abolished and its functions transferred to the Sergeant-at-Arms. A Chief Administrative Officer, elected by the House, would replace the Director of Financial and Non-Legislative Services. The authority of the Inspector General would be broadened to audit all House functions and to refer possible violations of rules or law to the ethics committee for action or possible referral to the appropriate Federal or State authorities.

SEC. 202. CHANGES IN COMMITTEE SYSTEM: The Committees on Post Office and Civil Service, and the District of Columbia would be abolished and their jurisdictions transferred to the Committee on Government Reform and Oversight; the Committee on Merchant Marine and Fisheries would be abolished and its jurisdiction transferred to the committees on National Security, Resources, and Transportation and Infrastructure. The Committee on Budget would be given shared legislative jurisdiction over certain budgetary legislation. Term limits for members of the Budget Committee would be changed from three-terms in any five Congresses to four-terms in any six Congresses. Other committees would be renamed and jurisdictions transferred.

SEC. 203. OVERSIGHT REFORM: Committees would be required to adopt oversight plans for the Congress and submit them to the Committees on House Oversight and Government Reform and Oversight by Feb. 15th of the first session. The Committee on Government Reform and Oversight would report the plans to the House by March 31st together with any recommendations of the committee or joint leadership to ensure maximum coordination. Committees would be required to include an oversight section in their final activity reports reporting on the implementation of their plans. The Speaker would be authorized to appoint ad hoc oversight committees, subject to House approval, for specific oversight projects from committees sharing jurisdiction.

SEC. 204. MEMBER ASSIGNMENT LIMITS: No Member could have more than two standing committee and four subcommittee assignments (except committee chairmen and ranking minority members could serve as ex officio members of all subcommittees of their committees). Any exception to the assignment limits must be approved by the House upon the recommendation of the respective party caucus or conference.

SEC. 205. MULTIPLE BILL REFERRAL REFORM: The joint referral of bills to two or more committees would be prohibited. The Speaker would designate a committee of primary jurisdiction when a bill is introduced, may refer parts of bills to appropriate committees, and may sequentially refer bills, either upon introduction or after the primary committee has reported, subject to time limits for reporting.

SEC. 206. ACCURACY OF COMMITTEE TRANSCRIPTS: Committee hearing and meeting transcripts shall be a substantially verbatim account of remarks made during proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved.

SEC. 207. ELIMINATION OF "ROLLING QUORUMS": The existing "rolling quorum" rule which allows drop-by voting to report measures and permits less than a quorum to report if no point of order is raised, would be repealed.

SEC. 208. PROHIBITION ON COMMITTEE MEETINGS DURING HOUSE CONSIDERATION OF AMENDMENTS: No committee (except the Committees on Appropriations, Rules, Standards and Ways and Means) could sit while the House is reading a measure for amendment under the five-minute rule without special leave (which shall be granted unless 10 members object), or unless upon the adoption of a motion offered by the majority leader which shall be privileged. No committee could sit while the House and Senate are meeting in joint session or when a joint meeting of the House and Senate is in progress.

SEC. 209. ACCOUNTABILITY FOR COMMITTEE VOTES: Committee reports on any bill or other matter would include the names of those voting for and against on rollcall votes on any amendments or on the motion to report a measure.

SEC. 210. AFFIRMING MINORITY'S RIGHT ON MOTIONS TO RECOMMIT: The Rules Committee could not report a special rule denying the minority the right to offer amendatory instructions in a motion to recommit if offered by the minority leader or a designee.

SEC. 211. WAIVER POLICY FOR SPECIAL RULES: The Committee on Rules would be required, to the maximum extent possible, to specify in any special rule providing for the consideration of a measure any provisions of House rules being waived.

SEC. 212. PROHIBITION ON DELEGATE VOTING IN COMMITTEE OF WHOLE: The Resident Commissioner of Puerto Rico and the Delegates from Guam, the Virgin Islands, American Samoa and the District of Columbia could not vote in or preside over the Committee of the Whole.

SEC. 213. ACCURACY OF THE CONGRESSIONAL RECORD: The Congressional Record would be a verbatim account of proceedings, subject only to technical, grammatical and typographical corrections by

the Member speaking. Unparliamentary remarks may be deleted only by unanimous consent or order of the House.

SEC. 214. AUTOMATIC ROLL CALL VOTES: Automatic roll call votes would be required on final passage of bills making appropriations, raising taxes, and conference reports thereon; and on final adoption of budget resolutions and their conference reports.

SEC. 215. APPROPRIATIONS REFORMS: Limitation amendments could be offered to appropriations bills at the end of the regular amendment process without having to first defeat the motion to rise and report. A motion to rise could only be offered by the majority leader (or a designee) if limitation amendments are still pending. Non-emergency items could not be reported or offered as amendments to emergency spending bills (except to rescind budget authority or reduce direct spending to pay for the emergency benefits). Off-setting, deficit neutral amendments could be offered en bloc to any appropriations measure. Reports on all appropriations bills would be required to include not only a listing of legislative provisions contained in the measures (as presently required), but of all unauthorized activities being funded by the measure (except for classified intelligence or national security programs). Points of order would automatically be reserved against an appropriations bill when filed.

SEC. 216. BAN ON COMMEMORATIVES: No bill, resolution or amendment could be introduced or considered in the House that establishes or expresses any commemoration (defined as any remembrance, celebration or recognition for any purpose) for a specified time period (e.g., day, week, month). The Committee on Government Reform and Oversight would be directed to consider alternative means of establishing commemorations, such as an independent or Executive Branch Commission, and to report to the House any recommendations.

SEC. 217. NUMERICAL DESIGNATION OF AMENDMENTS SUBMITTED FOR RECORD: Amendments submitted for the amendments section of the Congressional Record for any bill would be given numerical designations in the order printed for that bill to facilitate easy reference by Members and committees.

SEC. 218. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance would be required in the House as the third order of business each day.

SEC. 219. DISCHARGE PETITIONS: The Clerk would be required to publish the names of new signers of discharge petitions in the last Congressional Record of each week and make available to the public through an appropriate office the current names of signers on a daily basis. The Clerk shall also devise a system for making the names of signers available to House offices and the public through electronic form.

SEC. 220. PROTECTION OF CLASSIFIED MATERIALS: The Code of Official Conduct would be amended to require that, prior to having access to any classified materials, Members, officers and employees take an oath not to disclose such materials except as authorized by the House or its Rules.

SEC. 221. PERMANENT SELECT COMMITTEE ON INTELLIGENCE: The House Permanent Select Committee on Intelligence would be reduced in size from 19 to 16 members, with a 9-7 majority to minor-

ity ratio. Member terms would be increased from three to four and the chairman and ranking minority member could serve a fifth term if they held those positions for only one Congress. The Speaker (currently the majority leader) and minority leader would serve as ex officio, non-voting members, and may designate a member of their leadership staff to assist them and have access to committee proceedings and materials, as if committee staff, subject to the same security clearance and confidentiality requirements as committee staff. Current jurisdictional arrangements would be clarified.

SEC. 222. ABOLITION OF LEGISLATIVE SERVICE ORGANIZATIONS: The establishment or continuation of any Legislative Service Organization (as defined and authorized by regulation in the 103rd Congress) would be prohibited in the 104th Congress. The Committee on House Oversight would be directed to take necessary steps to ensure the orderly termination and accounting for funds of LSOs in existence on Jan. 4, 1995.

SEC. 223. MISCELLANEOUS PROVISIONS AND CLERICAL CORRECTIONS: The Speaker's authority to postpone votes on certain matters would include postponing the previous question vote on those matters. The Speaker's authority to reduce time for voting to 5 minutes after a 15-minute vote on the previous question would extend to any previous question vote (currently applies only to previous question vote on special rules from the Rules Committee). There would be established a Speaker's Office for Legislative Floor Activities, with employees to be appointed by the Speaker to assist in the management of legislative floor activity. The Chairman of a committee could designate any member of the committee or a subcommittee as the vice chairman of the committee or subcommittee. Members would be prohibited from using any personal, electronic office equipment (including cellular phones, and laptop computers) on the House floor. Certain specified, priority measures introduced on Jan. 4, 1995, could have more than one prime sponsor.

III. COMMITTEE JURISDICTION AND ACTIVITIES

A. INTRODUCTION

The jurisdictional mandate of the Committee on Rules is set forth in Rule X, clause 1(m) as follows:

“(m) Committee on Rules.

“(1) The rules and joint rules (other than rules or joint rules relating to the Code of Official Conduct), and order of business of the House.

“(2) Recesses and final adjournments of Congress.

The Committee on Rules is authorized to sit and act whether or not the House is in session.”

The jurisdictional mandate of the Committee for the purposes of this survey of activities is broken down into two subgroups: original jurisdiction matters and special rules (order of business resolutions). In practice, these subgroups are intertwined in a manner that greatly affects the way in which the House conducts its business. One subgroup, referred to here as “original jurisdiction” contains all measures pertaining to the rules of the House and joint rules. These measures are either referred directly to the Committee

by the Speaker or originate in the Committee itself. They not only pertain to changes in House procedure, but also cover the Committee's power to establish select committees, authorize certain investigations, provide enforcement procedures for the budget process, and to establish congressional procedures for considering certain executive branch proposals.

The Committee held sixteen days of hearings and markups on eleven matters of original jurisdiction during the 104th Congress. Ten of the eleven measures were reported to the House for consideration. Nine of those were adopted by the House. One of the original eleven was not reported by the Rules Committee but was discharged by the adoption of a rule and was then adopted by the House.

The other subgroup of the Committee's jurisdictional mandate, referred to as order of business resolutions or "rules," is used by the Committee to direct the manner in which a bill or resolution will be considered by the House. "Rules," in the form of House resolutions, tailor the time allotted for debate and the process by which a bill can be amended. This is done to allow the House to consider the subject matter in a way which best suits the bill's individual issues and/or controversies. These "rules" may also contain waivers of specific House rules or provisions of the Budget Act. It is sometimes necessary to waive the rules of the House in order to allow the House to consider all the facets of the particular issue. Special rules also allow the House to consider measures according to the majority leadership's legislative scheduling priorities rather than in the numerical order in which they were reported.

During the 104th Congress, the Committee held 190 days of hearings pursuant to 185 written requests received from Committee chairs seeking rules. In addition there were nine formal requests ultimately disposed of by procedures other than the Rules Committee (such as unanimous consent or suspension), and seven formal requests pending at the end of the Congress. These formal requests do not reflect additional requests of an emergency nature made in person by the chairs of the various legislative committees. The Rules Committee granted 230 rules: 167 rules provided for consideration of bills and resolutions, 49 dealt with conference reports and 19 other rules provided for consideration of measures but stopped short of the amending process (e.g., providing for debate only, creating suspension days for considering specific measures or waiving the two-thirds requirement to bring up a rule for a certain measure on the same day the rule is reported). Note that five rules, H. Res. 249, H. Res. 267, H. Res. 280, H. Res. 291 and H. Res. 386 were dual purpose rules listed under two categories above.

The Committee granted 69 open rules, 9 modified open rules with a time cap on consideration of amendments, 3 modified open rules with required preprinting in the Congressional Record, 5 modified open rules with both a time cap on consideration of amendments and required preprinting in the Congressional Record, 43 structured or modified closed rules, and 22 closed rules. The Committee granted 50 waivers of specific sections of the Budget Act. The Committee granted 100 rules waiving all points of order to permit consideration of either the underlying measure, the mat-

ter made in order as the original text, or against the amendments made in order.

In summary, the Committee on Rules reported 230 rules (a 19% increase over the 103rd Congress). Of these the House adopted 215, rejected one, tabled 12, and two remained pending on the House Calendar when Congress adjourned in October, 1996. In addition, the Committee on Rules reported 10 original jurisdiction measures, nine of which were ultimately adopted by the House. One reported measure was never taken up by the House. One additional original jurisdiction measure was discharged from the Rules Committee by adoption of a rule and was then adopted by the House.

In addition to the full Committee activities, the Subcommittee on the Legislative and Budget Process and the Subcommittee on Rules and Organization of the House, conducted studies concerning other matters in the Committee's jurisdiction.

B. SPECIAL ORDERS OR RULES

1. RULE REQUESTS

The process of considering requests for special orders or "rules" usually begins when the Committee on Rules receives a letter from a legislative committee requesting that it hold a hearing and recommend a rule on that particular measure. The letter is signed by the full committee chairman and most often makes a specific request for the type of rule desired by the legislative committee. In some cases, the emergency nature of the legislation does not allow adequate time for a formal request to be registered. In these cases, the requests are made in person by the chairman of the committee with jurisdiction. Once a hearing has been scheduled, the Committee on Rules allows any House member who has an interest in testifying to do so. Under normal circumstances and pursuant to Committee rules, printed copies of the legislation and accompanying committee report or conference report are provided to the Committee members at least 24 hours in advance of the meeting on the rule request for the legislation.

The Committee gives written notice to its members and notifies the pertinent committee of the scheduled hearing date at least 48 hours prior to the commencement of the hearing, unless an emergency situation exists. Materials are also supplied to the Budget Committee for its examination for possible Budget Act violations. If Budget Act violations are present, the Budget Committee chairman often advises the Committee on Rules whether the Budget Committee objects to or supports the granting of specific waivers. The position of the Budget Committee on these matters is merely advisory in nature; the Committee on Rules has sole jurisdiction over waivers of the Budget Act, subject to House approval of the rule containing such waivers.

2. HEARINGS

The Rules Committee chairman controls the order in which witnesses appear and also initiates the questioning. Typically, the chairman of the committee requesting the rule makes a short statement. The chairman is followed by the ranking minority member. Sometimes the subcommittee chair and ranking minority member

appear on behalf of their full committee counterparts on the rule request.

In many cases, the components of the proposed special order form the basis for the dialogue between substantive committee leaders asking for the rule and the Rules Committee members. More often than not, the questioning escalates into discussions about the merits of the bill itself. If the legislation is particularly wide-ranging or controversial, Representatives who do not sit on the relevant legislative committee seek to testify. (Except in the most unusual circumstances, only House Members are allowed to testify during a rule request hearing.) Questioning of each witness takes place under the five-minute rule until each Committee member has had an opportunity to question each witness. Questioning is rather informal. The Chairman rarely enforces the five-minute rule, and Committee members yield to one another to allow their colleagues to make a specific point or follow up on the line of questioning.

A quorum, at least seven members of the thirteen, must be present before a recommendation on a rule can be ordered reported, deferred, or tabled (killed).

After the Committee votes to approve a rule, the Chairman and ranking minority member each assign one of their members to manage the rule on the floor. The majority manager's name appears on the rule and report, and that person usually files the rule from the House floor, at which time the resolution and report are assigned a number.

Any member may ask for a roll call or a division vote. In the past, most decisions of the Committee were made by voice vote, but in the last several Congresses there has been an increase in the number of roll call votes demanded. For the entire 100th Congress, there were 18 roll call votes demanded; in the 101st Congress, there were 26; in the 102nd, there were 193; in the 103rd, there were 533; and, in the 104th, there were 327.

Once a special rule has been filed, the Majority Leader—working closely with the Speaker, the Rules Committee chairman, and the substantive committee chairman—decides upon an appropriate date for the consideration of the rule on the floor. Rules can be considered the same day they are reported, if the House agrees to consideration by a two-thirds vote. After a one-day layover, rules may be considered at any time without being subject to a question of consideration.

3. TYPES OF SPECIAL ORDERS OR RULES

a. Background

Table 1 in the Appendix categorizes all rules granted. Rules are broken down into seventeen different categories dealing with all stages of the legislative process in the House.

In recent congresses, particular attention has been focused on the type of amendment structure provided for in rules. In dealing with amendment structure this report focuses only on those rules which provide for the initial consideration of bills, joint resolutions or budget resolutions and which provide for an amending process. The new majority in the 104th Congress has used categories of

rules which are based on the ones used for years by the then-minority. The amendment structure categories are as follows: (1) open, (2) modified open—time cap on consideration of amendments, (3) modified open—required preprinting in the Congressional Record, (4) modified open—both time cap on consideration of amendments and required preprinting in the Congressional Record, (5) structured or modified closed, and (6) closed.

These categories are somewhat different from the categories used by the previous majority in the Survey of Activities for the 103rd Congress. Those categories were (1) open, (2) open plus, (3) open—restricted in part, (4) time cap, (5) amendments printed in the Congressional Record, (6) amendments printed in the report, (7) modified closed, and (8) closed. There are advantages to the new categories. For example, under the old system, there was a category “open—restricted in part”. The whole concept of an open rule is to allow a member to offer any amendment that complies with the standing rules of the House. Once the rule is “restricted in part” it is a stretch to put it in any kind of open category. It is possible that 99% of the bill could be covered by the restrictive part of the rule and only 1% covered by the open part of the rule. The old system could be abused to make it sound as if there was a greater degree of openness than was really there. Under the new system, any rule that limits a member’s right to offer any amendment allowed by the rules of the House cannot be called open. In addition the new system is somewhat simpler, having two fewer categories, while preserving the significant distinctions of the old system.

During the 104th Congress both the majority and the minority have on numerous occasions inserted in the Congressional Record charts categorizing rules that provide an amendment structure.

The majority in the 104th Congress has inserted charts using categories based on those that are used in this Survey of Activities. In order to simplify the summary at the beginning of the chart, categories have been consolidated into three; (1) open/modified open, (2) structured/modified closed, and (3) closed.

The minority in the 104th Congress has inserted charts classifying rules in three categories: (1) open, (2) restrictive, and (3) closed. The chart of the minority contains a footnote noting that, “Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress.”

However, the Democrats’ table does not confine itself to rules reported from the Rules Committee that were counted as open or restrictive as was done by the Republican minority in the 103rd Congress. The footnote to the Republican minority table indicated that, “total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.”

It should also be noted that Republican minority tables in the 103rd Congress only applied to bills, joint resolutions and budget resolutions, but not to other concurrent resolutions or simple House resolutions. If the Democratic minority were really using the same system used by the Republican minority in the 103rd Congress, a number of measures would be counted differently, such as the following.

H. Res. 5—Providing for the consideration of H. Res. 6, House rules package. This would not have been counted by the then Rules minority because (a) it was not reported by the Rules Committee; and (b) it provided for consideration of a simple House resolution. Yet it is scored as a closed rule.

H. Res. 6—Providing for the adoption of House rules and the consideration of H.R. 1, the Congressional Accountability and Compliance Act. This would not have been scored since it was not reported by the Rules Committee. Yet it is scored as a closed rule.

H. Res. 38—Providing for consideration of H.R. 5, the Unfunded Mandate Reform Act. This is scored as “restrictive” because of a motion to limit amendments during consideration. But, the rule as reported was an open rule and would have been so counted. Motions to limit amendments are in order under House rules.

H. Res. 43—Amending House rule XI regarding committee hearings. It is listed as restrictive though this was an original jurisdiction matter considered in the House as privileged without a rule. It would not have been listed by the Republican minority in its tables.

H.R. 729—It is counted as restrictive even though it was considered under a time cap unanimous consent agreement. Since there was no rule reported, it would not have been counted by the Republican minority.

S. 2—Senate congressional compliance bill. It is counted as closed, even though it was not brought up under a rule. It was considered under suspension of the rules—never counted by the Republican minority. If this suspension was counted as closed, why weren’t all other suspension bills?

H. Res. 268—Making in order H. Res. 250, the House gift rule. It is listed as closed, even though it makes in order two amendments. However, this would not have been counted by the Republican minority in the 103rd Congress since it applies to a simple House resolution. Only rules for bills and joint resolutions were counted, other than concurrent resolutions on the budget.

H. Res. 334—Providing for the disposition of Senate amendments to H.R. 1643. It is counted as closed. The Republican minority in the 103rd Congress did not count rules that provided for the disposition of Senate amendments to previously passed House bills and joint resolutions.

H. Res. 336—Providing for the disposition of Senate amendments to H.J. Res. 134. It is counted as closed. The Republican minority in the 103rd Congress did not count rules that provided for the disposition of Senate amendments to previously passed House bills and joint resolutions.

H. Res. 338—Providing for the disposition of Senate amendments to H.R. 1358. It is counted as closed. The Republican minority in the 103rd Congress did not count rules that provided for the dis-

position of Senate amendments to previously passed House bills and joint resolutions.

The above is only a partial compilation of items listed as restrictive or closed by the Democrats in the 104th Congress which would not have been listed that way by Republicans in the 103rd. If the Democrats were truly using the same system in this Congress that they claim they are copying from the Republican minority's classification system in the 103rd Congress, there would be many fewer restrictive and closed rules than they are claiming.

b. Explanation of Types of Rules Granted

This section focuses only on rules which provide for an amendment process. Therefore, rules providing for general debate only, stopping short of consideration of the measure for amendment, or waiving the two-thirds requirement are not included in this section. Rules for conference reports—which are otherwise privileged and, under regular order, non-amendable—also are not included in this section:

(1) *Open*. An open rule is one under which any member may offer an amendment that complies with the standing rules of the House and the Budget Act. Also included in the category of open rules are those that have been called “open plus”. These rules allow the offering of any amendment in order under an open rule—plus amendments which have to be protected from a point of order in order to be offered.

(2) *Modified open—time cap on consideration of amendments*. This type of rule permits any amendment in order under an open rule, subject only to an overall time limit on the amendment process. It allows the House to manage its time, to make more reliable its schedule and to provide some certainty about when measures will be on and off the floor. Moreover, it allows the majority and minority parties to offer priority amendments of their choosing rather than having the Rules Committee designate what amendments can be offered.

(3) *Modified open—required preprinting in the Congressional Record*. This type of rule permits the offering only of those amendments printed in the Congressional Record. In some cases the rule requires amendments to be printed by a specific date; in some cases the amendment must be printed before the consideration of the amendment and in other cases before the consideration of the bill for any amendment. In most cases these rules do not prohibit second degree amendments. The preprinting requirement does not afford the same time certainty as the time cap, since there is no way to know in advance how many amendments will be submitted and printed, how many printed amendments will actually be offered, or how many roll call votes will be called. Requiring that amendments be printed in advance affords Members a better idea of the range of issues to be debated and voted on, and it removes the element of surprise at least from first degree amendments.

(4) *Modified open—both time cap on consideration of amendments and required preprinting in the Congressional Record*. This type of rule combines the features of the two types of

modified open rules listed above along with the advantages and disadvantages of each of them.

(5) *Structured or modified closed rule.* A structured or modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which precludes amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment. A modified closed rule is one which allows the offering of only one or two amendments. A structured rule is one which allows three or more amendments. In the case of a structured or modified closed rule, the Chairman generally will announce through a one minute speech and a "Dear Colleague" letter, the intention of the Committee to review all amendments. He requests that Members provide the Committee with copies of their proposed amendments in advance of the Committee meeting date. In some instances, the amendments made in order represent all of the amendments submitted to the Committee. Some rules being labeled as structured here would have been called "open—restricted in part" by the Democratic majority in the 103rd Congress. This tougher standard for openness in the 104th Congress makes it look as if the number of partially open rules is smaller than it would have been by past standards.

(6) *Closed.* This type of rule is one under which no amendments may be offered other than amendments recommended by the committee reporting the bill. It should be noted that under House rules changes adopted at the beginning of the 104th Congress, the Rules Committee cannot report a special rule denying the minority the right to offer amendatory instructions in a motion to recommit if offered by the minority leader or a designee. In the 103rd Congress a rule which allowed a motion to recommit with amendatory instructions, was labeled by the Democratic majority a modified closed rule. In the 104th Congress with tougher standards, it is now a closed rule. This change makes it look as if there are more closed rules than there would have been under the standard used by the Democrats in the 103rd Congress.

c. A Move Toward a More Open Congress

In the 95th Congress 85% of the rules were open rules. In a steady progression downward from Congress to Congress, the number of open rules decreased until it reached a low point of 30% in the 103rd Congress.

The 104th Congress has now reversed that downward trend. The percentage of open rules is now up to 46%. The percentage of modified open rules of all varieties is now 11%. Taken together this means that the total percentage of open/modified open rules is now 57%. This change has meant a greater opportunity for the representatives of the people to offer their ideas to their colleagues in the form of amendments and put the amendments to a majority vote. It should be noted that the majority in the 104th Congress has never advocated that all rules should be open. From the very beginning it was made clear that the long-standing precedent of

closing off floor amendments to the Internal Revenue Code would be followed because the tax laws in this nation have already become overly complex. It was also clear that the House should follow the precedent of dealing with very large and complex matters like budget resolutions and budget reconciliation bills by only allowing full substitutes to be offered. However, when it has been feasible the 104th Congress has moved toward a more open process. And this is in spite of the fact that the definitions of closed rules and structured rules now include many rules that the majority in past Congresses would have classified differently.

d. Special procedures—“King-of-the-Hill” Displaced by “Most-Votes-Wins”

In recent congresses the then-majority had come increasingly to rely on a procedure known as king-of-the-hill. The initial justification for the king-of-the-hill procedure was that it allowed alternative versions of an amendment to compete for adoption. Regular order does not permit further amendments to a text once it has been amended in its entirety. Under the king-of-the-hill procedure several amendments posing solutions to the same problem are all made in order, are all voted on, and the last one adopted becomes the text of the bill. It is this last feature which caused the problem. By providing that the last proposal to get a majority wins, the rule sets up the possibility that an amendment could receive a larger vote and still be defeated if a later proposal receives a simple majority of the votes. For example, if the first proposal received 400 votes, the second proposal received 300 votes, and the third proposal received 218 votes, the proposal receiving the 218 votes would prevail under the old king-of-the-hill procedure. To Republicans this always seemed unfair. It gave the then-majority Democratic leadership the ability to stack the deck in favor of the proposal they wanted to win, even if it did not have nearly as much support as some other alternative.

Finally in the 104th Congress the new Republican majority was able to implement a proposal it had offered unsuccessfully in the past. The new approach is called “most votes wins”. A “most votes wins” rule allows the House to consider several alternative solutions to the same problem, but instead of providing that the last one to receive a majority wins, it provides that the proposal with the most votes wins, regardless of whether it was offered, first, last, or somewhere in the middle. This preserves the major benefit of the king-of-the-hill procedure, that is, permitting the House to consider several different solutions to the same problem, but it eliminates the main drawback of the king-of-the-hill procedure, that is, the possibility that the proposal receiving the most votes could lose.

4. FLOOR CONSIDERATION OF THE RULE

When time comes to present a rule, the majority member who filed the rule (a privileged House resolution), or another majority member of the Rules Committee designated by the chairman, is recognized by the Speaker. That Member stands at the majority committee table on the House Floor. Once recognized, the Member states:

Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution _____, and ask for its immediate consideration.

(Any member of the Committee on Rules may be recognized to call up a rule that has been on the House Calendar for at least seven legislative days, and the Speaker is required to recognize the Rules Committee member as a question of the highest privilege, so long as the member has given one-day's notice of an intent to seek recognition for that purpose.)

Once the Clerk has read the resolution, the Speaker recognizes the majority Rules Committee member handling the rules for one hour. The majority floor manager then customarily yields thirty minutes to his minority counterpart for the purposes of debate only, and debate on the rule is started. The length of debate on the rule varies according to the degrees of controversy over the bill or the complexity of the rule, but debate on most noncontroversial rules is over within fifteen or twenty minutes and the rule may be accepted by voice vote.

Since a rule is considered in the House under the hour rule, no amendments are in order unless the floor manager offers an amendment or yields to another Member for that purpose. At the conclusion of debate on the rule, the floor manager moves the previous question. If no objection is heard, the House proceeds to vote on the rule. If objection is heard, a vote occurs on the previous question. If the previous question is rejected, however, a Member who opposed the previous question (usually the Rules Committee minority floor manager) is recognized. That Member then controls one hour of debate time on the amendment. The Member controlling the time may offer an amendment to the rule and then move the previous question on the amendment and on the rule when debate has concluded. Once the rule is adopted (with or without amendments), the legislation it concerns is eligible for consideration under the terms of the rule.

5. RULES REJECTED, TABLED, OR PENDING

In the 104th Congress, the Committee on Rules reported 230 rules. The House adopted 215 of these rules, rejected one rule, and tabled twelve rules. Two rules remained pending on the House Calendar at adjournment.

a. Rules rejected by the House

House Resolution 185, providing for the consideration of H.R. 1977, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, failed passage by a roll call vote of 192–238 on July 12, 1995.

b. Rules tabled by the House

House Resolution 47, providing for the consideration of H. Res. 43, to permit Committee Chairmen to schedule hearings, was laid on the table by unanimous consent on January 31, 1995.

House Resolution 103, providing for the consideration of the bill H.R. 1058, the Securities Litigation Reform Act, was laid on the table March 7, 1995, pursuant to House Resolution 105, another

rule providing for the consideration of H.R. 1058. House Resolution 105 was adopted by a record vote of 257–155

The following two House resolutions were both tabled by unanimous consent on May 17, 1995:

House Resolution 147, providing for the consideration of the bill, S. 4, The Legislative Line Item Veto Act of 1995.

House Resolution 148, providing for the consideration of the bill, S. 219, The Regulatory Transition Act of 1995.

House Resolution 323, providing for the consideration of the bill, H.R. 2677, The National Parks and National Wildlife Refuge Systems Freedom Act of 1995, was laid on the table by unanimous consent on February 28, 1996.

House Resolution 368, providing for the consideration of the bill H.R. 994, the Regulatory Sunset and Review Act of 1995, was laid on the table by unanimous consent on April 17, 1996.

House Resolution 376, providing for general debate only on the bill H.R. 2703, the Comprehensive Antiterrorism Act of 1995, was tabled by unanimous consent on March 13, 1996.

By order of the Speaker, without objection, the following two resolutions were laid on the table on August 1, 1996:

House Resolution 496 waiving points of order against the conference report to accompany the bill (H.R. 3603) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 1997, and for other purposes.

House Resolution 497 waiving points of order against the conference report to accompany the bill (H.R. 3517), making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes.

House Resolution 260 waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules, was laid on the table by unanimous consent on December 6, 1995.

House Resolution 310 waiving the provisions of clause 2(g)(3) of rule XI, requiring at least one week's advance notice of any committee hearing except by the concurrence of the ranking minority member or vote of the committee, are waived for the remainder of the first session of the 104th Congress was tabled on January 5, 1996, by unanimous consent.

House Resolution 352 authorizing the Speaker to declare recesses, subject to the call of the Chair, of not more than three day intervals at a time from calendar days Friday, February 2, 1996, through Monday, February 26, 1996, was tabled on February 28, 1996, by unanimous consent.

(c) Rules Pending

The Rules Committee reported House Resolution 438, providing for the consideration of the bill H.R. 3144, the Defend America Act, on May 16, 1996.

The Rules Committee reported House Resolution 536, providing for the consideration of the bill H.R. 1296, Omnibus Parks and Land Management Act of 1996, on September 25, 1996.

6. WAIVERS OF HOUSE RULES

The following compilation identifies the Rules of the House which were waived in specific resolutions, the provisions to which the waivers applied, and the legislation which required the waiver. There is also an indication whether the rule was waived against the bill and/or original text (B/OT), an amendment (A), a motion (M), or a conference report (CR).

Rule X, clause 1(b)—Requiring a detailed explanation in the committee report on any rescissions or transfers of unexpected balances			
H. Res. 445	H.R. 3540	Foreign Assistance Appropriations, FY 1997	B
Rule X, clause 1(q)(10)—Prohibiting inclusion in a general roads bill of provisions addressing specific roads			
H. Res. 224	H.R. 2274	National Highway System Designation Act of 1995	OT
Rule XI, clause 2(g)(3)—Requiring a committee to schedule hearings at least a week in advance unless it determines for good cause to schedule them sooner			
H. Res. 44	H. Con. Res. 17 & H. Res. 1.	Relating to the Treatment of Social Security & the Balanced Budget Constitutional Amendment (respectively).	B
Rule XI, clause 2(l)(2)—Requiring a quorum to report a bill from committee			
H. Res. 427	H.R. 3322	Omnibus Civilian Science Authorization Act of 1995	B
Rule XI, clause 2(l)(2)(B)—Requiring the inclusion in the report of any roll call votes on a motion to report a bill from committee			
H. Res. 63	H.R. 667	Violent Criminal Incarceration Act of 1995	B
H. Res. 225	H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	B
H. Res. 226	H.R. 743	Teamwork for Employees and Managers Act of 1995	B
H. Res. 237	H.R. 2259	Disapproval of Certain Sentencing Guideline Amendments	B
H. Res. 516	H.R. 3719	Small Business Programs Improvement Act of 1996	B
Rule XI, clause 2(l)(6)—Requiring a three-day layover of the report			
H. Res. 63	H.R. 667	Violent Criminal Incarceration Act of 1995	B
H. Res. 130	H.R. 483	Extension of Medicare Select Policies	B
H. Res. 155	H.R. 1561	American Overseas Interests Act of 1995	B
H. Res. 205	H.R. 2126	Defense Appropriations, FY 1996	B
H. Res. 269	H.R. 2564	Lobby Disclosure Act of 1995	B
H. Res. 303	H.R. 1745	Utah Public Lands Management of 1995	B
H. Res. 451	H.R. 3603	Agriculture Appropriations, FY 1997	B
H. Res. 453	H.R. 3610	Defense Appropriations, FY 1997	B
H. Res. 455	H.R. 3662	Interior Appropriations, FY 1997	B
H. Res. 456	H.R. 3666	VA, HUD Appropriations, FY 1997	B
H. Res. 472	H.R. 3755	Labor, Health, Human Services, Education Appropriations, FY 1997	B
H. Res. 473	H.R. 3754	Legislative Branch Appropriations, FY 1997	B
H. Res. 474	H.R. 3396	Defense of Marriage Act	B
H. Res. 479	H.R. 3814	Commerce, Justice, State, Judiciary Appropriations, FY 1997	B
H. Res. 499	H.R. 123	English Language Empowerment Act of 1996	B

Rule XIII, clause 3—Requiring a committee bill report contain the text of the statute being repealed within the committee bill			
H. Res. 194	H.R. 2002	Transportation Appropriations, FY 1996	B
Rule XIII, clause 7—Requiring a cost estimate in the committee report			
H. Res. 421	H.R. 2974	Crimes Against Children and Elderly Persons Increased Punishment Act	B
H. Res. 422	H.R. 3120	Amending Title 18, United States Code, with Respect to Witness Retaliation, Witness Tampering and Jury Tampering.	B
Rule XVI, clause 7—Prohibiting nongermane amendments			
H. Res. 55	H.R. 2	Line Item Veto Act	OT
H. Res. 63	H.R. 667	Violent Criminal Incarceration Act of 1995	OT
H. Res. 92	H.R. 889	Emergency Supplemental Appropriations, DoD, 1995	OT
H. Res. 101	H.R. 925	Private Property Protection Act of 1995	OT
H. Res. 103	H.R. 1058	Securities Litigation Reform	A
H. Res. 105	H.R. 1058	Securities Litigation Reform	A
H. Res. 115	H.R. 1158	Emergency Supplemental Appropriations, Disaster Assistance, 1995	OT
H. Res. 140	H.R. 961	Clean Water Amendments of 1995	OT
H. Res. 216	H.R. 1655	Intelligence Authorization Act, FY 1995	OT
H. Res. 218	H.R. 1162	Deficit Reduction Lock-Box Act of 1995	OT
H. Res. 225	H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	OT
H. Res. 303	H.R. 1745	Utah Public Lands Management Act of 1995	OT
H. Res. 368	H.R. 994	Regulatory Sunset and Review Act of 1995	OT, M
H. Res. 410	H.R. 1675	National Wildlife Refuge Improvement Act of 1995	OT
H. Res. 419	H.R. 2149	Ocean Shipping Reform Act of 1995	A
H. Res. 421	H.R. 2974	Crimes Against Children and Elderly Persons Increased Punishment Act	A
H. Res. 437	H.R. 3259	Intelligence Authorization Act, FY 1996	OT
H. Res. 488	H.R. 2391	Working Families Flexibility Act of 1996	OT
H. Res. 499	H.R. 123	English Language Empowerment Act of 1996	OT
Rule XXI, clause 2—Prohibiting unauthorized appropriations or legislative provisions in a general appropriations bill against provisions in the bill			
H. Res. 92	H.R. 889	Emergency Supplemental Appropriations, DoD	B, OT, A
H. Res. 115	H.R. 1158	Emergency Supplemental Appropriations, Disaster Assistance, 1995	B, OT
H. Res. 167	H.R. 1817	Military Construction Appropriations, FY 1996	B
H. Res. 169	H.R. 1854	Legislative Branch Appropriations, FY 1996	B
H. Res. 170	H.R. 1868	Foreign Assistance Appropriations, FY 1996	B, A

H. Res. 171	.....	H.R. 1905	.....	Energy and Water Appropriations, FY 1996	B
H. Res. 185	.....	H.R. 1977	.....	Interior Appropriations, FY 1996	B
H. Res. 187	.....	H.R. 1977	.....	Interior Appropriations, FY 1996	B
H. Res. 188	.....	H.R. 1976	.....	Agriculture Appropriations, FY 1996	B
H. Res. 190	.....	H.R. 2020	.....	Treasury, Postal Service Appropriations, FY 1996	B
H. Res. 194	.....	H.R. 2002	.....	Transportation Appropriations, FY 1996	B
H. Res. 198	.....	H.R. 2076	.....	Commerce, Justice, State, Judiciary Appropriations, FY 1996	B
H. Res. 201	.....	H.R. 2099	.....	VA, HUD Appropriations, FY 1996	B
H. Res. 205	.....	H.R. 2126	.....	Defense Appropriations, FY 1996	B
H. Res. 208	.....	H.R. 2127	.....	Labor, Health, Human Services, Education Appropriations, FY 1996	B
H. Res. 252	.....	H.R. 2546	.....	District of Columbia Appropriations, FY 1996	B
H. Res. 442	.....	H.R. 3517	.....	Military Construction Appropriations, FY 1997	B
H. Res. 445	.....	H.R. 3540	.....	Foreign Assistance Appropriations, FY 1997	B
H. Res. 451	.....	H.R. 3603	.....	Agriculture Appropriations, FY 1997	B
H. Res. 453	.....	H.R. 3610	.....	Defense Appropriations, FY 1997	B
H. Res. 455	.....	H.R. 3662	.....	Interior Appropriations, FY 1997	B
H. Res. 456	.....	H.R. 3666	.....	VA, HUD Appropriations, FY 1997	B
H. Res. 460	.....	H.R. 3675	.....	Transportation Appropriations, FY 1997	B
H. Res. 472	.....	H.R. 3755	.....	Labor, Health, Human Services, Education Appropriations, FY 1997	B
H. Res. 473	.....	H.R. 3754	.....	Legislative Branch Appropriations, FY 1997	B
H. Res. 475	.....	H.R. 3756	.....	Treasury, Postal Appropriations, FY 1997	B
H. Res. 479	.....	H.R. 3814	.....	Commerce, Justice, State, Judiciary, Appropriations, FY 1997	B
H. Res. 483	.....	H.R. 3816	.....	Energy and Water Appropriations, FY 1997	B
Rule XXI, clause 2(e)—Prohibiting non-emergency designated amendments to be offered to an appropriations bill containing an emergency designation					
H. Res. 115	.....	H.R. 1158	.....	Emergency Supplemental Appropriations, Disaster Assistance 1995	A
H. Res. 185	.....	H.R. 1977	.....	Interior Appropriations, FY 96	A
H. Res. 187	.....	H.R. 1977	.....	Interior Appropriations, FY 96	A
Rule XXI, clause 5(a)—Prohibiting appropriations in a legislative bill					
H. Res. 63	.....	H.R. 667	.....	Violent Criminal Incarceration Act of 1995	OT
H. Res. 69	.....	H.R. 668	.....	Criminal Alien Deportation Improvements Act of 1995	OT
H. Res. 83	.....	H.R. 7	.....	National Security Revitalization Act	OT
H. Res. 101	.....	H.R. 925	.....	Private Property Protection Act of 1995	OT, A
H. Res. 139	.....	H.R. 1361	.....	Coast Guard Authorization Act, FY 1996	OT

H. Res. 140	.....	H.R. 961	.....	Clean Water Amendments of 1995	OT
H. Res. 155	.....	H.R. 1561	.....	American Overseas Interest Act of 1995	OT
H. Res. 207	.....	H.R. 1555	.....	Communications Act of 1995	OT
H. Res. 216	.....	H.R. 1655	.....	Intelligence Authorization Act, FY 1996	OT
H. Res. 219	.....	H.R. 1670	.....	Federal Acquisition Reform Act of 1995	OT
H. Res. 222	.....	H.R. 1617	.....	Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act.	OT
H. Res. 224	.....	H.R. 2374	.....	National Highway System Designation Act of 1995	OT
H. Res. 259	.....	H.R. 2539	.....	ICC Termination Act of 1995	OT
H. Res. 426	.....	H.R. 2406	.....	United States Housing Act of 1996	OT
H. Res. 427	.....	H.R. 3322	.....	Omnibus Civilian Science Authorization Act of 1995	B
H. Res. 516	.....	H.R. 3719	.....	Small Business Programs Improvement Act of 1995	OT
Rule XXI, clause 5(b)—Prohibiting tax or tariff provisions in a bill not reported by a committee with jurisdiction over revenue measures					
H. Res. 170	.....	H.R. 1868	.....	Foreign Assistance, FY 1996	B
H. Res. 437	.....	H.R. 3259	.....	Intelligence Authorization Act, FY 1997	OT
H. Res. 445	.....	H.R. 3540	.....	Foreign Assistance, FY 1997	B
Rule XXI, clause 5(c)—Requiring a three-fifths vote on any amendment or measure containing a federal income tax increase					
H. Res. 238	.....	H.R. 2425	.....	Medicare Preservation Act of 1995	B, A, CR
H. Res. 245	.....	H. Con. Res. 109 and H.R. 2491.	.....	Seven Year Balanced Budget Reconciliation Act of 1995	B, A, CR
H. Res. 392	.....	H.R. 3103	.....	Health Coverage Availability and Affordability Act of 1996	B, A, CR
H. Res. 440	.....	H.R. 3448 and H.R. 1227	.....	Small Business Job Protection Act and Use of Employer Vehicles	B, A, CR
H. Res. 495	.....	H.R. 3734	.....	Personal Responsibility and Work Opportunity Reconciliation Act of 1995	B, OT, A, CR
Rule XXI, clause 6—Prohibiting reappropriations in a general appropriations bill					
H. Res. 92	.....	H.R. 889	.....	Emergency Supplemental Appropriations, DoD, 1995	OT
H. Res. 167	.....	H.R. 1817	.....	Military Construction Appropriations, FY 96	B
H. Res. 169	.....	H.R. 1854	.....	Legislative Branch Appropriations, FY 96	B
H. Res. 170	.....	H.R. 1868	.....	Foreign Assistance Appropriations, FY 96	B
H. Res. 171	.....	H.R. 1905	.....	Energy and Water Appropriations, FY 96	B
H. Res. 185	.....	H.R. 1977	.....	Interior Appropriations, FY 96	B
H. Res. 187	.....	H.R. 1977	.....	Interior Appropriations, FY 96	B
H. Res. 188	.....	H.R. 1976	.....	Agriculture Appropriations, FY 1996	B

H. Res. 190	.....	H.R. 2020	.....	Treasury, Postal Service Appropriations, FY 1996	B
H. Res. 194	.....	H.R. 2002	.....	Transportation Appropriations, FY 1996	B
H. Res. 198	.....	H.R. 2076	.....	Commerce, Justice, State, Judiciary Appropriations, FY 1996	B
H. Res. 201	.....	H.R. 2099	.....	VA, HUD Appropriations, FY 1996	B
H. Res. 205	.....	H.R. 2126	.....	Defense Appropriations, FY 1996	B
H. Res. 208	.....	H.R. 2127	.....	Labor, Health, Human Services, Education Appropriations FY 1996	B
H. Res. 252	.....	H.R. 2546	.....	District of Columbia Appropriations, FY 1996	B
H. Res. 442	.....	H.R. 3517	.....	Military Construction Appropriations, FY 1997	B
H. Res. 445	.....	H.R. 3540	.....	Foreign Assistance Appropriations, FY 1997	B
H. Res. 451	.....	H.R. 3603	.....	Agriculture Appropriations, FY 1997	B
H. Res. 453	.....	H.R. 3610	.....	Defense Appropriations, FY 1997	B
H. Res. 455	.....	H.R. 3662	.....	Interior Appropriations, FY 1997	B
H. Res. 456	.....	H.R. 3666	.....	VA, HUD Appropriations, FY 1997	B
H. Res. 460	.....	H.R. 3675	.....	Transportation Appropriations, FY 1997	B
H. Res. 472	.....	H.R. 3755	.....	Labor, Health, Human Services, Education, Appropriations, FY 1997	B
H. Res. 475	.....	H.R. 3756	.....	Treasury, Postal Appropriations, FY 1997	B
H. Res. 479	.....	H.R. 3814	.....	Commerce, Justice, State, Judiciary Appropriations, FY 1997	B
H. Res. 483	.....	H.R. 3816	.....	Energy and Water Appropriations, FY 1997	B
Rule XXI, clause 7—Requiring relevant printed hearings and reports to be available for three days prior to consideration of a general appropriation bill					
H. Res. 205	.....	H.R. 2126	.....	Defense Appropriations, FY 1996	B
H. Res. 442	.....	H.R. 3517	.....	Military Construction Appropriations, FY 1997	B
H. Res. 445	.....	H.R. 3540	.....	Foreign Assistance Appropriations, FY 1996	B
H. Res. 451	.....	H.R. 3603	.....	Agriculture Appropriations, FY 1997	B
H. Res. 453	.....	H.R. 3610	.....	Defense Appropriations, FY 1997	B
H. Res. 455	.....	H.R. 3662	.....	Interior Appropriations, FY 1997	B
H. Res. 456	.....	H.R. 3666	.....	VA, HUD Appropriations, FY 1997	B
H. Res. 472	.....	H.R. 3755	.....	Labor, Health, Human Services, Education Appropriations, FY 1997	B
H. Res. 473	.....	H.R. 3754	.....	Legislative Branch Appropriations, FY 1997	B
H. Res. 479	.....	H.R. 3814	.....	Commerce, Justice, State, Judiciary Appropriations, FY 1997	B

Rule XXIII, clause 5(c)—Preserving the admissibility of certain motions to strike absent specific language in the rule governing consideration	
H. Res. 366	H.R. 2854
	Agriculture Market Transition Act
	A
Rule XLIX—Establishing a statutory limit on the public debt	
H. Res. 149	H. Con. Res. 67
	Concurrent Resolution on the Budget for FY 1996
H. Res. 435	H. Con. Res. 178
	Concurrent Resolution on the Budget for FY 1997
	B
	B

7. WAIVERS OF THE BUDGET ACT (EXCEPT FOR UNFUNDED MANDATE
POINT OF ORDER)

The following compilation identifies the sections of the Budget Act which were waived in specific resolutions, the provisions to which the waivers applied, and the legislation which required the waiver. There is also an indication whether the rule was waived against the bill and/or original text (B/OT), an amendment (A), a motion (M), or a conference report (CR). Bills marked with an (*) did not specify the subsection waived.

Section 302(c) of the Congressional Budget Act—Prohibiting consideration of a committee's legislation providing new budget authority, entitlement authority, or credit authority until that committee has filed its Section 302(b) report		
H. Res. 451	H.R. 3603	Agriculture Appropriations, FY 1997
H. Res. 453	H.R. 3610	Defense Appropriations, FY 1997
Section 302(f) of the Congressional Budget Act—Prohibiting consideration of legislation providing budget authority, new entitlement authority, or new credit authority in excess of a subcommittee's 302(b) allocation of such authority		
H. Res. 69	H.R. 668	Criminal Alien Deportation Improvements Act of 1995
H. Res. 101	H.R. 925	Private Property Protection Act of 1995
H. Res. 139	H.R. 1361	Coast Guard Authorization Act, FY 1996
H. Res. 140	H.R. 961	Clean Water Amendments of 1995
H. Res. 155	H.R. 1561	American Overseas Interests Act of 1995
H. Res. 169	H.R. 1854	Legislative Branch Appropriations, FY 1996
H. Res. 185	H.R. 1977	Interior Appropriations, FY 1996
H. Res. 187	H.R. 1977	Interior Appropriations, FY 1996
H. Res. 207	H.R. 1555	Communications Act of 1995
H. Res. 216	H.R. 1655	Intelligence Authorization Act, FY 1996
H. Res. 219	H.R. 1670	Federal Acquisition Reform Act of 1995
H. Res. 222	H.R. 1617	Consolidated and Reformed Education, Employment, and Rehabilitation Systems (CAREERS) Act
H. Res. 224	H.R. 2274	National Highway System Designation Act of 1995
H. Res. 259	H.R. 2539	ICC Termination Act of 1995
H. Res. 303	H.R. 1745	Utah Public Lands Management Act of 1995
H. Res. 437	H.R. 3259	Intelligence Authorizations, FY 1997
H. Res. 456	H.R. 3666	VA, HUD Appropriations, FY 1997
H. Res. 472*	H.R. 3755	Labor, Health, Human Services, Education Appropriations, FY 1997
H. Res. 473*	H.R. 3754	Legislative Branch Appropriations, FY 1997
H. Res. 475	H.R. 3756	Treasury, Postal Appropriations, FY 1997
Section 303(a) of the Congressional Budget Act—Prohibiting consideration of legislation, as reported, providing new budget authority, change in revenues, change in public debt, new entitlement authority, or new credit authority for a fiscal year until the budget resolution for that year has been agreed to		
H. Res. 69	H.R. 668	Criminal Alien Deportation Improvements Act of 1995
H. Res. 155	H.R. 1561	American Overseas Interests Act of 1995

Section 306 of the Congressional Budget Act—Prohibiting consideration of legislation within the Budget Committee's jurisdiction, unless reported by the Budget Committee		
H. Res. 185	H.R. 1977	Interior Appropriations, FY 1996
H. Res. 187	H.R. 1977	Interior Appropriations, FY 1996
H. Res. 205	H.R. 2126	Defense Appropriations, FY 1996
Section 308(a) of the Congressional Budget Act—Requiring a Congressional Budget Office cost estimate in the committee report on any legislation containing new budget authority, new spending authority, new credit authority or a change in revenues		
H. Res. 101	H.R. 925	Private Property Protection Act of 1995
H. Res. 139	H.R. 1361	Coast Guard Authorization Act, FY 1996
H. Res. 155	H.R. 1561	American Overseas Interests Act of 1995
H. Res. 169	H.R. 1854	Legislative Branch Appropriations, FY 1996
H. Res. 185	H.R. 1977	Interior Appropriations, FY 1996
H. Res. 187	H.R. 1977	Interior Appropriations, FY 1996
H. Res. 216	H.R. 1655	Intelligence Authorization Act, FY 1996
H. Res. 219	H.R. 1670	Federal Acquisition Reform Act of 1995
H. Res. 259	H.R. 2539	ICC Termination Act of 1995
H. Res. 437	H.R. 3259	Intelligence Authorization for FY 1997
H. Res. 472*	H.R. 3755	Labor, Health, Human Services, Education Appropriations, FY 1997
H. Res. 473*	H.R. 3754	Legislative Branch Appropriations, FY 1997
H. Res. 475	H.R. 3756	Treasury, Postal Appropriations, FY 1997
Section 311(a) of the Congressional Budget Act—Prohibiting consideration of legislation or an amendment that would cause the total level of new budget authority or outlays in the most recent budget resolution to be exceeded, or would cause revenues to be less		
H. Res. 101	H.R. 925	Private Property Protection Act of 1995
H. Res. 303	H.R. 1745	Utah Public Lands Management Act of 1995
Section 401(a) of the Congressional Budget Act—Prohibiting consideration of legislation, as reported, providing new contract authority or new borrowing authority that is not limited to amounts provided in appropriation acts		
H. Res. 194	H.R. 2002	Transportation Appropriations, FY 1996
H. Res. 437	H.R. 3259	Intelligence Authorization for FY 1997
H. Res. 460	H.R. 3675	Transportation Appropriations, FY 1997
Section 401(b) of the Congressional Budget Act—Prohibiting consideration of legislation providing new entitlement authority which becomes effective during the fiscal year which ends in the calendar year in which the bill is reported		
H. Res. 101	H.R. 925	Private Property Protection Act of 1995
H. Res. 139	H.R. 1361	Coast Guard Authorization Act for FY 1996

H. Res. 216	H.R. 1655	Intelligence Authorization Act for FY 1996	B, OT
H. Res. 222	H.R. 1617	Consolidated and Reformed Education, Employment, and Rehabilitation Systems (CAREERS) Act.	OT
H. Res. 475	H.R. 3756	Treasury, Postal Appropriations, FY 1997	B
Section 402(a) of the Congressional Budget Act—Prohibiting consideration of legislation, as reported, providing new credit authority that is not limited to amounts provided in appropriation acts			
H. Res. 155	H.R. 1561	American Overseas Interests Act of 1995	B, OT

8. WAIVERS OF UNFUNDED MANDATE POINTS OF ORDER

Sec. 107(b) of Public Law 104-4; 109 Stat. 63, the Unfunded Mandates Reform Act of 1995, requires the Committee on Rules to include in its activity report a separate item identifying all waivers of points of order relating to Federal mandates, listed by bill or joint resolution and subject matter.

The Committee is pleased to note that it can find no specific instance of waivers of points of order relating to Federal mandates in the time the Unfunded Mandates Law has been in effect. The Rules Committee, on a number of occasions, has waived all points of order against certain measures, and those waivers are detailed in Section III, B, 9 of this activity report.

The Unfunded Mandates Law was designed to provide information to the Congress and the public about Federal mandates that may be contained in legislation. In this regard, the law established points of order against legislation containing unfunded mandates as defined in Sec. 425 of the Congressional Budget Act. Specifically, the section prohibits the consideration of any measure containing a private sector mandate costing in excess of \$100 million in any year unless identified by a CBO statement in the report. And it prohibits the consideration of any measure, amendment, motion or conference report containing an unfunded intergovernmental mandate. The law further prohibits the Committee on Rules from waiving these points of order at Sec. 426. A point of order made against either an unfunded intergovernmental mandate or a rule waiving the mandate points of order triggers a 20 minute debate and a vote on whether to consider the measure or rule.

In several prominent instances, the Committee on Rules specifically did not waive the unfunded mandates points of order established by the law. Where a question had been raised as to whether an unfunded mandate may exist in a particular piece of legislation, the Committee was careful to allow Members of the House an opportunity to raise a point of order and consider it on the House floor. In these cases, the Committee generally waived all points of order except those arising under Sec. 425 of the Congressional Budget Act.

Special rules which waived all points of order except those arising under Section 425(a) of the Congressional Budget Act (Unfunded Mandates Reform) against consideration of the legislation:

H. Res. 384	H.R. 2202	Immigration in the National Interest Act.
H. Res. 391	H.R. 3136	Contract With America Advancement Act of 1996.
H. Res. 392	H.R. 3103	Health Coverage Availability and Affordability Act of 1996.
H. Res. 440	H.R. 3448/H.R. 1227	Small Business Job Protection Act and Use of Employer Vehicles, including Amendments thereto (minimum wage).

9. WAIVING ALL POINTS OF ORDER

H. Res. 88	.....	H.R. 831	.....	Permanent Extension of Deduction for Health Insurance Costs of Self-Employed Individuals.	B/OT, A
H. Res. 101	.....	H.R. 925	.....	Private Property Protection Act of 1995	B, M
H. Res. 119	.....	H.R. 9	.....	Job Creation and Wage Enhancement Act	A
H. Res. 121	.....	H.R. 4	.....	Personal Responsibility Act of 1995	CR
H. Res. 128	.....	H.R. 831	.....	Conference Report on the Permanent Extension of Deduction for Health Insurance Costs of Self-Employed Individuals.	B/OT, A
H. Res. 129	.....	H.R. 1215	.....	Contract with America Tax Relief Act of 1995	CR
H. Res. 130	.....	H.R. 889	.....	Conference Report Making Emergency Supplemental Appropriations for the Department of Defense, FY 95.	B
H. Res. 147	.....	H.R. 483	.....	Medicare Select Extension	B, M
H. Res. 148	.....	S. 4	.....	Line Item Veto	B, M
H. Res. 149	.....	S. 219	.....	Regulatory Transition Act of 1995	B, A
H. Res. 151	.....	H.Con.Res. 67	.....	Concurrent Resolution on the Budget, FY 96	CR
H. Res. 164	.....	H.R. 1158	.....	Conference Report Making Emergency Supplemental Appropriations For Disaster Assistance and Making Recissions, FY 95.	B/OT, A, (en bloc)
		H.R. 1530	.....	National Defense Authorization Act, FY 96	A
H. Res. 169	.....	H.R. 1854	.....	Legislative Branch Appropriations, FY96	A
H. Res. 170	.....	H.R. 1868	.....	Foreign Operations Appropriations, FY96	A
H. Res. 171	.....	H.R. 1905	.....	Energy and Water Appropriations, FY96	A
H. Res. 175	.....	H. Con. Res. 67	.....	Conference Report on the Concurrent Resolution on the Budget, FY 96	CR
H. Res. 176	.....	H.R. 1944	.....	Making Emergency Supplemental Appropriations, Disaster Assistance, FY 95	A
H. Res. 177	.....	H.R. 1868	.....	Foreign Operations Appropriations, FY 96	A
H. Res. 179	.....	S. Con. Res. 20	.....	Adjournment Resolution for Independence Day District Work Period, 1995	B
H. Res. 180	.....	H.R. 483	.....	Conference Report on Extension of Medicare Select Policies	CR
H. Res. 185	.....	H.R. 1977	.....	Interior Appropriations, FY 96	A
H. Res. 187	.....	H.R. 1977	.....	Interior Appropriations, FY 96	A
H. Res. 194	.....	H.R. 2002	.....	Transportation Appropriations, FY 96	A
H. Res. 197	.....	H.R. 70	.....	Exports of Alaskan North Slope Oil	A
		S. 395	.....	Exports of Alaskan North Slope Oil	B

H. Res. 201	.....	H.R. 2099	.....	VA, HUD Appropriations, FY 96	A
H. Res. 206	.....	H.R. 1854	.....	Conference Report on the Legislative Branch Appropriations, FY 96	CR
H. Res. 207	.....	H.R. 1555	.....	Communications Act of 1995	A
		S. 652	.....	Telecommunications Act of 1995	B, M
H. Res. 208	.....	H.R. 2127	.....	Labor, Health, Human Services, and Education Appropriations for FY 96	A
H. Res. 222	.....	H.R. 1617	.....	Consolidated and Reformed Education Employment and Rehabilitation Act	A
H. Res. 223	.....	H.R. 1817	.....	Conference Report on the Military Construction Appropriations, FY 96	CR
H. Res. 224	.....	H.R. 2274	.....	National Highway System Designation Act of 1995	A
H. Res. 230	.....	H.J. Res. 108	.....	Making Continuing Appropriations, FY 96	B
H. Res. 231	.....	H.R. 1977	.....	Conference Report on the Interior Appropriations, FY 96	CR
H. Res. 232	.....	H.R. 2126	.....	Conference Report on the Defense Appropriations, FY 96	CR
H. Res. 235	.....	H.R. 1976	.....	Conference Report on the Agriculture Appropriations, FY 96	CR
H. Res. 237	.....	H.R. 2259	.....	Disapproving of Certain Sentencing Guidelines Amendments	
		S. 1254	.....	Disapproving of Certain Sentencing Guidelines Amendments	
H. Res. 238	.....	H.R. 2425	.....	Medicare Preservation Act of 1995	B, M
H. Res. 241	.....	H.R. 2002	.....	Conference Report on the Transportation Appropriations, FY 96	B/OT, A
H. Res. 245	.....	H. Con. Res. 109	.....	Social Security Earnings Test Reform	CR
		H.R. 2491	.....	Seven Year Balanced Budget Reconciliation Act of 1995	OT, A
H. Res. 248	.....	H.R. 1905	.....	Conference Report on the Energy and Water Appropriations, FY 96	CR
H. Res. 249	.....	H.R. 1868	.....	Conference Report on the Foreign Operations Appropriations, FY 96	CR, M
H. Res. 252	.....	H.R. 2456	.....	District of Columbia Appropriations, FY 96	B, A
H. Res. 253	.....	H.R. 1977	.....	Conference Report on the Interior Appropriations, FY 96	CR
H. Res. 256	.....	S. 395	.....	Conference Report on the Alaska Power Administration Sale Act	CR
H. Res. 257	.....	H.J. Res. 115	.....	Making Further Continuing Appropriations, FY 96	B
H. Res. 258	.....	H.R. 2586	.....	Temporary Increase in the Public Debt Limit	B
H. Res. 261	.....	H.J. Res. 115	.....	Further Continuing Appropriations, FY 96	B, M
H. Res. 262	.....	H.R. 2586	.....	Temporary Increase in the Public Debt Limit	B, M
H. Res. 267	.....	H.R. 2020	.....	Conference Report on the Treasury, Postal Appropriations, FY 96	CR
H. Res. 268	.....	H.Res. 250	.....	Amending the Rules of the House to Provide for Gift Reform	B, A
H. Res. 269	.....	H.R. 2564	.....	Lobby Disclosure Act of 1995	A
		S. 1060	.....	Lobby Disclosure Act of 1995	B
H. Res. 270	.....	H.J. Res. 122	.....	Making Further Continuing Appropriations, FY 96	B
H. Res. 271	.....	H.R. 2126	.....	Conference Report on the Defense Appropriations, FY 96	CR
H. Res. 272	.....	H.R. 2491	.....	Conference Report on the Balanced Budget Act of 1995	CR
H. Res. 273	.....	H.R. 2606	.....	Prohibition on Use of Funds for Bosnia Deployment	B

9. WAIVING ALL POINTS OF ORDER—CONTINUED

H. Res. 279	.....	H.R. 2491	.....	Conference Report on the Seven Year Balanced Budget Act of 1995	B/OT, M
H. Res. 280	.....	H.R. 2099	.....	Conference Report on the VA, HUD Appropriations, FY 96	CR
H. Res. 284	.....	H.R. 1788	.....	Amtrak Reform and Privatization Act of 1995	B/OT, A
H. Res. 287	.....	H.R. 1350	.....	Maritime Security Act of 1995	A
H. Res. 289	.....	H.R. 2076	.....	Conference Report on the Commerce, Justice, State Appropriations, FY 96	CR
H. Res. 290	.....	H.R. 1058	.....	Conference Report on the Securities Litigation Reform Act of 1995	CR
H. Res. 291	.....	H.R. 2099	.....	Conference Report on the VA, HUD Appropriations for FY 96	CR, M
H. Res. 296	.....	H.R. 1868	.....	Conference Report on the Foreign Operations Appropriations, FY 96	M
H. Res. 301	.....	H.R. 1977	.....	Conference Report on the Interior Appropriations, FY 96	CR
H. Res. 307	.....	H.R. 1530	.....	Conference Report on the Defense Appropriations, FY 96	CR
H. Res. 309	.....	H. Con. Res. 122	.....	Revised Budget Resolution	B
H. Res. 312	.....	H.R. 2539	.....	Conference Report on the ICC Termination Act of 1995	CR
H. Res. 318	.....	H.R. 1655	.....	Conference Report on the Intelligence Authorization, FY 96	CR
H. Res. 319	.....	H.R. 4	.....	Conference Report on the Personal Responsibility Act of 1995	CR
H. Res. 322	.....	H. Res. 299	.....	Amending House Rules Regarding Outside Income	M
H. Res. 334	.....	H.R. 1643	.....	Most Favored Nation Treatment for Bulgaria	M
H. Res. 340	.....	S. 1124	.....	Conference Report on the Defense Authorization Act of 1996	CR
H. Res. 351	.....	H.R. 2546	.....	Conference Report on the District of Columbia Appropriations, FY 96	CR
H. Res. 353	.....	S. 652	.....	Conference Report on the Telecommunications Act of 1996	CR
H. Res. 366	.....	H.R. 2854	.....	The Agricultural Market Transition Act	B/OT, A
H. Res. 370	.....	H.R. 927	.....	Conference Report on the Cuban Liberty and Democratic Solidarity Act of 1995	CR
H. Res. 372	.....	H.R. 3019	.....	Balanced Budget Downpayment Act II	A
H. Res. 375	.....	H.R. 1561	.....	Foreign Relations Authorization Act for FY 96 and FY 97	CR
H. Res. 380	.....	H.R. 2703	.....	The Effective Death Penalty and Public Safety Act of 1996	A
H. Res. 384	.....	H.R. 2202	.....	Immigration in the National Interest Act	B, A
H. Res. 391	.....	H.R. 3136	.....	Contract with America Advancement Act	B
H. Res. 392	.....	H.R. 3103	.....	Health Coverage Availability & Affordability Act of 1996	OT, A
H. Res. 393	.....	H.R. 2854	.....	Conference Report on the Federal Agricultural Improvement and Reform Act of 1996	CR
H. Res. 394	.....	H.R. 956	.....	Conference Report on the Common Sense Product Liability Legal Reform Act of 1996	CR
H. Res. 395	.....	H.J. Res. 159	.....	Tax Limitation Constitutional Amendment	B
H. Res. 405	.....	S. 735	.....	Conference Report on the Terrorism Prevention Act	CR

H. Res. 415	.....	Conference Report on the Balanced Budget Downpayment Act II	CR
H. Res. 426	.....	United States Housing Act of 1996	A, M
H. Res. 428	.....	Adoption Promotion and Stability Act of 1996	B/OT
H. Res. 430	.....	Defense Authorization Act of FY 97	B/OT, A
H. Res. 435	.....	Concurrent Resolution on the Budget, FY 97	A
H. Res. 436	.....	Repeal of 4.3 cent Increase in Transportation Fuels Tax	B/OT
H. Res. 438	.....	The Defense America Act of 1996	B/OT, A
H. Res. 440	.....	Small Business Job Protection Act	B/OT, A
H. Res. 448	.....	Commuting Flexibility Act	B/OT, A
H. Res. 450	.....	Shipbuilding Trade Agreement Act	B/OT, A
H. Res. 453	.....	Conference Report on the Concurrent Resolution on the Budget, FY 97	CR
H. Res. 463	.....	Defense Appropriations, FY 97	A
H. Res. 465	.....	Regarding the People's Republic of China	B
H. Res. 473	.....	Adjournment Resolution for Independence Day District Work Period, 1996	B
H. Res. 474	.....	Legislative Branch Appropriations, FY 97	A
H. Res. 475	.....	The Defense of Marriage Act	A
H. Res. 479	.....	Treasury, Postal Appropriations, FY 97	A
H. Res. 481	.....	Commerce, Justice, State Appropriations, FY 97	A
H. Res. 482	.....	Campaign Finance Reform Act of 1996	A
H. Res. 495	.....	The Personal Responsibility Act of 1996	B/OT, A
H. Res. 496	.....	Conference Report on the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.	CR
H. Res. 497	.....	Conference Report on the Agriculture Appropriation, FY 97	CR
H. Res. 498	.....	Conference Report on the Military Construction Appropriation, FY 97	CR
H. Res. 499	.....	Conference Report on the Defense Appropriation, FY 97	CR
H. Res. 502	.....	English Language Empowerment Act of 1996	A
H. Res. 503	.....	Conference Report on the Health Insurance Portability and Accountability Act of 1996.	CR
H. Res. 507	.....	Conference Report on the Small Business Job Protection Act of 1996	CR
H. Res. 522	.....	Conference Report on the Safe Drinking Water Act	CR
H. Res. 528	.....	Conference Report on the Transportation Appropriation, FY 97	CR
H. Res. 529	.....	Conference Report on the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.	CR
H. Res. 536	.....	Conference Report on the Intelligence Authorization Act of 1997	CR
		Conference Report on the Omnibus Parks and Public Lands Management Act of 1996.	CR

9. WAIVING ALL POINTS OF ORDER—CONTINUED

H. Res. 540	H.R. 3539	Conference Report on the Federal Aviation Authorization Act of 1996	CR
-------------------	-----------------	---	----

C. ORIGINAL JURISDICTION MATTER

1. COMMITTEE CONSIDERATION OF ORIGINAL JURISDICTION MEASURES

The following is a list of original jurisdiction measures which were considered by the Committee during the 104th Congress. The list identifies the measures by number and title or subject and includes the action and date the action was taken by the Committee and by the House.

Bill	Title	Reported	Status
1. H. Res. 43	Regarding Committee Hearing Schedules.	Resolution reported 1/26/95	Passed House 1/31/95
2. H. Res. 168	To Establish a Corrections Calendar.	Resolution reported 6/16/95	Passed House 6/20/95
3. H. Res. 250	Amending the Rules of the House to provide for gift reform.	Resolution reported 11/14/95	Passed House 11/16/95
4. H. Res. 254	Making Technical Corrections.	Resolution reported 11/14/95	Passed House 11/30/95
5. H. Res. 299	Amending the Rules of the House Regarding Book Contracts.	Resolution reported 12/21/95	Passed House 12/22/95
6. H. Res. 369	Provide the Committee on Government Reform and Oversight Special Authority to Take Testimony RE: White House Travel Office.	Resolution reported 6/6/96	Passed House 3/7/96
7. H. Res. 416	Establishing a select subcommittee of the Committee on International Relations to investigate the U.S. role in Iranian arms transfer to Croatia and Bosnia.	Resolution reported 5/2/96	Passed House 5/8/96
8. H.R. 5	Unfunded Mandate Reform.	Bill reported 1/12/95	Passed House 2/1/95
9. H.R. 1162	Deficit Reduction Lock Box.	Bill reported 7/20/95	Passed house 9/13/95
10. H.R. 2	Legislative Line Item Veto Act.	Bill reported 1/26/95	Passed House 2/6/95
11. H.R. 3024	Puerto Rico self-government.	Bill reported 9/18/96	Pending

2. ORIGINAL JURISDICTION MEASURES REPORTED OR DISCHARGED

a. Committee hearing schedules (H. Res. 43)

In the first session of the 104th Congress, the Committee on Rules considered a House rules change which clarified the long-standing practice of the House in the area of committee hearing scheduling. The Committee was successful in fashioning a bipartisan compromise text and passing the measure on the House floor as well.

In the initial weeks of the 104th Congress, a parliamentary question arose as to the literal meaning of clause 2(g)(3) of rule XI, which requires that each committee call hearings at least a week in advance unless the committee determines there is good cause to schedule them sooner. The House Parliamentarian confirmed that use of the term "committee" in the rule implies that the committee

must act as a collegial body to ratify the call and scheduling of hearings. The longstanding practice of the House, in the view of many Members and the Parliamentarian, has been for Members to defer to the chairmen of committees and subcommittees on the question of setting dates for committee hearings.

As a result of a point of order raised against a particular hearing that was overruled by a committee chairman and the understanding of the Parliamentarian's ruling, the schedules of committees and the House were thrown into a state of uncertainty. Because of the ambitious legislative agenda in the opening weeks of the 104th Congress, the Committee on Rules began an immediate examination of the rule and its interpretation, and possible solutions.

On January 23, 1995, Rules Chairman Solomon introduced H. Res. 43, a resolution amending House rules to permit chairmen to call hearings at least a week in advance unless the chairmen determine there is good cause to hold them sooner. On January 26, 1995, the Rules Committee met to consider H. Res. 43 as a matter of original jurisdiction and, after discussion, ordered the resolution reported to the House by voice vote.

The report to accompany H. Res. 43 (House Report 104-5), filed on January 27, 1995, stated that the current interpretation of House rules regarding committee hearing schedules left committee chairmen in an untenable position. The report asserted that "many chairmen may find it more convenient not to hold hearings than to risk points of order that will stop the hearing in their tracks or will imperil the future consideration of legislation by the House." In the interest of providing the maximum amount of information to the House and the public about pending legislation in committees, the Rules Committee recommended the rule change contained in H. Res. 43.

The Minority Views included in House Report 104-5 agreed that the parliamentary interpretation of the standing rule did not conform to the longstanding practice of committee chairmen in the House. However, the minority members of the Rules Committee expressed concern that H. Res. 43 would allow chairmen alone to determine whether there is good cause to hold a hearing sooner than with seven days notice. The minority report went on to state that while the rule should be corrected to reflect the common practice of scheduling hearings, it "should not enhance the power of the chair."

House resolutions amending the standing rules and reported by the Committee on Rules are typically privileged for consideration on the House floor and are not subject to amendment. However, because of the concerns of the minority members of the Rules Committee and several other ranking minority members on other House committees, the Rules Committee reported an open rule by voice vote on January 27, 1995 (H. Res. 47; House Report 104-6).

Prior to floor consideration of H. Res. 43, Chairman Solomon invited Rules Ranking Member Moakley and several other ranking members of committees to a meeting to discuss their concerns. Based on that meeting, Chairman Solomon crafted an amendment to the reported resolution which addressed the concerns of the minority.

On January 31, 1995, Chairman Solomon called up H. Res. 43 and asked for its immediate consideration in the House. At the appropriate point, Chairman Solomon offered an amendment to the resolution that would permit a chairman to call hearings a week in advance, and permit the chairman, with the concurrence of the ranking minority member, or by vote of the committee, to call them sooner for good cause. The compromise amendment was agreed to by voice vote, and the resolution, as amended, was agreed to by voice vote. H. Res. 47 was subsequently laid on the table.

b. Unfunded Mandates Reform Act (H.R. 5)

H.R. 5 was one of the key measures included in the Republican "Contract With America." It was introduced on January 4, 1995, by Representatives William Clinger (R-PA), Rob Portman (R-OH), Thomas Davis (R-VA) and Gary Condit (D-CA) to make Congress more accountable when imposing new Federal mandates on States, local governments, and tribal governments without providing adequate funding to comply with such mandates. Specifically, the bill sought to curb the practice of imposing unfunded Federal mandates on States and local governments, ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and provide information on the cost of Federal mandates on the private sector.

H.R. 5 was referred to the Committee on Government Reform and Oversight, and sequentially to the Committees on Rules, the Budget, and the Judiciary. The jurisdiction of the Rules Committee was limited to Title III, Section 301 (amendments to the Budget Act at Sections 424 c and d, Section 425, and Section 426), Section 302 (amending House rules XI and XXIII), and Section 303 (exercise of rulemaking powers).

The Rules Committee held a briefing for Members and staff on January 5, 1995, in which Mr. James L. Blum, Deputy Director of the Congressional Budget Office, and Mr. Stanley Bach, a Senior Specialist in American National Government with the Congressional Research Service, described the provisions of H.R. 5 and the implications of the legislation with respect to the CBO and the various congressional committees.

On January 11, 1995, the Rules Committee held an open hearing on H.R. 5. The Committee heard from two panels. Witnesses on the first panel consisted of the Hon. William Clinger (R-PA), the Hon. Rob Portman (R-OH), the Hon. Thomas Davis (R-VA), and the Hon. Gary Condit (D-CA). Witnesses on the second panel consisted of: Ms. Nancy Donaldson, Director of Political Affairs, Service Employees International Union; Mr. Jim St. George, Assistant Director of State Fiscal Projects, Center for Budget Priorities; and Greg Wetstone, Director of Legislation, Natural Resources Defense Council.

On January 10, 1995, H.R. 5 was ordered reported by the Committee on Government Reform and Oversight, with amendments to those sections within that committee's jurisdiction (House Report 104-1, Part II). On January 12, 1995, the Committee on Rules met to mark up H.R. 5 and ordered the measure reported with amendments to those sections within the committee's jurisdiction by a

record vote of 9 to 4 (House Report 104–1, Part I). The Committee on the Budget and the Committee on the Judiciary were both discharged from consideration of H.R. 5.

On January 18, 1995, the Committee on Rules, by a recorded vote of 8 to 3, granted an open rule for the consideration of H.R. 5 in the House. It provided for two hours of general debate, divided between the Committees on Government Reform and Oversight and Rules; made in order an amendment in the nature of a substitute as original text for amendment purposes, to be considered by title rather than section; gave priority recognition to members who had preprinted amendments in the Congressional Record prior to their consideration; and provided one motion to recommit with or without instructions. The rule was considered on the House floor on January 19, 1995, and approved by voice vote.

On February 1, 1995, H.R. 5 passed the House by recorded vote of 360–74. Following final passage, the House took from the Speaker's table and moved to the consideration of S. 1, a similar measure to H.R. 5 which passed the Senate on January 27, 1995. The House struck all after the enacting clause, substituted the language of H.R. 5, insisted on its amendments and requested a conference with the Senate. The Speaker appointed Representative David Dreier and Representative Joseph Moakley to represent the Committee on Rules in the conference committee.

On March 13, 1995, the conference report on S. 1 was filed in the House (House Report 104–76). The Rules Committee met on March 15, 1996, and ordered reported by voice vote a rule waiving all points of order against the conference report to accompany S. 1. However, the rule was not considered in the House because the full House agreed by unanimous consent on March 15, 1995, to waive all points of order against the conference report on S. 1. The Senate passed the conference report on March 15, with House passage occurring on March 16, 1995, by a vote of 394–28. S. 1 was signed into law by the President on March 22, 1995 (Public Law No: 104–4).

c. House Corrections Calendar (H. Res. 168)

On June 6, 1995, Representative Barbara Vucanovich introduced H. Res. 161, a resolution to amend House rules by abolishing the Consent Calendar of the House (Rule XIII, clause 4) and replacing it with a corrections calendar for consideration of legislation to deal with useless and absurd Federal rules, regulations and judicial decisions. H. Res. 161 would allow the Speaker to place reported bills on the Corrections Calendar, and would further allow them to be called up for consideration on the second and fourth Tuesdays of each month subject to one hour of debate and a three-fifths vote for passage. No amendments are in order unless recommended by the reporting committee or offered by the chairman.

On June 13, 1995, the Committee on Rules held a hearing on H. Res. 161 and heard testimony from members of the Steering Group, (Representatives Vucanovich, Zeff, and McIntosh,) several other Members from both parties, and academic witnesses.

The Rules Committee met to mark up H. Res. 161 on June 15, 1995. During the markup, three amendments were adopted. Since the Committee has privilege to report, the Committee voted to fa-

vorably report a new, privileged resolution consisting of the text of H. Res. 161, as amended by the Committee during the markup, and that H. Res. 161 be laid on the table. Chairman Solomon then filed a report in the House on H. Res. 168 (House Report 104–144) on June 16, 1995.

H. Res. 168 transformed the Consent Calendar (clause 4 of rule XIII) into the Corrections Calendar. It further provided the Speaker the authority to place reported bills, after consultation with the Minority Leader, on the Corrections Calendar. The resolution stipulated that bills must be on the calendar for at least three legislative days before being called up on the second and fourth Tuesdays of each month. Bills called up on the Corrections Calendar, under H. Res. 168, are debatable for one hour with no amendments unless recommended by the reporting committee or offered by the chairman. A motion to recommit with or without instructions by the minority was allowed under H. Res. 168. Finally, a three-fifths vote was required for passage of a Corrections Day bill.

The Minority Members of the Rules Committee filed Minority Views to House Report 104–144 asserting that the new procedure is both unfair to the minority and unnecessary. The minority argued that the House employs the suspension of the rules procedure for most noncontroversial legislation and the Corrections Calendar would be duplicative. The minority expressed concern that the resolution contained no clear definition of Corrections bills, and that the minority as a whole may be shut out of the advisory group proceedings.

On June 20, 1995, H. Res. 168 passed the House by a vote of 271–146. The Speaker announced on that day the creation of a Corrections Day Advisory Group, to be chaired by Representative Barbara Vucanovich and co-chaired by Representatives McIntosh and Zeliff. The bipartisan group consisted of 12 Members, including Rules Chairman Solomon and Representative David Dreier. The bipartisan advisory group was charged with ushering corrections bills through the legislative process and making a recommendation to the Speaker as to which reported bills should be placed on the Corrections Calendar.

d. The House Gift Rule (H. Res. 250)

The revision of the House Gift Rule was undertaken as part of the new majority's historic efforts to make the House more responsible and accountable to the people. H. Res. 250 responds to the bipartisan belief that the House needed a more stringent and more detailed policy on the acceptance of gifts by Members, officers and employees.

H. Res. 250 was introduced by Representative Enid Waldholtz (R-UT) and 19 bipartisan original cosponsors on October 30, 1995, and was referred to the Committee on Rules. It sought to create a new House rule relating to the acceptance of gifts, an internal policy matter that had previously been addressed in clause 4 of House rule XLIII, the Code of Official Conduct.

Previous proposals on this subject introduced in the 104th Congress took the form of amendments to House rule XLIII, and were therefore exclusively in the jurisdiction of the Committee on Standards of Official Conduct. However, since the leadership had made

a commitment to proceed with gift reform and the Standards Committee intended to take no formal action, the Rules Committee sought to expedite consideration of gift reform. In order to avoid having an unreported measure in the jurisdiction of the Standards Committee brought directly to the floor, proponents of gift reform rewrote their proposals in the form of a rules change (H. Res. 250) so that the matter would fall within the original jurisdiction of the Committee on Rules and an orderly, thorough legislative process could be employed.

The substance of H. Res. 250 as introduced was nearly identical to that of S. Res. 158, which changed Senate rules to limit the value of gifts that may be accepted by Members, officers and employees. The Senate adopted S. Res. 158 on July 25, 1995, by a vote of 98-0. Subsequently pressure mounted from Members and from outside groups for the House to follow suit and address the issue.

Specifically, H. Res. 250 placed a \$50 limit on the value of individual gifts, including meals and entertainment, and established a cumulative annual limit of \$100 that may be accepted from any one source. The cumulative annual limit applied only to gifts whose value exceeds \$10. The resolution included additional restrictions on the acceptance of travel associated with recreational and charity events as well as additional disclosure requirements for travel reimbursements. The resolution also detailed a series of exceptions to the new rule and set an effective date of January 1, 1996. Among the major differences between this proposal and the prior rule was the inclusion of meals in the definition of a gift and the \$10, \$50 and \$100 thresholds.

Because of the broad interest in seeing this issue addressed expeditiously, the Committee on Rules accepted the responsibility for considering and reporting new gift rules in the House.

In order to ensure that Members and staff had sufficient expertise to address this technical topic, the Committee on November 1, 1995 held a briefing featuring CRS Legislative Attorney Jack Maskell, CRS Specialist in American National Government Richard Sachs and Standards Committee Counsel Ellen Weintraub.

A general hearing was held the following day, on November 2, 1995. The Committee heard testimony from 12 Members, some of whom supported the reform proposal and others who raised concerns about its provisions and who questioned the need for reform. A second hearing, involving testimony from outside witnesses and the Chairman of the Committee on Standards of Official Conduct, was held on November 7, 1995. Chairwoman Nancy Johnson provided the Rules Committee with her Committee's bipartisan suggestions for technical changes to improve the language of the resolution.

The Committee marked-up the resolution on November 14, 1995, agreeing to nine technical amendments offered by Chairman Solomon that were based on the recommendations of the Committee on Standards. H. Res. 250 as amended was ordered favorably reported by the Committee by a nonrecord vote.

H. Res. 250, reported as a matter of original jurisdiction by the Committee, was privileged for floor consideration. However, recognizing that there was interest among the membership in offering amendments to the resolution, the Committee met on November

15, 1995 and, by voice vote, granted a special rule for floor consideration (H. Res. 268). The rule allowed for two amendments, one to be offered by Representative Burton or his designee and one to be offered by the Speaker of the House or his designee.

The Burton amendment attempted to change the focus of the gift rule, focusing on full disclosure rather than prohibition. The Gingrich amendment sought to eliminate the monetary thresholds and several of the exceptions, having the effect of creating a near-total gift ban.

On November 16, 1995, the date set aside for this issue by the Majority Leader, the House took up H. Res. 250 after adopting the rule for its consideration by voice vote. After a lively debate, the House defeated the Burton amendment by a vote of 154–276. Subsequently the House adopted the Gingrich amendment, which was offered on the floor by Mr. Solomon, by a vote of 422–8. The House passed H. Res. 250, as amended, by a vote of 422–6.

Additional action on the gift rule occurred on November 30, 1995 during House consideration of H. Res. 254, making technical corrections in the Rules of the House. Two exceptions that had been deleted by passage of the Gingrich amendment were restored to the rule and the necessary conforming changes to rule XLIII were also made.

The new gift rule, which effectively bans gifts and establishes new restrictions on travel and disclosure, took effect as House rule LII on January 1, 1996.

e. Legislative line item veto (H.R. 2)

H.R. 2, the Line Item Veto Act, a key item in the Contract With America, was introduced by Representatives Clinger, Blute, Neumann and Parker on January 4, 1995, the opening day of the 104th Congress, with 150 cosponsors. The bill was referred to the Committee on Government Reform and Oversight and in addition to the Committee on Rules for a period to be subsequently determined by the Speaker.

H.R. 2 requires that, unless the Congress acts within a specified period to disapprove the President's rescissions, those rescissions will automatically take effect and the identified spending or targeted tax benefit will be canceled. If the Congress disapproves the President's rescissions, the President would be likely to veto that disapproval, forcing the Congress to muster two thirds of both Houses to override that veto. In this way, it becomes more difficult to sustain spending or targeted tax breaks that the President has attempted to cancel.

H.R. 2, a bipartisan bill was virtually identical to the Solomon, line item veto substitute that was narrowly rejected in the second session of the 103rd Congress. During the 103rd Congress the line item veto was considered twice.

On January 24, 1995 the Rules Committee held an informal briefing on Section 5 of H.R. 2 (which dealt with the consideration of a disapproval bill in the House and the Senate). Stanley Bach, senior specialist in the legislative process at CRS, provided Members and staff with general background and options for applying expedited procedures to consideration of a bill to disapprove a Presidential rescission or targeted tax break veto message.

The Rules Committee met on January 26, 1995 to mark up H.R. 2. The Committee ordered H.R. 2 reported with amendments by a record vote of 9-4. During the markup two amendments pertaining to expedited procedures were offered en bloc by Mr. Goss and agreed to by voice vote. An amendment in the nature of a substitute offered by Mr. Moakley was rejected by a record vote of 4-9. The Moakley amendment would have required a Congressional vote on the President's rescissions under expedited procedures. The report was filed by Mr. Solomon on January 27, 1995 (H. Rpt. 104-11, Part 1).

The Committee on Government Reform and Oversight held a joint hearing with the Senate Committee on Governmental Affairs on January 25, 1995 on the line item veto. The Government Reform and Oversight Committee favorably reported H.R. 2, as amended, on January 25, 1995 by a vote of 30 to 11 with one Member voting present (H. Rpt. 104-11, Part 2).

On February 1, 1995, the Rules Committee granted an open rule (H. Res. 55), for the consideration of H.R. 2 by the full House. The rule was carried for the majority by Mr. Goss and by Mr. Bielsenon for the minority. H. Res. 55 was adopted by voice vote on February 2, 1995.

After days of debate and after defeating amendments dealing with application to tax incentives and contract authority, expansion of the definition of targeted tax benefit, and substitute amendments dealing with expedited rescission, the House passed H.R. 2, as amended, by a vote of 294 to 134 on February 6, 1995. H.R. 2 was never considered by the Senate.

However, the Senate did consider a similar bill, S. 4, the Line Item Veto Act of 1995, introduced by Senator Dole on January 4, 1995. The Senate passed S. 4, as amended by a vote on 69 to 29 on March 23, 1995. The House held S. 4 at the desk until May 17, 1995 at which time the House took up S. 4, struck all after the enacting clause and substituted the text of H.R. 2. The Senate then disagreed to the House amendments and requested a conference on June 20, 1995. The House agreed to a conference on September 7, 1995. Representative Solomon and Representative Goss were chosen as House conferees from the Rules Committee.

S. 4, as passed by the Senate, granted the President line item veto authority under a procedure known as "separate enrollment." Separate enrollment required the House and Senate enrolling clerks to separately enroll each item of spending in a separate bill, each of which are then presented to the President for approval or disapproval individually. In contrast, H.R. 2, as passed by the House, granted the President line item veto authority based on the enhanced rescission format. This procedure authorized the President to rescind all or part of an item of discretionary budget authority or a targeted tax benefit within established parameters. The conference agreement more closely resembled the approach originally taken by the House.

The conference report on S. 4 was filed in the House on March 21, 1996. The Senate agreed to the conference report on March 27, 1996 by a vote of 69 to 31. The House agreed to the conference report on March 28 pursuant to the adoption of H. Res. 391, the rule granting consideration of the H.R. 3136, the Contract With Amer-

ica Advancement Act. S.4 was signed into law on April 9, 1996, (Public Law 104–130).

f. Deficit reduction lock-box (H.R. 1162)

H.R. 1162, establishing a deficit reduction lock-box and providing for the downward adjustment of discretionary spending limits in appropriation bills, was introduced by Mr. Crapo of Idaho on March 8, 1995. The Deficit Reduction Lock-Box Act of 1995 was referred to the Committee on the Budget and to the Committees on Government Reform and Oversight and Rules for a period to be subsequently determined by the Speaker. H.R. 1162 was referred to the Rules Subcommittee on the Legislative and Budget Process on April 27, 1995.

The Deficit Reduction Lock-Box Act of 1995 established a procedure to ensure that savings from cuts in Appropriation measures during House and Senate consideration would be captured for deficit reduction. The bill amended the Congressional Budget Act of 1974 to establish a deficit reduction lock-box process and provided for the downward adjustment of the discretionary spending caps.

During both the 103rd and the 104th Congresses, bipartisan members of Congress repeatedly sought to establish proposals to capture savings made during the consideration of appropriation bills and to credit those savings toward deficit reduction. In essence the proposal was designed to make a spending cut adopted by the House an actual cut in spending. Specifically in the 104th Congress, the issue arose in several contexts.

During initial House consideration of H.R. 1158, the Emergency Supplemental Disaster Assistance and Rescissions Act for FY 1995, the House adopted an amendment applying the net savings in budget authority from the bill to a Deficit Reduction Trust Fund and authorizing the Secretary of the Treasury to use the amounts in the fund solely for the purpose of reducing the public debt.

As passed by the House, H.R. 1158 also required the Director of OMB to reduce discretionary spending limits by the aggregate amount of spending reductions in the bill, including the out-year effect of the rescissions. These provisions were modified in conference to reflect the Senate's position and the final conference report on H.R. 1158 included only an authorization for the Director of OMB to adjust downward the discretionary caps for fiscal years 1995–98. The Conference Report on H.R. 1158 was adopted by the House on May 18, 1995 and by the Senate on May 25, 1995 but was vetoed by the President on June 7, 1995.

On June 29, 1995, the House passed a compromise version of the Emergency Supplemental Disaster Assistance and Rescissions Act in the form of H.R. 1944, which included the identical limited lock-box language that was in the vetoed bill, H.R. 1158. The Senate passed this measure on July 21, 1995 which was signed into law on July 27, 1995 (P.L. 104–19), but without the House lock-box provisions.

On July 11, 1995, the Rules Committee's Subcommittee on Legislative and Budget Process held a joint subcommittee hearing on lock-box proposals with the Government Reform and Oversight's Subcommittee on Government Management, Information and Technology. Witnesses testifying in favor of establishing a lock-box proc-

ess included Representative Michael Crapo (R-ID), Representative Bill Brewster (D-OK), Representative Edward Royce (R-CA), Representative Jane Harman (D-CA), Representative Dick Zimmer and Representative Mark Foley (R-FL). In addition, testimony was heard from OMB Director Alice Rivlin and CBO Deputy Director James Blum.

The Rules Committee met on July 20, 1995 to mark up H.R. 1162. The Committee ordered H.R. 1162 favorably reported with amendments by a voice vote. During the markup, a Chairman's mark was offered as an amendment in the nature of a substitute to be considered as original text for the purpose of amendment. Seven amendments to the Chairman's mark offered by Representative Goss, pertaining to the function of the lock-box mechanism, tally of floor amendments on appropriations bills, reduction of the discretionary spending caps, and technical corrections were offered en bloc and adopted by voice vote. An amendment pertaining to retroactive application offered by Mr. Frost was defeated by a record vote of 29. The amendment in the nature of a substitute, as amended, was agreed to by voice vote. The Committee then ordered the bill to be favorably reported to the House, with amendment, by voice vote (H. Rpt. 104-205, Part 1).

The Committee on Government Reform and Oversight took no further action on the bill and waived their jurisdiction with regard to any further consideration. The Committee on the Budget waived its jurisdiction with regard to consideration of the bill.

On August 4, 1995, the House passed by a vote of 373 to 53, the text of H.R. 1162, as reported, as an amendment to H.R. 2127, the Labor, HHS, and Education Appropriation bill for FY 1996. Under H. Res. 208, providing for consideration of the bill, the Rules Committee granted a waiver of clause 7 of rule XVI (prohibiting consideration of non-germane amendments) against an amendment by Mr. Crapo consisting of the text of H.R. 1162. H.R. 2127 was never considered on the Senate floor so the amendment did not proceed.

On September 12, 1995, the Rules Committee granted an open rule (H. Res. 218) for consideration of H.R. 1162 providing one hour of general debate equally divided and controlled by the Chairman and ranking minority member of the Committee on Rules. Mr. Goss carried the rule for the majority with Mr. Frost carrying the rule for the minority. On September 13, 1995 the rule was adopted by voice vote.

During consideration of the bill, many amendments were debated, adopted and defeated. The amendments receiving recorded votes were as follows. Mr. Goss offered an amendment to retroactively apply the provisions of the bill to the fiscal 1996 Defense, Labor—HHS, and District of Columbia Appropriations bills. This amendment sought to maximize amount of possible savings from the FY 1996 appropriations bills without over complicating the future consideration of the appropriation bills which the House had already approved. Mr. Frost of Texas sought to amend the Goss amendment to apply to all the fiscal 1996 appropriation bills. The Frost amendment to the Goss amendment was defeated by a vote of 204 to 221. The Goss amendment was subsequently adopted by voice vote. The House also rejected an amendment by Mrs. Meek of Florida which would have prohibited any money saved through

“lock-box” reductions in the discretionary spending caps from beings used to offset tax cuts. This amendment was defeated by a vote of 144 to 282. H.R. 1162 was ultimately adopted by the House by a vote of 364 to 59. H.R. 1162 was not considered by the Senate.

On March 7, 1996, the House considered H.R. 3019, the Omnibus Appropriations Bill for FY 1996. The House again adopted an amendment offered by Mr. Crapo (revised text of H.R. 1162) to the bill by a vote of 329 to 89. During consideration of the bill in the Senate a Budget Act point of order was raised against the lock-box provisions by the Chairman Dominici (NM) of the Senate Budget Committee which was sustained by a vote of 36 to 57. The conference report on H.R. 3019 did not contain any lock-box language.

g. Technical corrections (H. Res. 254)

On January 4, 1995, the House of Representatives approved H. Res. 6, adopting the Rules of the House for the 104th Congress. That resolution implemented sweeping changes to the rules under which the House previously operated. During the first session of the 104th Congress, the House approved additional changes to House rules. These included creating new points of order, established by the Unfunded Mandates Reform Act, which ensured that Members can have a vote on unfunded Federal mandates contained in legislation; abolishing the “Consent Calendar” and establishing in its place a “Corrections Calendar”; and establishing new rules limiting the acceptance of gifts by Members, officers and employees of the House.

As a result of these changes, a number of duplicative provisions and grammatical and typographical errors needed to be corrected to ensure that the Rules of the House reflected the true intent of the legislation. In addition, a number of long-standing parliamentary interpretations needed to be clarified to ensure consistency of parliamentary practice in the House. Rules Committee action was necessary to make these technical corrections to the rules of the House.

On November 7, 1995, Chairman Solomon introduced H. Res. 254, making technical corrections to the Rules of the House of Representatives. The Rules Committee met to mark up the resolution as a matter of original jurisdiction on November 14, 1995, and after adopting two amendments, ordered the resolution reported by voice vote. A report was filed in the House on November 14, 1995 (House Report 104–340).

H. Res. 254 made technical and conforming changes to the Rules of the House in the following areas: Office of the Inspector General; Committee on National Security; Committee on Small Business; Special oversight functions of the Committee on Resources; Special oversight functions of the Committee on Commerce; three-day lay-over for filing of supplemental, minority, or additional views, committee reports, appropriations hearings and reports, conference reports, and Senate amendments to measures reported in disagreement; committee broadcast rules; committee staff; Corrections Calendar; privilege for measures reported by the Committee on Ways and Means; Unfunded mandate reform; and the gift rule.

Rules Ranking Member Moakley filed Additional Views to House Report 104–340 asserting that the United States government is on

the brink of financial collapse and shutdown because of the Congress' failure to pass a bill to raise the debt ceiling and a continuing resolution to keep the government open. With this backdrop, Moakley added, "the Republican Leadership is correcting grammar and punctuation in the rules of the House." The Minority members of the Rules Committee filed Minority Views questioning the timing of the technical corrections resolution, while the government faces a potential shutdown and a potential borrowing crisis. Additionally, the minority members argued that three other changes to House rules at the onset of the Congress have been routinely violated and should be addressed in this context: the three-fifths vote requirement to pass an income tax rate increase; subcommittee assignment limitations for Members; and the prohibition on committees sitting while the House is considering legislation under the five-minute rule.

Representative David Dreier, Chairman of the Rules and Organization Subcommittee of the Rules Committee, called up H. Res. 254 by unanimous consent on November 30, 1995. Representative Dreier also offered an amendment to the resolution to allow certain exemptions to the House gift rule. The amendment exempted donations of home state products intended primarily for promotional purposes, and items of nominal value such as greeting cards and baseball caps. The changes contained in this amendment were inadvertently left out of the Gingrich-Solomon amendment to the gift ban rule change when it was first considered on the House floor. The amendment was agreed to by voice vote and the resolution, as amended, passed the House by voice vote.

h. Book contracts (H. Res. 299)

As part of its disposition of specific ethics complaints, the Committee on Standards of Official Conduct in December of 1995 announced its intention to seek a change in House Rules to clarify the status of copyright royalties within the limits on outside earned income. Under House rule XLVII at that time, outside earned income was subject to a limit of \$20,040 per year, but usual and customary copyright royalties were exempted from the definition of outside earned income.

The specific case under consideration by the Committee in 1995 led to much public comment about the adequacy of this rule. The House Ethics Manual notes that "House Rule 47 has long exempted book royalties from outside earned income restrictions, royalties being deemed a return on the author's intellectual property, akin to other unrestricted returns on property." Yet the Committee on Standards noted in its report that the case under its consideration involved an "original advance [that] greatly exceeded the financial bounds of any book contract contemplated at the time the current rules were drafted."

On December 12, 1995, Committee on Standards of Official Conduct Chairwoman Nancy Johnson introduced H. Res. 299, a proposal to revise House rule XLVII to prohibit Members, officers and certain employees from receiving advances for writing books and to subject copyright royalties to the earned income cap. This resolution was introduced with the bipartisan sponsorship of 9 of the 10 members of the Committee on Standards and was referred exclu-

sively to the Committee on Rules as a matter of original jurisdiction. Chairwoman Johnson requested expeditious consideration of the measure to allow the House to act prior to the end of the session.

Specifically, as introduced, H. Res. 299 would amend clause 3 of rule XLVII to count copyright royalties as part of earned income subject to the income cap of 15 percent of the Member's, officer's or employee's salary, although works published prior to an individual becoming a Member, officer or employee would be grandfathered. In addition, the resolution prohibited payments of advances to Members, officers or employees while allowing that such advances could be made to other persons working on their behalf (other than Congressional staff or relatives). The provisions of the rule would apply to royalties received after December 31, 1995.

Given the time constraints involved with completing the business of the session, rather than proceeding with an original jurisdiction markup of H. Res. 299, the Rules Committee met on December 21, 1995 to consider a special rule (H. Res. 322) providing for its consideration. As a result of significant concerns raised by Members about the provisions of H. Res. 299, the Rules Committee allowed for one motion to amend the resolution to be offered by Chairman Solomon.

The Solomon substitute sought to conform House Rules to those applicable in the Executive Branch by prohibiting advances but allowing collection of royalties earned under a usual and customary contract without limit. As an extra measure to ensure compliance with those standards, it required prior approval by the Committee on Standards for contracts entered into on or after January 1, 1996.

The House considered H. Res. 299 under the provisions of special rule H. Res. 322 on December 22, 1995. The rule was adopted by a vote of 380–11. The Solomon substitute passed by a vote of 219–174 and H. Res. 299 as amended was then approved by a vote of 259–128.

The new provisions of House Rule XLVII took effect on January 1, 1996.

i. Special authorities for Committee on Government Reform and Oversight (H. Res. 369)

On February 29, 1996, Representative William F. Clinger, Jr., chairman of the House Committee on Government Reform and Oversight, introduced H. Res. 369 to provide his committee with special authorities to obtain testimony for purposes of its ongoing investigation and study of the White House Travel Office matter. The resolution was referred exclusively to the Committee on Rules as a matter of original jurisdiction.

The need for the resolution dated back to the firings of seven staff members of the White House Travel Office on May 19, 1993. A subsequent White House "management review" resulted in the reprimand of four White House staffers involved in the firings on July 2, 1993. At least three other inquiries into the firings were conducted by the Justice Department's Office of Professional responsibility, the FBI, and the Treasury Department's Inspector General.

During the 103rd Congress, a provision contained in a supplemental appropriations bill called for a review of the Travel Office matter by the General Accounting Office. Then ranking minority member Clinger of the Government Operations Committee issued a 71-page minority analysis of the issues addressed by the five reports, and called for hearings on the matter by his committee. However, no hearings were held during the 103rd Congress.

In the 104th Congress, after months of staff interviews and document collection, the Government Reform and Oversight Committee began a series of hearings on October 26, 1995, on the seven major issues left unresolved by the five reports. Following the acquittal of Travel Office Director Billy Dale on both charges brought against him, Chairman Clinger requested that the public Integrity Section of the Justice Department turn over to the committee all documents related to the criminal prosecution for review by the Committee. Beginning in January of 1996, the Committee proceeded with further hearings in the issues raised. However, the Committee continued to meet with great difficulty in obtaining necessary testimony and information from current and former Administration officials and private citizens linked to the Travel Office incident.

These difficulties led to the introduction of H. Res. 369 to give the committee special authorities to obtain sworn testimony through Member or staff depositions, affidavits and interrogatories. Such authority was needed since, under existing House Rules, sworn testimony may only be obtained at duly constituted committee hearings which require the presence of at least two members as a quorum. Without the information usually obtained through preliminary staff interviews, such hearings are difficult if not impossible to prepare for, leaving the committee with the trying task of attempting to obtain the most basic information while at the same time conducting a productive line of questioning.

On March 5, 1996, the Rules Committee heard testimony on the resolution from Chairman Clinger and Ranking Minority Member Cardiss Collins. Following the hearing, the Rules Committee proceeded to markup the resolution, and after several amendments were rejected on rollcall votes, ordered it reported to the House by nonrecord vote, without amendment (H. Rept. 104-472). The report was filed on March 6, 1996, together with minority views.

The Rules Committee noted in its report its reluctance to grant such extraordinary authorities to committees except under compelling circumstances and only when the grant of authority is investigation-specific. However, based on the facts presented to the Rules Committee about circumstances surrounding the investigation of the White House Travel Office matter, these criteria had been sufficiently proven to warrant granting the special authorities.

As reported, the resolution authorized the chairman of the Government Reform and Oversight Committee, upon consultation with the ranking minority member, to authorize the taking of affidavits, and of depositions, pursuant to notice or subpoena, by a member or staff of the committee designated by the chairman. The resolution further authorized the chairman to require the furnishing of information by interrogatory, under oath. The resolution deemed

all such testimony to be taken in executive session of the committee in Washington, D.C., to be considered as nonpublic until received by the committee, but permitting it to be used by members of the committee in open session unless otherwise directed by the committee.

On March 7, 1996, H. Res. 369 was considered as a privileged matter by the House and, after an hour's debate, was adopted by voice vote.

j. Establishing a Select Subcommittee of the International Relations Committee (H. Res. 416)

H. Res. 416 was introduced by Representative Benjamin Gilman on April 29, 1996, and referred to the Committee on Rules.

H. Res. 416 established a select subcommittee of the Committee on International Relations to investigate the role of the U.S. government in transfers of arms by Iran to Bosnia and Croatia during the period when an international arms embargo was in effect.

After Yugoslavia disintegrated and descended into factional warfare in June 1991, one of the responses of the international community was to impose a United Nations arms embargo on the area comprising the entire former nation of Yugoslavia in September 1991. The U.N. resolution imposing the embargo passed with the support of the U.S. government under the Bush administration. That policy was continued under the Clinton administration, despite increasing Congressional, media and public opposition to the embargo, which was widely seen as unfair to the Bosnians.

However, on April 5, 1996, an article in the Los Angeles Times claimed that the Clinton administration had secretly been giving its consent to covert arms shipments by Iran to Croatia and Bosnia. In testimony before the House International Relations Committee on April 23, the basic assertions of the article were confirmed by Under secretary of State Peter Tarnoff. It was these revelations and the questions they raised that prompted the need for H. Res. 416.

The resolution established the select subcommittee for a period not to exceed six months from the date of enactment, by which time the subcommittee would submit a report to the full committee. The subcommittee was comprised of five majority and three minority members of the International Relations Committee who were appointed by Chairman Gilman. The resolution deemed the subcommittee to be a subcommittee of a standing committee of the House for all purposes of law and House rules, including the power to sit and act and the power of subpoena, but excluding the subcommittee limit for full committees. The resolution authorized the chairman of the subcommittee to authorize members and staff of the subcommittee to take affidavits and depositions pursuant to notice or subpoena.

H. Res. 416 was reported favorably by the Committee on Rules on Wednesday, May 1, 1996, by a vote of 7-4 with no amendments. The resolution was considered as a privileged resolution in the House on May 8, 1996, and passed by a recorded vote of 224-187.

k. United States—Puerto Rico Political Status Act (H.R. 3024)

H.R. 3024, providing a process leading to full self-government for Puerto Rico, was introduced by Representative Young of Alaska on March 6, 1996, and was referred to the Committee on Resources and to the Committee on Rules for a period to be subsequently determined by the Speaker.

The United States-Puerto Rico Political Status Act called for a referendum on Puerto Rico's political status, in accordance with Puerto Rico's electoral law, to be held no later than December 31, 1998. The Congressionally defined status options of separate sovereignty leading to independence or free association, United States sovereignty leading to statehood, or the continuation of its present commonwealth would be placed on a ballot for approval by majority vote. The results of this initial referendum would be presented to Congress by the President in the form of transition legislation for Congressional approval. The transition legislation would then be presented to the people of Puerto Rico for approval. Upon approval, the results of this referendum would then be presented to Congress by the President in the form of implementation legislation for Congressional approval. After approval by Congress and the people of Puerto Rico, the new status would take effect. H.R. 3024 also authorizes funds for holding and conducting the referendums and contains expedited procedures for the consideration of transition and implementation legislation in both the House and the Senate.

On June 26, 1996, the Committee on Resources favorably reported H.R. 3024, as amended, to the full House. The Rules Committee also considered the measure as a matter of original jurisdiction. On July 26, 1996, upon the filing of the report (H. Rept. 104-713, Part 1) of the Committee on Resources, the referral granted to the Rules Committee was limited to a period not to exceed September 18, 1996. H.R. 3024 was referred to the Rules Committee because the Committee has jurisdiction over Section 6 of the legislation (Congressional Procedures for Consideration of Legislation), and the matters contained in Section 6 are solely within the jurisdiction of the Rules Committee.

On Tuesday, September 17, 1996, the Committee on Rules met to hold a hearing on H.R. 3024. The full Committee received testimony from Representative Don Young (AK), Representative Carlos Romero-Barcelo (PR), Representative Dan Burton (IN), Representative Luis Gutierrez (IL), Representative Toby Roth (WI), Representative Nydia Velazquez (NY), and Representative Jose Serrano (NY). Written testimony was submitted from Representative George Miller (CA), Representative Eni F.H. Faleomavaega (AS) and Representative Dana Rohrabacher (CA). The testimony reflected both bipartisan support and bipartisan opposition to the measure.

On Wednesday, September 18, 1996, the full committee met for a markup of H.R. 3024. During the markup, an amendment in the nature of a substitute to Section 6 of the bill offered by Mr. Dreier (CA) was agreed to that removed procedures from the introduced bill which were inconsistent with the stated goals of the legislation and normal House procedures. The Committee ordered reported H.R. 3024, as amended, by a nonrecord vote. The Committee filed its report (H. Rept. 104-713, Part 2) on September 18, 1996.

The Committee on Rules scheduled a hearing for September 29, 1996, to grant a rule for floor consideration of the measure. However, because of a lack of agreement on a compromise text, the hearing was canceled. No further action was taken on the legislation during the 104th Congress.

IV. ACTIVITIES OF THE SUBCOMMITTEES

A. SUBCOMMITTEE ON LEGISLATIVE AND BUDGET PROCESS

1. Jurisdiction and purpose

The Committee on Rules first established the Subcommittee on the Legislative Process at the beginning of the 96th Congress in 1979, and has re-established the subcommittee at the beginning of each subsequent Congress. On February 14, 1995 the Committee changed the name of the Subcommittee to better reflect the breadth of its jurisdiction. The Subcommittee on Legislative and Budget Process consists of 5 majority (James H. Quillen of Tennessee, Porter J. Goss of Florida, John Linder of Georgia, Deborah Pryce of Ohio, and Gerald B.H. Solomon of New York) and two minority members (Martin Frost of Texas and John Joseph Moakley of Massachusetts) and is chaired by Rep. Goss.

Committee Rule 4(b)(1)(B) assigns to the Subcommittee general responsibility for measures or matters pertaining to relations between the Congress and the Executive Branch. The legislation falling within the Subcommittee's jurisdiction includes resolutions and bills. The primary law within the Subcommittee's purview continues to be the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344) as amended. The Subcommittee also claims jurisdiction over budget process-related provisions found in Part C of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177 as amended by Public Laws 100-119, 101-508 and 103-44) and the Budget Enforcement Act of 1990 (Title XIII of the Omnibus Budget Reconciliation Act of 1990) as amended by the Omnibus Budget Reconciliation Act of 1993 (Public Law 103-44).

At the outset of the 104th Congress, the Rules Committee participated in an exchange of Memoranda of Understanding with two other committees having major interest in the Congressional budget process—the Government Reform and Oversight Committee and the Budget Committee. These agreements were designed to clarify jurisdictional issues as set forth in House rule X and provide greater understanding of the distinctions in oversight authority among the three committees. Through these agreements, the Rules Committee retained primary jurisdiction over all aspects of the Congressional budget process that are within the joint rule making authority of Congress except for budgetary terminology and the discretionary spending limits. In exercising its jurisdiction, the Subcommittee is responsible for conducting ongoing oversight of the Congressional budget process.

The Chairman of the Committee on Rules refers legislation to the Subcommittee at his discretion. In previous Congresses, a majority of the bills referred were sent to both subcommittees through joint referrals. In keeping with the decision of the leadership of the

104th Congress to do away with joint referrals and streamline the committee process, the Committee on Rules made no joint referrals in the 104th Congress. 41 bills and resolutions were referred to the Subcommittee during this Congress.

2. Summary of activities in the 104th Congress

The Subcommittee's activities consisted of conducting research, holding hearings and assisting the full committee with mark-ups and floor management of measures falling within its jurisdiction. The results of the Subcommittee's oversight activities resulting from the Committee's Oversight Plan will be discussed in full detail in the next section. In this section the focus is on actions taken that were not directly referenced in the Oversight Plan.

a. Deficit Reduction Lock Box

A perennial topic of concern for Members on both sides of the aisle is attempting to ensure that budget savings are "locked in" for deficit reduction. Members frequently point with some frustration to cases where a spending cut amendment is adopted by the House or the Senate, but, when the appropriation measure in question is complete, the savings from that amendment are usually allocated to other programs (or sometimes even to the specific program that was initially cut). In seeking to address this problem, various so-called "lock box" proposals have been presented. While the proposals differ in their specifics, generally they focus on lowering budget caps to "lock in" savings.

On several occasions early in the 104th Congress the House addressed lock box issues in the context of both the Legislative Line Item Veto and the Emergency Supplemental Disaster Assistance and Rescissions Act. In addition, a bipartisan group of Members began a campaign to secure lock box language to each of the FY '96 Appropriation bills. This language generally reflected the text of H.R. 1162, a freestanding bipartisan lock box proposal introduced by Representative Crapo of Idaho on March 8, 1995. These efforts traditionally involved requests to the Rules Committee to allow lock box amendments during House consideration of Appropriation bills. Given the technical nature of this subject, and serious procedural concerns with the proposed lock box language, the Rules Committee decided not to allow those amendments, opting instead to develop, through the legislative process, a free-standing lock box proposal.

Recognizing the shared jurisdiction on budget process matters, the Subcommittee on Legislative and Budget Process and the Subcommittee on Government Management, Information and Technology (of the Committee on Government Reform and Oversight) held a joint hearing on deficit reduction lock box proposals on July 11, 1995. Testimony was taken from a bipartisan panel of Members, OMB Director Alice Rivlin and CBO Deputy Director James Blum. The innovative joint subcommittee hearing was chaired by Representative Steve Horn (CA) and held in the GROC hearing room.

Subsequently, on July 20, 1995, the full Rules Committee marked up H.R. 1162, adopting a Chairman's mark and several technical amendments. The measure that was reported by the

Committee reflected months of careful technical drafting and consultation with a broad range of budget process experts. The Subcommittee Chairman and staff worked closely with the full Committee to complete this process and develop a workable proposal that could garner the support of a strong majority in the House.

The final language sought to ensure that savings would be locked in after floor consideration of cutting amendments to Appropriation bills, while retaining necessary flexibility for House appropriators to conduct their work in conference with the Senate. In addition, important issues relating to effective dates, the discretionary spending levels and maintaining the lock box ledger were addressed.

Both the Government Reform and Oversight Committee and the Budget Committee waived jurisdiction, allowing the Deficit Reduction Lock Box approved by the Rules Committee to proceed to the floor. Ultimately the lock box measure was passed by the House on three separate occasions: as an amendment to the FY '96 Labor, HHS and Education Appropriation Bill on August 4, 1995; as a freestanding measure (H.R. 1162 as reported by the Rules Committee) on September 13, 1995; and as an amendment to the Omnibus Appropriation Bill on March 7, 1996. It passed with broad bipartisan support on all three occasions.

b. Budget process

See Section V.

c. Ethics process

See Section V.

d. Subcommittee homepage

As part of "Cyber Congress 2000," the Subcommittee launched an ambitious Web site, which can be found at: [http://www.house.gov/rules_bud/homenew.html]. This site is designed to introduce people to the subcommittee members and its jurisdiction, as well as offer them an interesting and useful guide to the Congressional Budget Process.

e. Building on change: Preparing for the 105th Congress

See Section V.

3. Assisting the full Committee

In addition to the work outlined above on the Deficit Reduction Lock Box, the Subcommittee Members and staff assisted the Committee in several important original jurisdiction projects, most notably completion and enactment of the Line Item Veto.

H.R. 2, the Line Item Veto Act, was referred sequentially to the Rules Committee because of its section on expedited procedures for Congressional consideration of line item vetoes by the President. The Committee held an informal briefing and then a subsequent markup to fulfill its jurisdictional responsibilities. Subcommittee Chairman Goss and the Subcommittee staff assisted the Chairman and Committee staff in this process and in managing the bill on the House floor. In addition, the Subcommittee played an active role in the ensuing conference with the Senate to ensure that the

critical elements of a true line item veto were not lost in the negotiation.

In the end, the conference agreed to a real, effective and workable line item veto proposal, that becomes a new Part C of Title X of the Congressional Budget and Impoundment Control Act, which the President signed on April 9, 1996. The Line Item Veto is effective as of January 1, 1997.

The Subcommittee also provided assistance to the full Committee in its work on H. Res. 250, the new House Gift Rule, both in terms of staff support and employing Chairman Goss as a liaison with the Rules Committee and the Committee on Standards, of which he is also a member, to ensure availability of the necessary technical expertise.

Finally, the Subcommittee provided support for the full Committee in its work on H. Res. 299, amending House rule XLVII regarding book royalties and restrictions on outside earned income.

4. Referrals to the Subcommittee on Legislative and Budget Process

H.R. 90: Representative Sensenbrenner, Jan. 4, 1995. To appropriate 2% of Federal individual income tax returns to the States to fight crime.

H.R. 251: Representative Gutierrez, Jan. 4, 1995. To amend the Ethics Reform Act of 1989 to prevent any action to dissolve, diminish the scope of the mission of, or limit the activities of the Committee on Standards of Official Conduct during certain investigations.

H.R. 376: Representative Stupak, Jan. 4, 1995. To provide for return of excess amounts from official allowances of Members of the House of Representatives to the Treasury for deficit reduction.

H.R. 430: Representative Tauzin, Jan. 5, 1995. To establish the National Dividend Plan by reforming the budget process, and by amending the Internal Revenue Code of 1986 to eliminate the double tax on dividends, to allocate corporate income tax revenues for payments to qualified registered voters, and for other purposes.

H.R. 567: Representative Bentsen, Jan. 19, 1995. To require that the President transmit to Congress, that the Congressional Budget committees report, and that the Congress consider a balanced budget for each fiscal year.

H.R. 766: Representative Callahan, Feb. 1, 1995. To amend the Congressional Budget Act of 1974 to provide for a two-year (biennial) budgeting cycle, and for other purposes.

H.R. 815: Representative Wyden, Feb. 3, 1995. To provide that the Bureau of Labor Statistics may not change, during the 104th Congress, the method of calculating the consumer price index if it would result in higher taxes unless the change has been approved by law.

H.R. 822: Representative Miller of Florida, Feb. 3, 1995. To provide a fair, nonpolitical process that will achieve \$45 billion in budget outlay reductions each fiscal year until a balanced budget is reached.

H.R. 834: Representative Jacobs, Feb. 6, 1995. To nullify the 25% pay increase that was afforded to Members of Congress and certain other Government officials by the Ethics Reform Act of 1989; to re-

peal section 225 of the Federal Salary Act of 1967, and for other purposes.

H.R. 1050: Representative Dellums, Feb. 24, 1995. To establish a living wage, jobs for all policy for the United States in order to reduce poverty, inequality, and the undue concentration of income, wealth, and power in the United States, and for other purposes.

H.R. 1064: Representative Sensenbrenner, Feb. 27, 1995. To repeal the Impoundment Control Act of 1974.

H.R. 1110: Representative Allard, March 2, 1995. To amend the Congressional Budget Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985 to limit the rate of growth of Federal outlays to 2 percent per year.

H.R. 1111: Representative Dornan, March 2, 1995. To clarify the war powers of Congress and the President in the post-Cold War period.

H.R. 1131: Representative McCrery, March 3, 1995. To balance the Federal budget by fiscal year 2002 through the establishment of Federal spending limits.

H.R. 1162: Representative Crapo, March 8, 1995. To establish a Deficit Reduction Trust Fund and provide for the downward adjustment of discretionary spending limits in appropriations bills.

H.R. 1233: Representative Wise, March 14, 1995. To improve budgetary information by requiring that the unified budget presented by the president contain an operating budget and a capital budget, distinguish between general funds, trust funds, and enterprise funds, and for other purposes.

H.R. 1245: Representative Castle, March 15, 1995. To amend the Congressional Budget Act of 1974 to provide for budgeting for emergencies through the establishment of a budget reserve account, and for other purposes.

H.R. 1356: Representative Sanders, March 29, 1995. To amend the Ethics in Government Act of 1978 to strengthen financial disclosure requirements, and for other purposes.

H.R. 1387: Representative Barrett of Wisconsin, April 4, 1995. To amend the Congressional Budget Act of 1974 to establish a process to identify and control tax expenditures.

H.R. 1516: Representative Visclosky, April 7, 1995. To achieve a balanced budget by fiscal year 2002 and each year thereafter, achieve significant deficit reduction in fiscal year 1996 and each year through 2002, establish a Board of Estimates, require the President's budget and the congressional budget process to meet specified deficit reduction and balance requirements, enforce those requirements through a multi-year congressional budget process and, if necessary, sequestration, and for other purposes.

H.R. 1576: Representative Zimmer, May 3, 1995. To amend section 207 of title 18, United States Code, to tighten restrictions on former executive and legislative branch officials and employees, and for other purposes.

H.R. 1676: Representative Jacobs, May 18, 1995. To amend the Omnibus Budget Reconciliation Act of 1990 to clarify that the expenses of administering the Old Age, Survivors and Disability Insurance programs are not included in the budget of the United States, and for other purposes.

H.R. 1763: Representative Fox, June 7, 1995. To require the review of all Federal departments and agencies and their programs, and for other purposes.

H.R. 1923: Representative Solomon, June 22, 1995. To balance the budget of the United States Government by restructuring government, reducing Federal spending, eliminating the deficit, limiting bureaucracy, and restoring federalism.

H.R. 2006: Representative Gekas, July 11, 1995. To amend title 31, United States Code, to provide an automatic continuing appropriation for the United States Government.

H.R. 2060: Representative Arney, July 19, 1995. To promote freedom, fairness, and economic opportunity for families by reducing the power and reach of the Federal establishment.

H.R. 2117: Representative Hoekstra, July 26, 1995. To provide that the voters of the United States be given the right, through advisory voter initiative, to propose the enactment and repeal of Federal laws in a national election.

H.R. 2197: Representative Allard, Aug. 4, 1995. To amend the Congressional Budget Act of 1974 to establish a point of order against certain continuing resolutions.

H.R. 2459: Representative Kasich, Oct. 11, 1995. To amend the Congressional Budget Act of 1974 to extend and reduce the discretionary spending limits and to extend the pay-as-you-go requirements set forth in the Balanced Budget and Emergency Deficit Control Act of 1985.

H.R. 2622: Representative Cardin, Nov. 13, 1995. To amend the Congressional Budget Act of 1974 to require that the budget resolution be a joint resolution and that those resolutions contain extensions of the statutory limit on the public debt, and for other purposes.

H.R. 2797: Representative Volkmer, Dec. 15, 1995. To abolish the Committee on Standards of Official Conduct in the House of Representatives, establish an Independent Commission on Congressional Ethics, and provide for the transfer of the duties and functions of the Committee to the Independent Commission.

H.J. Res. 95: Representative DeFazio, June 16, 1995. To amend the War Powers Resolution.

H.J. Res. 130: Representative Hyde, Dec. 5, 1995. Providing for the establishment of a Joint Committee on Intelligence.

H. Res. 95: Representative Weldon, Feb. 23, 1995. Amending the Rules of the House of Representatives to establish a Citizens' Commission on Congressional Ethics, and for other purposes.

H. Res. 138: Representative Smith of Washington, May 2, 1995. Repealing rule XLIX of the Rules of the House of Representatives relating to the statutory limit on the public debt.

H. Res. 182: Representative Royce, June 30, 1995. Amending the Rules of the House of Representatives to require the reduction of section 602(b) allocations to reflect floor amendments to general appropriations bills.

H. Res. 191: Representative Brewster, July 17, 1995. Amending the Rules of the House of Representatives to require the reduction of section 602(b)(1) suballocations to reflect floor amendments to general appropriation bills, and for other purposes.

H. Res. 212: Representative Orton, Aug. 4, 1995. To express the sense of the House of Representatives that the provisions of S. 4 (the Line Item Veto Act), as passed by the House, should apply to all fiscal year 1996 appropriations bills and to the reconciliation bill required by H. Con. Res. 67.

H. Res. 221: Representative Gephardt, Sept. 13, 1995. Providing that consideration by the House of any legislation changing existing law on Medicare or Medicaid pursuant to reconciliation instructions shall be preceded by public hearings thereon and providing a sense of the House that the Senate should do the same.

H. Res. 314: Representative Burton, Dec. 19, 1995. To amend the Rules of the House to discourage frivolous ethics complaints.

H. Res. 346: Representative Goss, Jan. 25, 1996. Amending the Rules of the House of Representatives respecting the procedures of the Committee on Standards of Official Conduct.

5. Subcommittee publications

During the 104th Congress, the Subcommittee published one document in conjunction with the Subcommittee on Rules and Organization of the House: Hearings on Reviewing and Studying on a Continuing Basis, the Congressional Budget Process. Three additional joint subcommittee hearings held on "Building on Change: Preparing for the 105th Congress" were published as a full Committee document.

6. Outlook for the 105th Congress

The Subcommittee looks forward to building on the foundation it established in several issue areas, most notably budget process and ethics process. It is the intention of the Subcommittee to work with the other committees with jurisdiction over the budget process to consider and recommend ways to reform the budget process to make it more accountable, understandable and enforceable. Specifically the Subcommittee hopes to see implementation of the Deficit Reduction Lock Box as a meaningful tool to enforce spending cut decisions made by the membership. The Subcommittee also intends to play a role in reviewing and revising the current ethics process. Finally, the Subcommittee expects to conduct active oversight into the implementation of the Line Item Veto Act, which takes effect on January 1, 1997.

B. SUBCOMMITTEE ON RULES AND ORGANIZATION OF THE HOUSE

1. Jurisdiction and purpose

The Subcommittee was first established at the beginning of the 96th Congress as the Subcommittee on Rules of the House. At the beginning of the 104th Congress, Representative David Dreier of California became only the third chairman of the subcommittee and its name was changed to the Subcommittee on Rules and Organization of the House to better reflect the Subcommittee's mission and areas of jurisdiction. The other Members of the subcommittee are: Representative Lincoln Diaz-Balart of Florida, the subcommittee vice chairman; Representative Scott McInnis of Colorado; Representative Enid Greene of Utah; Representative Gerald Solomon of New York; Representative Anthony Beilenson of Cali-

fornia, the ranking minority member; and Representative Tony Hall of Ohio.

The Subcommittee has general responsibility for measures or matters related to relations between the two Houses of Congress, relations between Congress and the Judiciary, and internal operations of the House. The Subcommittee is primarily responsible for the continuing examination of the committee structure and jurisdictional issues. In recent years, the Subcommittee has considered measures dealing with “fast track” procedures for trade legislation, and has examined commemorative legislation, the motion to recommit, and the creation of select committees.

The Subcommittee is also committed to a continuing study of the organization and operations of the House following up on the work of the 1993 Joint Committee on the Organization of Congress. The Joint Committee was charged with undertaking a comprehensive review of the organization and operations of the legislative branch. It held 36 hearings and took testimony from 243 witnesses—including 133 House Members, 37 Senators, 14 former Members, 15 current and former staff members, and 44 outside witnesses. It organized symposiums, conducted surveys, contracted outside studies, and consulted with congressional scholars, academics and the public. In the end, the Joint Committee compiled the largest information data base ever assembled on the problems with the institution and options for reforming the Congress.

Referral of legislation to the Subcommittee is at the discretion of the chairman of the Committee on Rules. 61 bills and resolutions were referred to the Subcommittee during the 104th Congress.

2. Summary of activities

a. Corrections Day

On Tuesday, May 2, 1995, the Subcommittee on Rules and Organization of the House of the Committee on Rules and the Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs of the Committee on Government Reform and Oversight held a joint hearing on House Speaker Newt Gingrich’s proposal to create a Corrections Day in the House of Representatives specifically for correcting legislative and regulatory mistakes. The hearing focused on the nature and scope of the problem to be addressed by Corrections Day, and examined procedural options to facilitate a Corrections Day process.

In his statement before the joint subcommittees on May 2, the Speaker outlined three objectives for the Corrections Day process: (1) to create a better balance between bureaucrats and citizens; (2) to set a standard of common sense by “bringing up the dumbest things and repealing them”; and (3) to enhance Congressional oversight over federal agencies.

On March 23, 1995, the Speaker Gingrich appointed a Corrections Day Steering Group consisting of Representatives Barbara Vucanovich, Bill Zeliff, and David McIntosh to develop a framework for the consideration of corrections measures. The steering group recommended establishing a “Corrections Calendar” to facilitate the consideration of Corrections Day measures. On Tuesday, June 6, 1995, Representative Barbara Vucanovich introduced H. Res.

161, amending clause 4 of rule XIII of the Rules of the House to abolish the Consent Calendar and to establish in its place a Corrections Calendar. Information regarding full committee consideration of H. Res. 161 is contained in Section III (C)(2)(c) of this report.

Following the establishment of a Corrections Calendar, the Speaker established a 12-member bipartisan Corrections Day Advisory Group consisting of Representative Barbara Vucanovich of Nevada, who served as chairman; Representative David McIntosh of Indiana and Representative Bill Zeliff of New Hampshire, who served as co-chairmen; Representative Gerald Solomon of New York; Representative David Dreier of California; Representative Sam Johnson of Texas; Representative Robert Ehrlich of Maryland; Representative Collin Peterson of Minnesota; Representative Gary Condit of California; Representative Henry Waxman of California; Representative Xavier Becerra of California; and Representative Lynn Rivers of Michigan.

According to the Corrections Day Advisory Group, 20 bills have been considered in this Congress on the House Floor under the Corrections Day process. The process had yielded 15 public laws and one veto. Four bills passed the House only and were not considered in the Senate. The Advisory Group considered a total of 33 bills. According to the Advisory Group, eight of the bills that were considered by the Advisory Group and the problems they addressed were either fixed by the executive branch or passed the House in another form.

During a joint hearing of the Subcommittee on Rules and Organization of the House and the Subcommittee on Legislative and Budget Process on September 12, 1996, the Chairman of the Corrections Day Advisory Group, Representative Barbara Vucanovich, recommended three changes to the Corrections Calendar rule would provide flexibility for Floor management: (1) allow the Speaker to call bills on the Corrections Calendar out of numerical order to accommodate the manager or sponsor of the bill; (2) allow intervening businesses, between the Pledge of Allegiance and the call of the Corrections Calendar, to give the Speaker the authority to consider business before the Corrections Calendar; and (3) allow recorded votes on an amendment or recommittal to be postponed by the Speaker until the next day.

b. Fast track

See Section V.

c. Budget process

See Section V.

d. Task Force on Committee Review

The Subcommittee was asked to provide counsel to the members of the Task Force on Committee Review. The Task Force was created by the House Republican Conference to undertake a comprehensive review of the committee system in the House of Representatives in an effort to: (1) assess the effectiveness of the committee reforms adopted on the opening day of the 104th Congress, and (2) make further recommendations for change.

On July 16, 1996, the Task Force issued a comprehensive report calling for increased public access to legislative information over the Internet and proposing new procedures for managing committee meetings, reporting bills and conducting investigative oversight. Task Force recommendations that are in the general purview of the Committee on Rules include:

- Increasing public access to committee documents over the Internet;
- Creating ad hoc committees on an experimental basis;
- Expanding committee oversight tools;
- Making management audits available to committees;
- Creating a parliamentary training program for committee staff;
- Recodifying House rules;
- Permitting audio/visual participation at committee hearings;
- Modifying the five-minute rule for investigative hearings;
- Utilizing alternative hearing formats;
- Streamlining compliance with voting records;
- Eliminating inflationary impact statements;
- Requiring statements of performance goals and criteria;
- Permitting joint filing of certain committee reports;
- Making additional subcommittee reductions;
- Including the Appropriations Committee in the biennial committee funding process;
- Enforcing assignment limitation rules;
- Repealing the limitation on committees sitting during the five-minute rule; and strengthening the ethics process.

Representatives of the Task Force on Committee Review appeared before a joint hearing of the Subcommittee on Rules and Organization of the House and the Subcommittee on Legislative and Budget Process on July 24, 1996 (See Section V).

e. 21st Century Congress Project

In the 104th Congress, aggressive efforts were made to bring Congress up-to-date in the use of information technologies as quickly as possible to make the institution more effective and to facilitate public participation in the legislative process. The THOMAS system at the Library of Congress was founded on January 1, 1995, and it has been successful in delivering basic legislative information, including the Congressional Record and texts of bills and resolutions. In 1996, THOMAS was upgraded to provide an expanded list of documents, including access to committee information such as bill reports and testimony, and to simplify information retrieval. THOMAS continues to grow and improve as institutional barriers to the production and retrieval of electronic documents are removed.

By the end of the 104th Congress, 164 House Members were participating in the U.S. House of Representatives constituent electronic mail system, and 207 Members and 18 standing committees have World Wide Web sites on the Internet. This is in stark contrast to the beginning of the Congress, when only 51 House Members had e-mail addresses and there were no committee Web sites. Today every House committee has the capability to provide imme-

diate online access to legislative documents, transcripts, schedules and other information.

The House also established a plan, known as “Cyber Congress 2000,” which envisions a modern Congress utilizing state-of-the-art communication, networking, and computing technologies that will dramatically improve the work of Members and committees. This enhanced infrastructure, which will require a number of years to fully deploy, will provide Members and the public with more comprehensive and accurate information regarding the status and content of bills and related legislative activities.

In an effort to begin assessing the procedural and organizational implications of technology use by Congress, the Subcommittee on Rules and Organization of the House has undertaken “The 21st Century Congress Project.” The goal of the project is to develop and recommend changes in Congress’ operations and legislative procedures that will allow technology to make the institution more open, accountable and effective. To encourage public input and participation in the project, the Subcommittee established a Web site on the Internet at the following address: [http://www.house.gov/rules__org/21home.html].

In conjunction with the establishment of the Web site, the Subcommittee on May 24, 1996, held an interactive hearing entitled “Legislating in the 21st Century Congress” to assess the potential implications of future technology utilization on the legislative process in the House, while showcasing some of the practical applications of those technologies. The Subcommittee utilized video conference technology to allow participation by one witness and one Subcommittee member, as well as C-SPAN and the Internet to permit indirect participation by the public.

f. “Building on Change” hearings

See Section V.

3. Legislation referred to the Subcommittee on Rules and Organization of the House

H.R. 58: Representative Baker of Louisiana, Jan. 4, 1995. To require analysis and estimates of the likely impact of Federal legislation and regulations upon businesses, the private sector, and State and local governments, and for other purposes.

H.R. 87: Representative Bartlett, Jan. 4, 1995. To establish the Department of Energy Laboratory Facilities Commission, and for other purposes.

H.R. 108: Representative Bilirakis, Jan. 4, 1995. To modify the provision of law which provides a permanent appropriation for the compensation of Members of Congress, and for other purposes.

H.R. 204: Representative Condit, Jan. 4, 1995. To require the President to submit to the Congress each year an integrated justification for United States foreign assistance programs, and for other purposes.

H.R. 215: Representative Crapo, Jan. 4, 1995. To reform the House of Representatives, and for other purposes.

H.R. 252: Representative Hamilton, Jan. 4, 1995. To improve the operation of the legislative branch of the Federal Government and for other purposes.

H.R. 470: Representative Gilman, Jan. 11, 1995. To provide for adherence with the MacBride Principles by United States persons doing business in Northern Ireland.

H.R. 841: Representative Wolf, Feb. 6, 1995. To provide an equitable process for strengthening the passenger rail service network of Amtrak through the timely closure and realignment of routes with low economic performance.

H.R. 1100: Representative Maloney, March 1, 1995. To establish a temporary commission to recommend reforms in the laws relating to elections for Federal office.

H.R. 1424: Representative Stearns, April 6, 1995. To provide Americans with secure, portable health insurance benefits through tax credits, medical savings accounts, and greater choice of health insurance plans without mandates, and for other purposes.

H.R. 1434: Representative Houghton, April 6, 1995. To establish a commission to review the dispute settlement reports of the World Trade Organization, and for other purposes.

H.R. 1560: Representative Gephardt, May 3, 1995. To expand U.S. exports of goods and services by requiring the development of objective criteria to achieve market access in foreign countries, to provide the President with reciprocal trade authority, and for other purposes.

H.R. 1837: Representative Franks of New Jersey, June 14, 1995. To establish a temporary commission to recommend reforms in the laws relating to elections for federal office.

H.R. 1993: Representative Tiahrt, June 30, 1995. To abolish the Department of Energy.

H.R. 2072: Representative Smith of Washington, July 19, 1995. To amend the Federal Election Campaign Act of 1971 to ban contributions to candidates in elections for Federal office by persons other than individuals and political party committees, to amend the Rules of the House of Representatives to ban gifts, and for other purposes.

H.R. 2152: Representative English of Pennsylvania, Aug. 1, 1995. To establish the Independent Commission on Medicare to make recommendations on how to best match the structure of the Medicare program with the funding made available for the program by Congress, to provide for expedited consideration in Congress of the Commission's recommendations, and to establish a default process for meeting Congressional spending targets for the Medicare program if Congress rejects the Commission's recommendations.

H.R. 2347: Representative Burton, Sept. 18, 1995. To seek international sanctions against the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes.

H.R. 2371: Representative Archer, Sept. 21, 1995. To provide trade agreements authority to the President.

H.R. 2403: Representative Clement, Sept. 27, 1995. To amend title 49, United States Code, with respect to regulation of interstate transportation by common carriers engaged in civil aviation and for other purposes.

H.R. 2485: Representative Archer, Oct. 17, 1995. To amend title XVIII of the Social Security Act to preserve and reform the Medicare program.

H.R. 2486: Representative Peterson of MN, Oct. 17, 1995. To amend title XVIII of the Social Security Act to preserve and reform the Medicare program.

H.R. 2526: Representative Owens, Oct. 24, 1995. To create a Creative Revenues Commission to facilitate the reform of the Federal tax system, and for other purposes.

H.R. 2557: Representative Ewing, Oct. 30, 1995. To amend the Agriculture Trade Act of 1978 to provide greater assurances for contract sanctity.

H.R. 2610: Representative Sanford, Nov. 9, 1995. To eliminate certain benefits for Members of Congress.

H.R. 2635: Representative White, Nov. 14, 1995. To establish a temporary commission to recommend reforms in the laws relating to elections for Congress.

H.R. 2727: Representative Hayworth, Dec. 6, 1995. To require Congress and the President to fulfill their Constitutional duty to take personal responsibility for Federal laws.

H.R. 2755: Representative Foglietta, Dec. 11, 1995. To establish a Corporate and Farm Independence Commission, and for other purposes.

H.R. 2802: Representative Longley, Dec. 18, 1995. To impose temporarily a 25 percent duty on imports of certain Canadian wood and lumber products, to require the administering authority to initiate an investigation under title VII of the Tariff Act of 1930 with respect to such products, and for other purposes.

H.R. 2990: Representative Nick Smith (MI), Feb. 29, 1996. To require approval of proposed rules considered by the Congress to be significant rules.

H.R. 3023: Representative Shaw, March 6, 1996. To require the imposition of certain trade sanctions on countries which threaten the national security of the United States and the health and safety of United States citizens by failing to take effective action against the production of and trafficking in illicit narcotic, and psychotropic substances, and for other purposes.

H.R. 3024: Representative Young (AK), March 6, 1996. To provide a process leading to full self-government for Puerto Rico.

H.J. Res. 135: Representative Dornan, Dec. 20, 1995. To establish a joint committee to oversee the conduct of Operation Joint Endeavor/Task Force Eagle.

H. Res. 20: Representative Kanjorski, Jan. 4, 1995. To enhance public confidence in the United States Congress by amending the Rules of the House of Representatives to treat copyright royalties received by Members, officers and employees as honoraria.

H. Res. 21: Representative King, Jan. 4, 1995. To establish a Select Committee on POW and MIA affairs.

H. Res. 24: Representative Klug, Jan. 4, 1995. Requiring appropriate committees of the House to report legislation to transfer certain functions of the Government Printing Office, and for other purposes.

H. Res. 27: Representative Solomon, Jan. 4, 1995. To authorize and direct the Committee on Appropriations to create a new Subcommittee on Veterans' Affairs.

H. Res. 28: Representative Stearns, Jan. 4, 1995. Repealing rule XLIX of the Rules of the House of Representatives relating to the statutory limit on the public debt.

H. Res. 40: Representative Bryant of Texas, Jan. 19, 1995. To amend the Rules of the House of Representatives concerning the receipt of gifts from lobbyists and other persons and for other purposes.

H. Res. 56: Representative Weldon, Feb. 1, 1995. To amend the Rules of the House of Representatives to require the Committee on Ways and Means to include in committee reports the identity, sponsor, and revenue cost of single-taxpayer relief provisions contained in reported bills.

H. Res. 66: Representative Smith of Washington, Feb. 8, 1995. To amend the Rules of the House of Representatives to ban gifts, and for other purposes.

H. Res. 97: Representative Latham, Feb. 24, 1995. To authorize and direct each standing committee of the House with subject matter jurisdiction over laws under which Federal agencies prescribe rules and regulations to report legislation during this session of Congress which would have the effect of streamlining those rules and regulations, and for other purposes.

H. Res. 102: Representative Sanford, March 1, 1995. Requiring the transfer to private sector providers for certain administrative and maintenance entities and functions of the House of Representatives, and for other purposes.

H. Res. 106: Representative Pombo, March 6, 1995. Requiring that certain introduced measures be accompanied by statements of the constitutional authority for enacting them.

H. Res. 132: Representative Miller of California, April 6, 1995. Amending the Rules of the House of Representatives to provide for disclosure of the source of amendments, measures, and committee reports.

H. Res. 133: Representative Schroeder, April 6, 1995. Amending the Rules of the House of Representatives to require that reports from the Committee on Ways and Means accompanying revenue bills and targeted tax benefits clearly identify those benefits.

H. Res. 142: Representative Scott, May 9, 1995. Amending the Rules of the House of Representatives to allow proxy voting in committee in particular, limited circumstances.

H. Res. 154: Representative Lipinski, May 18, 1995. To amend clause 2(a) of House Rule XXIII to extend the length of time required before considering the report of a committee of conference.

H. Res. 162: Representative Hamilton, June 7, 1995. Amending the Rules of the House of Representatives to provide for the consideration in each Congress of a congressional reform resolution.

H. Res. 184: Representative Maloney, July 10, 1995. Amending the Rules of the House of Representatives to require that committee reports accompanying reported bills and joint resolutions contain a detailed analysis of the impact of the bill or joint resolution on children.

H. Res. 195: Representative McHale, July 19, 1995. Amending the Rules of the House of Representatives to reduce the time for a recorded vote from 15 minutes to 2 minutes, and for other purposes.

H. Res. 196: Representative McHale, July 19, 1995. Amending the Rules of the House of Representatives to eliminate the discretion of the Speaker to name another Member to perform the duties of the Chair without the approval of two-thirds of the Members, and for other purposes.

H. Res. 199: Representative Stockman, July 21, 1995. Amending clause 2 of rule XXII of the Rules of the House to prohibit the introduction or consideration of legislation designating a building or any other structure in honor of a person who is serving or has served as a Member of Congress, a Federal judge, or an officer of the executive branch before the date that is 5 years after the person has retired from that office.

H. Res. 202: Representative Stupak, July 25, 1995. Amending the Rules of the House of Representatives to require that Members who change political parties repay certain funds to the political party from which the change of affiliation was made.

H. Res. 203: Representative Stupak, July 25, 1995. Amending the Rules of the House of Representatives to provide that the House may declare vacant the office of any member who publicly announces a change in political party affiliation.

H. Res. 211: Representative Nadler, Aug. 4, 1995. To amend the Rules of the House of Representatives to require a bill or joint resolution which amends a law to show the change in the law made by the amendment, and for other purposes.

H. Res. 213: Representative Schroeder, Sept. 6, 1995. Amending the Rules of the House to prohibit the consideration of a conference report on any legislative branch appropriations bill until all other regular appropriations bills for that fiscal year are enacted into law.

H. Res. 263: Representative Rivers, Nov. 7, 1995. Amending the rules of the House to require that the expenses of special order speeches be paid from the Members' representational allowances of the Members making such speeches.

H. Res. 286: Representative Woolsey, Nov. 29, 1995. To limit the access of lobbyists to the Hall of the House.

H. Res. 341: Representative Hoke, Jan. 24, 1996. Amending the rules of the House to require that no object or activity for which Federal money is provided shall be named for a living individual who is or, within the last 5 Congresses, has been a Member of Congress.

H. Res. 361: Representative Zimmer, Feb. 1, 1996. Amending the Rules of the House of Representatives to prohibit foreign travel by a retiring Member.

H. Con. Res. 126: Representative Dornan, Dec. 22, 1995. To establish a joint committee to oversee the conduct of Operation Joint Endeavor/Task Force Eagle.

4. Subcommittee publications

In the 104th Congress, the Subcommittee printed two documents: (1) hearing on "Legislating in the 21st Century Congress;" and (2) hearings on "Building on Change: Preparing for the 105th Congress." The Committee on Government Reform and Oversight published a document on a joint hearing before the Subcommittee on Rules and Organization of the House and the Subcommittee on Na-

tional Economic Growth, Natural Resources, and Regulatory Affairs regarding Corrections Day Policy and Procedures. The Committee on Ways and Means also published a document on joint hearings before the Subcommittee on Rules and Organization of the House and the Subcommittee on Trade focusing on the policy, conditions, and negotiating objectives of fast track.

5. Outlook for the 105th Congress

a. Review of 105th Congress “Opening Day” reforms—In the event that the House of Representatives approves additional significant changes in House Rules, the Subcommittee expects to take an active review of those changes to ensure their effectiveness.

b. Technology and Congress—The work begun in the 104th Congress merely began laying the foundation for a long-term examination of this issue by the Subcommittee. That Congress will be fully integrated with the rest of the nation technologically within a few short years is not in question. What is less certain is how technology will transform the culture, operations, and responsibilities of Congress, and what it will mean for our Federal system of representative government.

c. Fast Track—The Subcommittee expects to continue examining the major procedural issues concerning fast track; in particular the treatment of revenue provisions of trade agreement implementing bills, extraneous issues included in trade agreement implementing bills, the submission of proposed agreement and required legislative changes by the administration, and time periods for committee and floor review.

V. COMMITTEE OVERSIGHT PLANS AND ACCOMPLISHMENTS

A. SUMMARY OF COMMITTEE OVERSIGHT PLAN

As part of the opening day reforms for the 104th Congress, the House adopted a new rule requiring each committee to file oversight plans with the Committee on Government Reform and Oversight. This new requirement is found in clause 2(d) of rule X. Moreover, clause 1(d) of rule XI requires committees to publish a separate oversight section in their final activity reports summarizing their originally adopted oversight plans, a summary of actions and recommendations taken pursuant to those plans, and any additional oversight activities undertaken and recommendations made during the Congress.

In fulfilling its obligation under the new rule, the Rules Committee met on February 14, 1995, and approved by voice vote an ambitious oversight plan for the Congress.

Among the objectives the Committee outlined for its oversight efforts was to play a central role in continuing efforts to reform the structure of the House and refine the processes by which the nation’s business is conducted here. The Committee expressed its intention to be proactive in this effort, pursuing matters of original jurisdiction and using the two subcommittees to fulfill its general oversight responsibilities as outlined in rule X.

a. The Subcommittee on Rules and Organization of the House

The Subcommittee included among the areas of focus for oversight the following:

- Review of the Opening Day Reforms contained in H. Res. 6
- Review of committees' rules in the context of House rules
- Continued review of proposals made by the JCOC
- Monitor and review of the work of the Task Force on Committee Review
- Continued review of the amendment process and efforts to enhance access to legislative information
- Review of efforts to improve the family-friendly quality of the House
- Review of fast track trade procedures under Section 151 of the Trade Act of 1974

b. The Subcommittee on Legislative and Budget Process

The Subcommittee included among the areas of focus for oversight the following:

- Review and recommend changes in the Congressional Budget Process
- Review the process by which the House conducts its oversight of intelligence activities and maintains the security of classified information
- Review the structure and workings of the Ethics Process as outlined in Rule X
- Provide general oversight as needed over implementation of H.R. 5 (Unfunded Mandates) and H.R. 2 (Line Item Veto)
- Explore areas for review within the general framework of relations between the Legislative and Executive Branches of government

B. SUMMARY OF COMMITTEE OVERSIGHT ACCOMPLISHMENTS

The Committee succeeded in meeting most of the goals it set for itself in its oversight plan, while taking leading roles in implementing two major pieces of legislation (Unfunded Mandate Reform and the Line Item Veto), development of a third (the Deficit Reduction Lock Box), and making several important internal changes (including the Corrections Calendar, the House Gift Ban and Book Contracts).

a. Budget process

Working together, the two subcommittees took the lead in reviewing the Congressional budget process, fulfilling the Committee's responsibility as outlined in House rule X, clause 3. After an informal CRS briefing for Members and staff, three joint subcommittee hearings were held in 1995, at which Members and outside witnesses (including CBO Director June O'Neill and several Congressional scholars) testified in response to broad questions about the goals and the effectiveness of the current budget process.

Witnesses who testified at the three hearings (held on July 13, July 19 and September 13) were all asked to consider what were the objectives of the 1974 Congressional Budget Act, whether those

objectives are still relevant in today's fiscal environment and whether the process should be redesigned (and, if so, how).

In total, the two subcommittees heard testimony from 8 Members and 8 outside experts.

It is the Committee's intention that this initial review should provide the foundation for continued work on the subject of the budget process in the 105th Congress, leading up to recommendations for revisions that could be implemented in the coming two years.

b. Internal reform

The oversight plan of the Committee on Rules calls for a comprehensive review of the organizational and procedural reforms adopted by the House on January 4, 1995. To assist in fulfilling these oversight objectives, the Subcommittee majority staff met with more than 50 principal leadership, committee, administrative and support staff in the House to assess the effectiveness of the opening day reforms as well as reforms subsequently approved by the House. The meetings also sought to identify additional issues that may require further scrutiny by the Rules Committee.

Interviews were conducted with leadership staff in the offices of the Speaker, Majority Leader, Majority Whip, Republican Conference, and Republican Policy Committee; majority floor staff; majority staff directors and counsels of every standing committee; officials in the Office of the Parliamentarian, Office of Legislative Counsel, Clerk of the House, and the Congressional Budget Office; and former Republican leadership staff and academic experts. The interviews were conducted over a 4 month period in late 1995 and early 1996.

The staff interviews covered a broad range of subjects, including scheduling; the leadership's planning and agenda-setting process; innovative rules; committee procedures, staffing and oversight; the appropriations process and procedures; the congressional budget process; and administration of the House.

In July 1996, Chairman Solomon launched an unprecedented bipartisan review process for the Committee to take input from Members and outside experts about how to build on the historic rules changes of the 104th Congress and prepare for the 105th Congress.

Beginning with a Members' Open Day hearing before the Full Committee, this project marked the first time in recent memory that planning for the next Congress' internal rules was subject to bipartisan, public commentary. In his announcement of this project, Chairman Solomon said "We're still committed to changing the way Congress does business. There are many Members with good ideas on how to conduct the people's business more efficiently and we're going to give them a good look."

The Members' Open Day was held on July 17, 1996 and included the testimony of 16 Members, including 6 Republicans and 10 Democrats. Proposals for reform ranged from changes designed to improve civility in the House to modifications of the Ethics Process.

Once the Committee launched this project, Chairman Solomon tasked the two subcommittees with continuing the review. Three additional joint subcommittee hearings were held on this topic with the focus on organized reform efforts underway during the 104th

Congress. The joint subcommittee hearings were held on July 24, 1996, September 5, 1996 and September 11, 1996. In all, the joint subcommittees heard testimony from 23 Members representing both sides of the aisle (including the Task Force on Committee Review, the Bipartisan Reform Team, the Democratic Caucus Committee on Organization, Study and Review, the Corrections Day Advisory Group and the Family Quality of Life Advisory Committee) and 3 Congressional scholars.

On July 10, 1996, in conjunction with the joint subcommittee hearings, the Rules Committee sent questionnaires to all House committee chairmen and ranking minority members soliciting their views on various House reforms adopted at the beginning of the 104th Congress and proposals for further changes. Eighteen members responded, including 13 chairmen and 5 ranking minority members. The results of the survey were subsequently published as a committee print.

The fact that this unprecedented formal, bipartisan review process was undertaken is itself a testament to the degree of change that has occurred with the new majority in the historic 104th Congress. The Committee found this exercise to be most helpful in its effort to develop suggestions for the leadership about additional Congressional reforms to be implemented at the outset of the 105th Congress. It is the intention of the Committee to continue this practice in future Congresses.

c. Ethics process (House Rule X(4)(e))

The Subcommittee on Legislative and Budget Process moved forward with plans to conduct a formal review of the ethics process as established in House Rule X(4)(e). In the early months of 1995, staff began a review process with CRS experts and others and on May 18, 1995, the Subcommittee held an informal briefing for Members and staff with three state ethics experts (representing Florida, Ohio and California), all of whom belong to an organization known as the Council on Governmental Ethics Laws (COGEL).

Subcommittee Chairman Goss began laying the groundwork for formal hearings, however after consultation with the Ranking Member, decided on several occasions to postpone the formal review. As a result of repeated, direct requests by the minority, the Subcommittee opted not to proceed with hearings, instead choosing to continue its assessment of the ethics process through the more general reform process discussed above. However, it has become clear to many Members on both sides of the aisle that the ethics process is in need of reform and it is the strong intention of the Committee that a review culminating in changes to the process should occur as early as possible in the 105th Congress.

d. Intelligence Oversight (House Rule XLVIII)

Throughout the 104th Congress, the Subcommittee on Legislative and Budget Process worked with CRS and the House Permanent Select Committee on Intelligence (HPSCI) to fulfill its commitment to reviewing the process of Intelligence Oversight in the House.

Although specific hearings on this subject were not held separately, it was included as an agenda item in the second joint subcommittee hearing on reform. Testimony was taken from HPSCI

Chairman Larry Combest regarding proposals made in his committee's staff study (known as IC 21) regarding the structure and composition of HPSCI. In addition, CRS provided the Subcommittee with several reports on this subject, focusing on the pros and cons of tenure limits, cross-over requirements and establishing a joint House-Senate oversight committee.

e. Fast track

The Subcommittee on Rules and Organization of the House and the Subcommittee on Trade of the Ways and Means Committee held joint hearings on May 11 and May 17, 1995, on fast track issues. The May 11 hearing focused on policy, conditions, and negotiating objectives of fast track. The May 17 hearing focused on fast track procedures.

1. Fast track background

Procedures providing expedited consideration for legislation implementing trade agreements, commonly referred to as "fast track," are the most recent congressional-executive innovations to facilitate Congress' long-standing policy of seeking trade benefits through reciprocal trade negotiations. As early as 1890, Congress delegated tariff bargaining authority to the President. In the Reciprocal Trade Agreements Act of 1934, Congress authorized the President to enter into reciprocal tariff agreements with foreign countries and, within a designated range, to proclaim tariffs needed to implement those agreements without subsequent congressional approval.

The reciprocal tariff authority delegated to the President in 1934 was used by the President to enter into 32 bilateral reciprocal trade agreements by 1945 and continued to be the basis of U.S. trade negotiations through the mid-1970s. Throughout this time, federal courts have acknowledged that not all international undertakings of the United States are concluded as treaties and that congressional-executive trade agreements could find a constitutional basis in the joint exercise of Congress' tariff and commerce authorities and the President's foreign policy power.

As the parties to the General Agreements on Tariffs and Trade (GATT) began to negotiate more extensively to eliminate nontariff trade barriers in a number of areas, Congress enacted legislation that would provide the President with negotiating credibility and ensure that Congress carried out its constitutional responsibilities regarding legislative implementation of the agreements. In the Trade Act of 1974, Congress provided the President with new authority to negotiate multilateral trade agreements, allowing him to continue to proclaim tariff reductions and modifications but requiring him to submit nontariff barrier agreements to Congress, which would vote on approval of the agreements and on legislation necessary or appropriate to implement them. The consultation and notification requirements prior to entry into an agreement and introduction of an implementing bill ensured that Congressional views and recommendations with respect to provisions of the proposed agreement and possible changes in U.S. law or administrative practice were fully taken into account and any problems resolved in advance of formal Congressional action. At the same time, the process was designed to ensure certain and expeditious action on the re-

sults of the negotiation and on the implementing bill with no amendments.

The “fast track” procedure authorized in the Trade Act of 1974 was first used with respect to the GATT Tokyo Round Agreements, which were approved and implemented in the Trade Agreements Act of 1979. The expedited procedures for the implementation of multilateral trade agreements have not been significantly altered since 1974. Extended through section 1102(c) of the Omnibus Trade and Competitiveness Act of 1988, and modified to authorize the President to enter into bilateral trade agreements, fast track procedures were most recently used to implement the Uruguay Round Agreements of GATT and the North American Free Trade Agreement (NAFTA). That fast track negotiating authority applied only with respect to new agreements entered into before December 15, 1993.

In 1995, the Administration began negotiations with Chile as to possible accession to the NAFTA. Because the fast track authority used for the NAFTA has expired, the Committees are now considering the extension of additional fast track authority.

2. Negotiating authority

Section 1102(c) of the Omnibus Trade and Competitiveness Act of 1988, now expired, set forth three requirements for the negotiation of a bilateral agreement:

The foreign country must request the negotiation of the bilateral agreement;

The agreement must make progress in meeting applicable U.S. trade negotiating objectives; and

The President was required to provide written notice of the negotiations to the Committee on Ways and Means and the Senate Committee on Finance and consult with these committees. The negotiations could proceed unless either Committee disapproved the negotiations within 60 calendar days prior to the 90 calendar day advance notice required of entry into an agreement (described below).

Any agreement negotiated under section 1102 was required to make progress in meeting the applicable objectives set forth in section 1101. The overall objectives were to obtain more open, equitable, and reciprocal market access, the reduction or elimination of barriers and other trade-distorting policies and practices, and a more effective system of international trading disciplines and procedures. In addition, section 108 of the NAFTA Implementation Act sets forth congressional intent and preliminary procedures for negotiating future free trade agreements and accession to the NAFTA.

3. Fast track procedures

Section 102 of the Trade Act of 1974 and sections 1102(d) and 1103 of the Omnibus Trade and Competitiveness Act of 1988 set forth the fast track requirements. These provisions required the President, before entering into any trade agreement, to consult with Congress as to the nature of the agreement, how and to what extent the agreement will achieve applicable purposes, policies, and objectives, and all matters relating to agreement implementation.

In addition, before entering into an agreement, the President was required to give Congress at least 90 calendar days advance notice of his intent. The purpose of this period was to provide the Congressional committees of jurisdiction an opportunity to review the proposed agreement before it was signed, to determine the changes in U.S. laws that would be necessary or appropriate to implement the obligations under the agreement, and to meet with Administration officials to develop the text of an acceptable implementing bill.

After entering into the agreement, the President was required to submit formally the draft agreement, implementing legislation, and a statement of administrative action. Once the bill was formally introduced, there was no opportunity to amend any portion of the bill—whether on the floor or in committee. Consequently, before the formal introduction took place, the committees of jurisdiction would hold “mock hearings” and “mock mark-up” sessions in order to consider legislation informally circulated by the Administration and to make their concerns known to the Administration before it introduced the legislation formally.

After formal introduction of the implementing bill, the House committees of jurisdiction had 45 days to report the bill, and the House was required to vote on the bill within 15 legislative days after the measure was reported or discharged from the committees. Fifteen additional days were provided for Senate committee consideration (assuming the implementing bill was a revenue bill), and the Senate floor action was required within 15 additional days. Accordingly, the maximum period for Congressional consideration of an implementing bill from the date of introduction was 90 days. Amendments to the legislation were not permitted once the bill was introduced; the committee and floor actions consisted of “up or down” votes on the bill as introduced.

4. Policy issues concerning fast track

Broad versus narrow: This issue relates to whether fast track authority should be broad and open-ended so that it covers all trade agreements entered into within a specific period of time, or whether it should be limited to negotiations with particular countries or regions. More specifically, although the Administration is beginning NAFTA-accession issues with Chile, it may later begin negotiations with other Latin American countries, as well as APEC countries. The fast track authority could cover all of these negotiations or could be more limited.

Labor and environment negotiating objectives: The Administration has pressed for inclusion of negotiating objectives relating to environmental standards and seeks to broaden such objectives relating to labor standards. The Republican leadership and many business interests have opposed these objectives, stating that they are not trade related and that the overall benefits of trade agreements serve to improve labor and environmental conditions.

Time period: An open issue relates to the length of time provided for fast track authority as well as whether there will be any extensions permitted. The general consensus has been for a period of four to six years.

5. Major procedural issues concerning fast track

Treatment of revenue provisions of trade agreement implementing bills: The “Pay-Go” provisions of the 1990 Budget Agreement have been applied to implementing legislation for two trade agreements—the North American Free Trade Agreement and the GATT Uruguay Round. “Pay-Go” rules require the estimated five-year reduction in tariff revenues to be fully offset with provisions increasing revenue or reducing entitlement spending. These provisions have nearly all been nontax revenue-raising measures, generally totally unrelated to trade. The inclusion of non-trade revenue provisions in an unamendable legislative vehicle has caused concerns in both Houses of Congress, and among many private sector groups.

Extraneous issues included in trade agreement implementing bills: Fast track procedures have permitted implementing legislation to include provisions that are “necessary and appropriate” to implement the trade agreement. The NAFTA and Uruguay Round implementing bills included numerous provisions which were clearly not necessary to implement the respective agreements. These included non-trade revenue provisions included to satisfy the 1990 Budget Agreement as well as some trade provisions not required by the agreements.

Submission of proposed agreement and required legislative changes by the administration: Fast track procedures have required the Administration to notify the House Ways and Means Committee and the Senate Finance Committee of its intent to enter into an agreement 90 days before such action. Congress has not always received a copy of the draft agreement during that time, restricting its ability to recommend modifications before the agreement is finalized. In addition, after an agreement is entered into, the Administration has not been required to submit a list of the statutory changes to law required to implement the agreement.

Time periods for committee and floor review: Fast track procedures have placed generous time limits on committee and floor consideration of trade agreement implementing legislation. However, there is some question as to the need for lengthy time limits at these final stages in the process as the legislation is unamendable at that point. On the other hand, there are no time limits requiring the Administration to send implementing legislation to Congress after entering into a trade agreement. Absent a time limit, the legislative drafting and “mock mark-up” period has encompassed many months for recent trade bills.

6. Legislative action in the 104th Congress

On September 9, 1995, Representative Bill Archer, chairman of the Committee on Ways and Means, along with Representative Phil Crane and Representative David Dreier, introduced H.R. 2371, the Trade Agreements Authority Act of 1995, to provide trade agreements authority to the President. The measure was referred to the Committee on Ways and Means and the Committee on Rules. On January 3, 1996, H.R. 2371 was referred to the Subcommittee on Rules and Organization of the House.

The Committee on Ways and Means held a mark up on H.R. 2371 on September 21, 1995, and ordered the measure reported

with amendments (House Report 104–285, Part I). The Rules Committee deferred action on H.R. 2371 pending the outcome of negotiations with the Clinton administration on amendments to the bill as reported by the Ways and Means Committee. However, such an agreement was not reached prior to adjournment of the 104th Congress.

VI. STATISTICAL PROFILE ON THE COMMITTEE ON RULES, 104TH CONGRESS

A. STATISTICS ON SPECIAL ORDERS OR “RULES”

1. Number of formal requests for Rules Committee hearings: 194
 - a. Number of rules requested for rules for original consideration of measures, rules for further consideration, rules for disposition of Senate amendments: 140
 - b. Number of rules requested on conference reports: 45
 - c. Number of rules requested on procedural matters: 0
 - d. Number of formal rules requests otherwise disposed of by procedures other than the Rules Committee: 9
2. Number of formal requests pending at adjournment: 7
3. Number of hearing days: 190
 - (a) 1st Session:
 - (1) Regular meetings: 104
 - (2) Emergency meetings: 21
 - (b) 2nd Session:
 - (1) Regular meetings: 44
 - (2) Emergency meetings: 21
4. Number of bills, resolutions, and conference reports on which hearings were held for the purpose of considering special orders or “rules”:
 - (a) Number of rules granted: 230
 - (1) Bills and resolutions: 167
 - (2) Conference Reports: 49
 - (3) Providing for general debate only, waiving $\frac{2}{3}$ requirement or creating suspension days: 19
 - (b) Types of amendment structures for consideration of bills and resolutions
 - (1) Open: 69
 - (2) Modified Open—Time Cap on Consideration of Amendments: 9
 - (3) Modified Open—Required Preprinting in the Congressional Record: 3
 - (4) Modified Open—Both Time Cap on Consideration of Amendments and Required Preprinting in the Congressional Record: 5
 - (5) Structured or Modified Closed: 43
 - (6) Closed: 22
 - (7) Conference Reports: 52
 - (8) Providing for General Debate Only: 3
 - (c) Disposition of the 230 rules granted:
 - (1) Adopted by the House: 215
 - (2) Rejected by the House: 1
 - (3) Laid on the Table: 12
 - (4) Pending on the House Calendar at Adjournment: 2

* Note: 5 rules were dual purpose rules listed under 2 categories above (H. Res. 249, H. Res. 267, H. Res. 280, H. Res. 291, and H. Res. 386).

5. Congressional Budget Act waivers granted

(a) Type of Waiver

- (1) Sec. 302(c): 2
- (2) Sec. 302(f): 19
- (3) Sec. 303(a): 2
- (4) Sec. 306: 3
- (5) Sec. 308(a): 13
- (6) Sec. 311(a): 2
- (7) Sec. 401(a): 3
- (8) Sec. 401(b): 5
- (9) Sec. 402(a): 1

6. Rules of the House waivers granted (waivers may be underlying measures, matters made in order as original text, motions, or amendments)

(a) Types of waivers (number of resolutions waiving each rule):

- (1) Waiver of all Rules of the House: 100
- (2) Rule X, cl. 1(b): 1
- (3) Rule X, cl. 1(q)(10): 1
- (4) Rule XI, cl. 2(g)(3): 1
- (5) Rule XI, cl. 2(l)(2): 1
- (6) Rule XI, cl. 2(l)(2)(B): 5
- (7) Rule XI, cl. 2(l)(6): 15
- (8) Rule XIII, cl. 3: 1
- (9) Rule XIII, cl. 7: 2
- (10) Rule XVI, cl. 7: 19
- (11) Rule XXI, cl. 2: 28
- (12) Rule XXI, cl. 2(e): 3
- (13) Rule XXI, cl. 5(a): 14
- (14) Rule XXI, cl. 5(b): 3
- (15) Rule XXI, cl. 5(c): 5
- (16) Rule XXI, cl. 6: 26
- (17) Rule XXI, cl. 7: 10
- (18) Rule XLIX: 1

B. STATISTICS ON ORIGINAL JURISDICTION MEASURES

1. Full Committee

- (a) Number of bills and resolutions referred: 221
- (b) Number of measures referred to the subcommittees: 103
 - (1) Exclusive Referrals to Subcommittee on Rules and Organization of the House: 61
 - (2) Exclusive Referrals to Subcommittee on the Legislative and Budget Process: 41
 - (3) Joint referrals: 0
- (c) Number of original jurisdiction measures heard by full committee: 11
- (d) Number of hearings and markups held by the full committee: 16
- (e) Number of measures reported by the full committee: 10
 - (1) Disposition of measure reported:
 - (a) Measures adopted by the House: 9

- (b) Measures reported and pending floor action at adjournment: 0
- (c) Resolutions rejected by the House: 0
- (d) Resolutions tabled by the House: 0
- (e) Resolutions discharged from the Committee: 1
- 2. Subcommittee on the Legislative and Budget Process
 - (a) Measures referred: 41
 - (b) Days of hearing and markup: 7
 - (c) Measures reported: 0
- 3. Subcommittee on Rules and Organization of the House
 - (a) Measures referred: 61
 - (b) Days of hearing and markup: 10
 - (c) Measures reported: 0

VII. APPENDICES

TABLE 1.—TYPES OF RULES GRANTED

<i>Open:</i>		
H. Res. 38	H.R. 5	Unfunded Mandate Reform Act of 1995.
H. Res. 47	H. Res. 43	To Permit Committee Chairmen to Schedule Hearings.
H. Res. 51	H.R. 101	To Transfer a parcel of land to the Taos Pueblo Indians of New Mexico.
H. Res. 52	H.R. 400	Anaktuvuk Pass Land Exchange and Wilderness Redesignation Act of 1995.
H. Res. 53	H.R. 440	To Provide for the conveyance of lands to certain individuals in Butte County, California.
H. Res. 55	H.R. 2	Line Item Veto Act.
H. Res. 60	H.R. 665	Victim Restitution Act of 1995.
H. Res. 61	H.R. 666	Exclusionary Rule Reform Act of 1995.
H. Res. 69	H.R. 668	Criminal Alien Deportation Improvements Act of 1995.
H. Res. 91	H.R. 830	Paperwork Reduction Act of 1995.
H. Res. 100	H.R. 926	Regulatory Reform and Relief Act of 1995.
H. Res. 125	H.R. 1271	Family Privacy Protection Act of 1995.
H. Res. 126	H.R. 660	Housing For Older Persons Act of 1995.
H. Res. 136	H.R. 655	Hydrogen Future Act of 1995.
H. Res. 139	H.R. 1361	Coast Guard Authorization Act, FY 96.
H. Res. 140	H.R. 961	Clean Water Amendments of 1995.
H. Res. 144	H.R. 535	Corning National Fish Hatchery Conveyance Act.
H. Res. 145	H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.
H. Res. 146	H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.
H. Res. 167	H.R. 187	Military Construction Appropriations, FY 96.

TABLE 1.—TYPES OF RULES GRANTED—Continued

H. Res. 170	H.R. 1868	Foreign Assistance Appropriations, FY 96.
H. Res. 171	H.R. 1905	Energy and Water Appropriations, FY 96.
H. Res. 185	H.R. 1977	Interior Appropriations, FY 96.
H. Res. 187	H.R. 1977	Interior Appropriations, FY 96.
H. Res. 188	H.R. 1976	Agriculture Appropriations, FY 96.
H. Res. 190	H.R. 2020	Treasury, Postal Appropriations, FY 96.
H. Res. 194	H.R. 2002	Transportation Appropriations, FY 96.
H. Res. 197	H.R. 70	Exports of Alaskan North Slope Oil.
H. Res. 198	H.R. 2076	Commerce, Justice, State Appropriations, FY 96.
H. Res. 201	H.R. 2099	VA, HUD Appropriations, FY 96.
H. Res. 205	H.R. 2126	Defense Appropriations, FY 96.
H. Res. 208	H.R. 2127	Labor, Health, Human Services, and Education Appropriations, FY 96.
H. Res. 215	H.R. 1594	Restrictions on Promotion by the Government of Use by Employee Benefit Plans of Economically Targeted Investments.
H. Res. 218	H.R. 1162	Deficit Reduction Lock-Box Act of 1995.
H. Res. 219	H.R. 1670	Federal Acquisition Reform Act of 1995.
H. Res. 222	H.R. 1617	Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act.
H. Res. 224	H.R. 2274	National Highway System Designation Act of 1995.
H. Res. 226	H.R. 743	Teamwork for Employees and Managers Act of 1995.
H. Res. 227	H.R. 1170	Three Judge Court for Certain Injunctions.
H. Res. 228	H.R. 1601	International Space Station Authorization Act of 1995.
H. Res. 234	H.R. 2405	Omnibus Civilian Science Authorization Act of 1995.
H. Res. 259	H.R. 2539	ICC Termination Act of 1995.
H. Res. 269	H.R. 2564	Lobby Disclosure Act of 1995.
H. Res. 284	H.R. 1788	Amtrak Reform and Privatization Act of 1995.
H. Res. 287	H.R. 1350	Maritime Security Act of 1995.
H. Res. 303	H.R. 1745	Utah Public Lands Management Act of 1995.
H. Res. 313	H.R. 558	Texas Low-Level Radioactive Waste Disposal Compact Consent Act.
H. Res. 368	H.R. 994	Regulatory Sunset and Review Act of 1995.
H. Res. 396	H.R. 842	Truth in Budgeting Act.
H. Res. 409	H.R. 2715	Paperwork Elimination Act of 1996.
H. Res. 410	H.R. 1675	National Wildlife Refuge Improvement Act of 1995.

TABLE 1.—TYPES OF RULES GRANTED—Continued

H. Res. 418	H.R. 2641	U.S. Marshals Service Improvement Act of 1996.
H. Res. 419	H.R. 2149	Ocean Shipping Reform Act of 1995.
H. Res. 421	H.R. 2974	Crimes Against Children and Elderly Persons Increased Punishment Act.
H. Res. 422	H.R. 3120	Amending Title 18, United States Code, with respect to Witness Retaliation, Witness Tampering, and Jury Tampering.
H. Res. 426	H.R. 2406	United States Housing Act of 1996.
H. Res. 427	H.R. 3322	Omnibus Civilian Science Authorization Act of 1996.
H. Res. 442	H.R. 3517	Military Construction Appropriations, FY 97.
H. Res. 445	H.R. 3540	Foreign Assistance Appropriations, FY 97.
H. Res. 451	H.R. 3603	Agriculture Appropriations, FY 97.
H. Res. 453	H.R. 3610	Defense Appropriations, FY 97.
H. Res. 455	H.R. 3662	Interior Appropriations, FY 97.
H. Res. 456	H.R. 3666	VA, HUD Appropriations, FY 97.
H. Res. 460	H.R. 3675	Transportation Appropriations, FY 97.
H. Res. 472	H.R. 3755	Labor, Health, Human Services, and Education Appropriations, FY 97.
H. Res. 475	H.R. 3756	Treasury, Postal Appropriations, FY 97.
H. Res. 479	H.R. 3814	Commerce, Justice, State Appropriations, FY 97.
H. Res. 483	H.R. 3816	Energy and Water Appropriations, FY 97.
H. Res. 516	H.R. 3719	Small Business Programs Improvement Act of 1996
<i>Modified open—time cap:</i>		
H. Res. 63	H.R. 667	Violent Criminal Incarceration Act of 1995.
H. Res. 79	H.R. 728	Local Law Enforcement Block Grants Act.
H. Res. 83	H.R. 7	National Security Revitalization Act of 1995.
H. Res. 93	H.R. 450	Regulatory Transition Act of 1995.
H. Res. 96	H.R. 1022	Risk Assessment and Cost Benefit Act of 1995.
H. Res. 103	H.R. 1058	Securities Litigation Reform Act.
H. Res. 104	H.R. 988	Attorney Accountability Act of 1995.
H. Res. 105	H.R. 1058	Securities Litigation Reform Act.
H. Res. 252	H.R. 2546	District of Columbia Appropriations, FY 96.
<i>Modified open—pre-printing:</i>		
H. Res. 189	H.R. 1977	Interior Appropriations, FY 96.
H. Res. 216	H.R. 1655	Intelligence Authorization, FY 96.
H. Res. 437	H.R. 3259	Intelligence Authorization, FY 97.

TABLE 1.—TYPES OF RULES GRANTED—Continued

<i>Modified open—time cap and preprinting:</i>		
H. Res. 101	H.R. 925	Private Property Protection Act of 1995.
H. Res. 115	H.R. 1158; H.R. 1159	Emergency Supplemental Appropriations for Additional Disaster Assistance and Making Rescissions for 1995; Supplemental Appropriations and Rescissions, 1995.
H. Res. 155	H.R. 1561	American Overseas Interests Act of 1995.
H. Res. 156	H.R. 1561	American Overseas Interests Act of 1995.
H. Res. 488	H.R. 2391	Working Families Flexibility Act.
<i>Structured or modified closed:</i>		
H. Res. 44	H.J. Res.1; H.Con.Res. 17.	Balanced Budget Constitutional Amendment; Relating to the Treatment of Social Security.
H. Res. 88	H.R. 831	Permanent Extension of Deduction for Health Insurance Costs of Self-Employed Individuals.
H. Res. 92	H.R. 889	Making Emergency Supplemental Appropriations and Rescissions to Preserve and Enhance Military Readiness.
H. Res. 108	H.R. 956	Common Sense Legal Standards Reform Act of 1995.
H. Res. 109	H.R. 956	Common Sense Legal Standards Reform Act of 1995.
H. Res. 116	H.J.Res. 73	Term Limits Constitutional Amendments.
H. Res. 119	H.R. 4	Personal Responsibility Act of 1995.
H. Res. 128	H.R. 1215	Contract With America Tax Relief Act of 1995.
H. Res. 130	H.R. 483	Medicare Select Extension.
H. Res. 149	H.Con.Res. 67	Concurrent Resolution on the Budget, FY 96.
H. Res. 164	H.R. 1530	National Defense Authorization Act, FY 96.
H. Res. 169	H.R. 1854	Legislative Branch Appropriations, FY 96.
H. Res. 176	H.R. 1944	Making Emergency Supplemental Appropriations, Disaster Assistance, FY 95.
H. Res. 177	H.R. 1868	Foreign Assistance Appropriations, FY 96.
H. Res. 204	S. 21	Bosnia and Herzegovina Self Defense Act of 1995.
H. Res. 207	H.R. 1555	Communications Act of 1995.
H. Res. 225	H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995.
H. Res. 237	H.R. 2259	Disapproving of Certain Sentencing Guidelines Amendments.
H. Res. 238	H.R. 2425	Medicare Preservation Act of 1995.
H. Res. 245	H.R. 2491/H.Con.Res. 109.	Seven-Year Balanced Budget Reconciliation Act of 1995.

TABLE 1.—TYPES OF RULES GRANTED—Continued

H. Res. 258	H.R. 2586	Temporary Increase in Public Debt Limit.
H. Res. 268	H. Res. 250	Amending the Rules of the House to provide for Gift Reform.
H. Res. 273	H.R. 2606	Prohibition on Use of Funds for Bosnia Deployment.
H. Res. 322	H. Res. 299	Amending House Rules Regarding Outside Income.
H. Res. 366	H.R. 2854	Agricultural Market Transition Act.
H. Res. 372	H.R. 3019	Further Downpayment Toward a Balanced Budget.
H. Res. 380	H.R. 2703	Effective Death Penalty and Public Safety Act of 1996.
H. Res. 384	H.R. 2202	Immigration in the National Interest Act.
H. Res. 392	H.R. 3103	Health Coverage Availability & Affordability Act of 1996.
H. Res. 395	H.J.Res. 159	Tax Limitation Constitutional Amendment.
H. Res. 428	H.R. 3286	Adoption Promotion & Stability Act of 1996.
H. Res. 430	H.R. 3230	National Defense Authorization Act of FY 97.
H. Res. 435	H.Con.Res. 178	Concurrent Resolution on the Budget, FY 97.
H. Res. 438	H.R. 3144	Defend America Act of 1996.
H. Res. 440	H.R. 3448/H.R. 1227	Small Business Job Protection and Commuting Flexibility Act.
H. Res. 446	H.R. 3562	Wisconsin Works Waiver Approval Act.
H. Res. 448	H.R. 2754	Shipbuilding Trade Agreement Act.
H. Res. 473	H.R. 3754	Legislative Branch Appropriations, FY 97.
H. Res. 474	H.R. 3396	Defense of Marriage Act.
H. Res. 481	H.R. 3760	Campaign Finance Reform Act of 1996.
H. Res. 482	H.R. 3734	Personal Responsibility Act of 1996.
H. Res. 489	H.R. 2823	International Dolphin Conservation Program Act.
H. Res. 499	H.R. 123	English Language Empowerment Act of 1996.
H. Res. 517	H.R. 3308	United States Armed Forces Protection Act of 1996.
<i>Closed:</i>		
H. Res. 173	H.J.Res. 79	Flag Desecration.
H. Res. 193	H.R. 2058/H.J.Res. 96	Disapproval of Most-Favored Nation Treatment for China.
H. Res. 230	H.J.Res. 108	Continuing Appropriations, FY 96.
H. Res. 239	H.R. 2492	Legislative Branch Appropriations, FY 96.
H. Res. 251	H.R. 1833	Partial-Birth Abortion Ban Act of 1995.
H. Res. 257	H.J. Res. 115	Further Continuing Appropriations, FY 96.

TABLE 1.—TYPES OF RULES GRANTED—Continued

H. Res. 261	H.J. Res. 115	Further Continuing Appropriations, FY 96.
H. Res. 262	H.R. 2586	Temporary Increase in Public Debt Limit.
H. Res. 270	H.J. Res. 122	Further Continuing Appropriations, FY 96.
H. Res. 293	H.R. 2621	To Enhance the Public Debt and to Protect the Social Security Trust Fund and Other Federal Trust Funds and Accounts Invested in Public Debt Obligations.
H. Res. 304	H.R. 2770	U.S. Troop Deployment in Bosnia.
H. Res. 309	H. Con. Res. 122	Revised Budget Resolution.
H. Res. 317	H.J. Res. 134	Making Further Continuing Appropriations for Veterans' Benefits.
H. Res. 323	H.R. 2677	National Parks and National Wildlife Refuge Systems Freedom Act.
H. Res. 355	H.R. 2924	Social Security Guarantee Act.
H. Res. 371	H.R. 3021	Continuing Guarantee of Social Security.
H. Res. 386	H.J. Res. 165	Further Continuing Appropriations, FY 96.
H. Res. 388	H.R. 125	Gun Crime Enforcement and Second Amendment Restoration Act of 1996.
H. Res. 391	H.R. 3136	Contract With America Advancement Act of 1996.
H. Res. 411	H.J. Res. 175	Further Continuing Appropriations, FY 96.
H. Res. 436	H.R. 3415	Repeal of 4.3 cent Increase in Transportation Fuels Taxes.
H. Res. 463	H.J. Res. 182/H. Res. 461.	Disapproval of Most Favored Nation trade status for China, FY 96/Regarding the People's Republic of China.
H. Res. 530	H.R. 4134	Authorizing states to deny public education benefits to certain aliens not lawfully present in the United States.
<i>Conference Reports:</i>		
H. Res. 121	H.R. 831	Conference Report on the Permanent Extension of Deduction for Health Insurance Costs of Self-Employed Individuals.
H. Res. 129	H.R. 889	Conference Report Making Emergency Supplemental Appropriations for the Department of Defense, FY 95.
H. Res. 151	H.R. 1158	Conference Report on the Emergency Supplemental Appropriations for Additional Disaster Assistance and Making Rescissions, FY 95.

TABLE 1.—TYPES OF RULES GRANTED—Continued

H. Res. 175	H. Con. Res. 67	Conference Report on the Concurrent Resolution on the Budget, FY 96.
H. Res. 180	H. R. 483	Conference Report on the Extension of Medicare Select Policies.
H. Res. 206	H. R. 1854	Conference Report on the Legislative Branch Appropriations, FY 96.
H. Res. 223	H. R. 1817	Conference Report on the Military Construction Appropriations, FY 96.
H. Res. 231	H.R. 1977	Conference Report on the Interior Appropriations, FY 96.
H. Res. 232	H.R. 2126	Conference Report on the Defense Appropriations, FY 96.
H. Res. 235	H.R. 1976	Conference Report on the Agriculture Appropriations, FY 96.
H. Res. 241	H.R. 2002	Conference Report on the Transportation Appropriations, FY 96.
H. Res. 248	H.R. 1905	Conference Report on the Energy and Water Appropriations, FY 96.
H. Res. 249	H.R. 1868	Conference Report on the Foreign Assistance Appropriations, FY 96.
H. Res. 253	H.R. 1977	Conference Report on the Interior Appropriations, FY 96.
H. Res. 256	S. 395	Conference Report on the Alaska Power Administration Sale Act.
H. Res. 267	H.R. 2020	Conference Report on the Treasury Postal Appropriations, FY 96.
H. Res. 271	H.R. 2126	Conference Report on the Defense Appropriations, FY 96.
H. Res. 272	H.R. 2491	Conference Report on the Balanced Budget Act of 1995.
H. Res. 280	H.R. 2099	Conference Report on the VA, HUD Appropriations, FY 96.
H. Res. 289	H.R. 2076	Conference Report on the Commerce, Justice, State, Judiciary Appropriations, FY 96.
H. Res. 290	H.R. 1058	Conference Report on Securities Litigation Reform.
H. Res. 291	H.R. 2099	Conference Report on the VA, HUD Appropriations, FY 96.
H. Res. 301	H.R. 1977	Conference Report on the Interior Appropriation, FY 96.
H. Res. 307	H.R. 1530	Conference Report on the National Defense Authorization Act, FY 96.
H. Res. 312	H.R. 2539	Conference Report on the ICC Termination Act of 1995.
H. Res. 318	H.R. 1655	Conference Report on the Intelligence Authorization Act, FY 96.
H. Res. 319	H.R. 4	Conference Report on the Personal Responsibility and Work Opportunity Act of 1995.

TABLE 1.—TYPES OF RULES GRANTED—Continued

H. Res. 340	S. 1124	Conference Report on the National Defense Authorization Act, FY 96.
H. Res. 351	H.R. 2546	Conference Report on the District of Columbia Appropriations, FY 96.
H. Res. 353	S. 652	Conference Report on the Telecommunications Act of 1996.
H. Res. 370	H.R. 927	Conference Report on the Cuban Liberty and Democratic Solidarity Liberty Act of 1995.
H. Res. 375	H.R. 1561	Conference Report on the Foreign Relations Authorization Act, FY 96 and 97.
H. Res. 393	H.R. 2854	Conference Report on the Federal Agricultural Improvement and Reform Act of 1996.
H. Res. 394	H.R. 956	Conference Report on the Common Sense Product Liability Legal Reform Act of 1996.
H. Res. 405	S. 735	Conference Report on the Terrorism Prevention Act.
H. Res. 415	H.R. 3019	Conference Report on the further Omnibus Continuing Appropriations, FY 96.
H. Res. 450	H. Con. Res. 178.	Conference Report on the Concurrent Resolution on the Budget, FY 97.
H. Res. 495	H.R. 3734	Conference Report on the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
H. Res. 496	H.R. 3603	Conference Report on the Agriculture Appropriations, FY 97.
H. Res. 497	H.R. 3517	Conference Report on the Military Construction Appropriations, FY 97.
H. Res. 498	H.R. 3230	Conference Report on the National Defense Authorization Act, FY 97.
H. Res. 502	H.R. 3103	Conference Report on the Health Insurance Portability and Accountability Act of 1996.
H. Res. 503	H.R. 3448	Conference Report on the Small Business Job Protection Act of 1996.
H. Res. 507	S. 1316	Conference Report on the Safe Drinking Water Act Amendments of 1996.
H. Res. 522	H.R. 3675	Conference Report on the Transportation Appropriations, FY 97.
H. Res. 528	H.R. 2202	Conference Report on the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.
H. Res. 529	H.R. 3259	Conference Report on the Intelligence Authorization Act of 1997.

TABLE 1.—TYPES OF RULES GRANTED—Continued

H. Res. 536	H.R. 1296	Conference Report on the Omnibus Parks and Public Lands Management Act of 1996.
H. Res. 540	H.R. 3539	Conference Report on the Federal Aviation Authorization Act of 1996.

Providing for general debate only:

H. Res. 108	H.R. 956	Common Sense Legal Standards Reform Act of 1995.
H. Res. 117	H.R. 4	Personal Responsibility Act of 1995.
H. Res. 376	H.R. 2703	Effective Death Penalty and Public Safety Act.

SPECIAL PROCEDURES

Waiving two-thirds requirement (Rule XI, clause 4 (b) generally prohibiting calling up a rule on the same day it is reported from the Rules Committee except by a two-thirds vote):

H. Res. 260 .....	.....	Rules reported on or before November 13, 1995, for consideration of a measure, amendment, conference report or amendment reported in disagreement from a conference on: (1) a bill or joint resolution making further continuing appropriations for FY 1996, and (2) a bill or joint resolution increasing or waiving the public debt limit.
H. Res. 265 .....	.....	Rules reported on or before November 23, 1995, for consideration of a measure, amendment, conference report or amendment reported in disagreement from a conference on any bill or joint resolution making further continuing appropriations for FY 1996.
H. Res. 276	H.R. 2491	Rules reported on or before November 23, 1995, for consideration of a measure, amendment, conference report or amendment reported in disagreement from a conference on: (1) the budget reconciliation bill for FY 1996 and (2) any measure making general appropriations for FY 1996.

TABLE 1.—TYPES OF RULES GRANTED—Continued

H. Res. 297	Rules reported during the remainder of the first session of the 104th Congress for consideration of a measure, amendment, conference report, or amendment reported in disagreement from a conference relating to the following: (1) a bill making general appropriations for FY 1996; (2) a bill or joint resolution making further continuing appropriations for FY 1996; (3) a bill or joint resolution increasing or waiving the public debt limit; (4) a bill to provide for a balanced budget by 2002; and (5) a bill or resolution relating to the deployment of United States Armed Forces in and around the territory of the Republic of Bosnia and Herzegovina.
H. Res. 330	Rules reported before January 24, 1996, for consideration of a measure, amendment, conference report or amendment reported in disagreement from a conference on: (1) a bill making general appropriations for FY 1996, (2) a bill or joint resolution including provisions making further continuing appropriations for FY 1996, (3) a bill or joint resolution including provisions increasing or waiving the public debt limit, and (4) a bill providing for a balanced budget by the year 2002. (See also the miscellaneous category.)
H. Res. 342	Rules reported before March 16, 1996, for consideration of a measure, amendment, conference report or amendment reported in disagreement from a conference on: (1) a bill making general appropriations for FY 1996, (2) a bill or joint resolution including provisions making further continuing appropriations for FY 1996, and (3) a bill or joint resolution including provisions increasing or waiving the public debt limit.

TABLE 1.—TYPES OF RULES GRANTED—Continued

H. Res. 412		Rules reported before April 27, 1996, for consideration of a measure, amendment, conference report or amendment reported in disagreement from a conference on: (1) a bill making general appropriations for FY 1996, and (2) a bill or joint resolution including provisions making further continuing appropriations for FY 1996.
H. Res. 492	H.R. 3734	Conference Report on the Personal Responsibility Act of 1996.
H. Res. 500	H.R. 3103	Rule reported before August 2, 1996, for consideration of the conference report on the Health Insurance Portability and Accountability Act.
H. Res. 525		Rules reported for the remainder of the 104th Congress, for consideration of a measure, amendment, conference report or amendment reported in disagreement from a conference on: (1) a bill or joint resolution making general appropriations for FY 1996, and (2) a bill or joint resolution including provisions making further continuing appropriations for FY 1997. Suspensions in order for the remainder of the 104th Congress, with one hour notice.
H. Res. 386	H.J. Res. 165	Further Continuing Appropriations, FY 96.
<i>Make in order suspensions on special days:</i>		
H. Res. 275		Suspensions in order on Saturday, November 18, 1995, with one hour notice.
H. Res. 508	H.R. 3953	Suspension in order on Friday, August 2, 1996, for a bill or joint resolution relating to combating terrorism.
H. Res. 525		Suspensions in order for the remainder of the 104th Congress, with one hour notice. (See also waiving two-thirds category requirement.)
<i>Most votes wins procedure:</i>		
H. Res. 44	H.J. Res. 1; H. Con. Res. 17.	Balanced Budget Constitutional Amendment; Relating to the Treatment of Social Security
H. Res. 116	H.J. Res. 73	Term Limits Constitutional Amendments.
H. Res. 119	H.R. 4	Personal Responsibility Act of 1995.

TABLE 1.—TYPES OF RULES GRANTED—Continued

Senate hook-up:

H. Res. 147	S. 4	Line Item Veto.
H. Res. 148	S. 219	Regulatory Transition Act of 1995.
H. Res. 197	H.R. 70	Exports of Alaskan North Slope Oil.
H. Res. 207	H.R. 1555	Communications Act of 1995.
H. Res. 237	H.R. 2259	Disapproval of Certain Sentencing, Guideline Amendments.
H. Res. 269	H.R. 2564	Lobby Disclosure Act of 1995.
H. Res. 368	H.R. 994	Regulatory Sunset and Review Act of 1995.
H. Res. 380	H.R. 2703	Effective Death Penalty and Public Safety Act of 1996.
H. Res. 418	H.R. 2641	U.S. Marshals Service Improvement Act of 1996.
H. Res. 426	H.R. 2406	United States Housing Act of 1996.

Disposition of Senate amendments:

H. Res. 249	H.R. 1868	Conference Report on the Foreign Assistance Appropriations, FY 96.
H. Res. 261	H.J. Res. 115	Further Continuing Appropriations, FY 96.
H. Res. 262	H.R. 2586	Temporary Increase in Public Debt Limit.
H. Res. 267	H.R. 2020	Conference Report on the Treasury Postal Appropriations, FY 96.
H. Res. 279	H.R. 2491	Budget Reconciliation, FY 96.
H. Res. 280	H.R. 2099	Conference Report on the VA, HUD Appropriations, FY 96.
H. Res. 291	H.R. 2099	Conference Report on the VA, HUD Appropriations, FY 96.
H. Res. 296	H.R. 1868	Foreign Operations Appropriations, FY 96.
H. Res. 334	H.R. 1643	Most Favored Nation treatment for Bulgaria.
H. Res. 336	H.J. Res. 134/H. Con. Res. 131.	Making continuing appropriations, FY 96/Establishing procedures making the transmission of the continuing resolution (H.J. Res. 134) to the President contingent upon the submission by the President of a seven-year balanced budget using updated economic and technical assumption of the Congressional Budget Office.
H. Res. 338	H.R. 1358	Conveyance of National Marine Fisheries Service laboratory at Gloucester, Massachusetts.
H. Res. 389	H.R. 1833	Partial-Birth Abortion Ban Act of 1995.

Chairman's en bloc authority:

H. Res. 119	H.R. 4	Personal Responsibility Act of 1995.
-------------------	--------------	--------------------------------------

TABLE 1.—TYPES OF RULES GRANTED—Continued

H. Res. 164	H.R. 1530	National Defense Authorization Act, FY 96.
H. Res. 366	H.R. 2854	Agricultural Market Transition Act.
H. Res. 380	H.R. 2703	Effective Death Penalty and Public Safety Act of 1996.
H. Res. 384	H.R. 2202	Immigration in the National Interest Act.
H. Res. 430	H.R. 3230	National Defense Authorization Act, FY 97.
<i>Self executing amendments:</i>		
H. Res. 185	H.R. 1977	Interior Appropriations, FY 96.
H. Res. 187	H.R. 1977	Interior Appropriations, FY 96.
H. Res. 205	H.R. 2126	Defense Appropriations, FY 96.
H. Res. 234	H.R. 2405	Omnibus Science Authorization Act of 1995.
H. Res. 237	H.R. 2259	Disapproval of Certain Sentencing Guideline Amendments.
H. Res. 251	H.R. 1833	Partial-Birth Abortion Ban Act of 1995.
H. Res. 293	H.R. 2621	To Enforce the Public Debt and to Protect the Social Security Trust Fund and Other Federal Trust Funds and Accounts Invested in Public Debt Obligations.
H. Res. 323	H.R. 2677	National Parks and National Wildlife Refuge Systems Freedom Act.
H. Res. 372	H.R. 3019	Further Downpayment Toward a Balanced Budget.
H. Res. 388	H.R. 125	Gun Crime Enforcement and Second Amendment Restoration Act of 1996.
H. Res. 391	H.R. 3136	Contract With America Advancement Act of 1996.
H. Res. 395	H.J.Res. 159	Tax Limitation Constitutional Amendment.
H. Res. 411	H.J.Res. 175	Further Continuing Appropriations, FY 96.
H. Res. 436	H.R. 3415	Repeal of 4.3 cent Increase in Transportation Fuels Taxes.
H. Res. 440	H.R. 3448	Small Business Job Protection Act and Use of Employer Vehicles.
H. Res. 446	H.R. 3562	Wisconsin Works Waiver Approval Act.
H. Res. 455	H.R. 3662	Interior Appropriations, FY 97.
<i>Makes in order original text with modifications:</i>		
H. Res. 69	H.R. 668	Criminal Alien Deportation Improvements Act of 1995.
H. Res. 164	H.R. 1530	National Defense Authorization Act, FY 96.
H. Res. 216	H.R. 1655	Intelligence Authorization Act, FY 96.
H. Res. 238	H.R. 2425	Medicare Preservation Act of 1995.
H. Res. 245	H.R. 2491/ H.Con.Res. 109.	Seven-Year Balanced Budget Reconciliation Act of 1995.
H. Res. 258	H.R. 2586	Temporary Increase in the Public Debt Limit.

TABLE 1.—TYPES OF RULES GRANTED—Continued

H. Res. 284	H.R. 1788	Amtrak Reform and Privatization Act of 1995.
H. Res. 384	H.R. 2202	Immigration in the National Interest Act.
H. Res. 392	H.R. 3103	Health Coverage Availability & Affordability Act of 1996.
H. Res. 448	H.R. 2754	Shipbuilding Trade Agreement Act.
<i>Miscellaneous:</i>		
H. Res. 391	H.R. 3136	Contract With America Advancement Act.
H. Res. 336	H.J.Res. 134/H. Con. Res. 131.	Making continuing appropriations, FY 96/Establishing procedures making the transmission of the continuing resolution (H.J. Res. 134) to the President contingent upon the submission by the President of a seven-year balanced budget using updated economic and technical assumption of the Congressional Budget Office.
H. Res. 179	S. Con. Res. 20	Adjournment resolution for Independence Day district work period, 1995.
H. Res. 310 .....	.....	Expediting the commencement of committee hearings during the remainder of the first session of the 104th Congress.
H. Res. 320 .....	.....	Authorizing the Speaker to declare recesses from December 23, 1995 through December 27, 1995.
H. Res. 330 .....	.....	Authorizing the Speaker to declare recesses from January 5, 1996 through January 9, 1996, and during three day periods thereafter (excluding Sundays) until calendar day January 23, 1996. (See also the waiving two-thirds requirement category.)
H. Res. 352 .....	.....	Authorizing the Speaker to declare recesses of not more than three days (excluding Sundays) from February 2, 1996 through February 26, 1996.
H. Res. 465	H. Con. Res. 192	Adjournment Resolution for Independence Day district work period, 1996.
H. Res. 546	H. Res. 551/552	Certain resolutions in preparation for the adjournment of the 104th Congress sine die.

TABLE 2.—RESOLUTIONS REPORTED

Rule	Bill	Floor action	Date	Manager
H. Res. 38, H. Rpt. 104-2	H.R. 5	Unfunded Mandate Reform Act of 1995. Reported from Rules	1/18/95	Dreier/Moakley
H. Res. 44, H. Rpt. 104-4	H. Con. Res 17, H.J. Res. 1	Rule Adopted 350-71 Balanced Budget Constitutional Amendment; Relating to the treatment of Social Security. Reported from Rules	1/19/95	Solomon/Moakley
H. Res. 47, H. Rpt. 104-6	H. Res. 43	Previous Question 233-196 Rule adopted 255-172 To Permit Committee Chairmen to Schedule Hearing. Reported from Rules	1/24/95 1/25/95 1/25/95	Solomon/Moakley
H. Res. 51, H. Rpt. 104-12	H.R. 101	Laid on the table To transfer a parcel of land to the Taos Pueblo Indians of New Mexico. Reported from Rules	1/27/95 1/31/95	Solomon/Moakley
H. Res. 52, H. Rpt. 104-13	H.R. 400	Rule Adopted Voice Vote Anaktuvuk Pass Land Exchange and Wilderness Redesignation Act of 1995. Reported from Rules	1/31/95 2/1/95	Waldholz/Frost
H. Res. 53, H. Rpt. 104-14	H.R. 440	Rule Adopted Voice Vote To Provide for the conveyance of lands to certain individuals in Butte County, California. Reported from Rules	1/31/95 2/1/95	McInnis/Hall
H. Res. 55, H. Rpt. 104-15	H.R. 2	Rule Adopted Voice Vote Line Item Veto Act. Reported from Rules	1/31/95 2/1/95	Linder/Beilenson
H. Res. 60, H. Rpt. 104-19	H.R. 665	Rule Adopted Voice Vote Victim Restitution Act of 1995. Reported from Rules	2/1/95 2/2/95	Goss/Beilenson
H. Res. 61, H. Rpt. 104-20	H.R. 666	Rule Adopted Voice Vote Exclusionary Rule Reform Act of 1995. Reported from Rules	2/6/95 2/7/95	Pryce/Hall
H. Res. 63, H. Rpt. 104-25	H.R. 667	Rule Adopted Voice Vote Violent Criminal Incarceration Act of 1995. Reported from Rules	2/6/95 2/7/95	Diaz-Balart/Beilenson
H. Res. 69, H. Rpt. 104-26	H.R. 668	Rule Adopted Voice Vote Criminal Alien Deportation Improvement Act of 1995. Reported from Rules	2/8/95 2/9/95	Quillen/Beilenson
H. Res. 79, H. Rpt. 104-27	H.R. 728	Rule Adopted Voice Vote Local Law Enforcement Block Grants Act. Reported from Rules	2/9/95 2/10/95 2/10/95	Solomon/Beilenson Solomon/Beilenson

H. Res. 83, H. Rpt. 104-31	H.R. 7	Rule Adopted Voice Vote National Security Revitalization Act of 1995. Reported from Rules	2/13/95 2/13/95 2/15/95	Solomon/Hall
H. Res. 88, H. Rpt. 104-38	H.R. 831	Previous Question 229-199 Rule Adopted 227-197 To Permanently Extend the Health Insurance Deduction for the Self-Employed. Reported from Rules	2/16/95 2/21/95 2/21/95	Quillen/Moakley
H. Res. 91, H. Rpt. 104-43	H.R. 830	Previous Question 230-191 Rule Adopted 229-188 Paperwork Reduction Act of 1995. Reported from Rules	2/21/95 2/21/95	Linder/Beilenson
H. Res. 92, H. Rpt. 104-44	H.R. 889	Rule Adopted Voice Vote Making Emergency Supplemental Appropriations and Recissions to Preserve and Enhance Military Readiness. Reported from Rules	2/21/95 2/22/95	Dreier/Frost
H. Res. 93, H. Rpt. 104-45	H.R. 450	Rule Adopted 282-144 Regulatory Transition Act of 1995. Reported from Rules	2/22/95 2/23/95	Goss/Moakley
H. Res. 96, H. Rpt. 104-51	H.R. 1022	Rule Adopted 252-175 Risk Assessment and Cost Benefit Act of 1995. Report from Rules	2/24/95 2/27/95	Diaz-Batari/Beilenson
H. Res. 100, H. Rpt. 104-52	H.R. 926	Rule Adopted 253-165 Regulatory Reform and Relief Act of 1995. Report from Rules	2/27/95 2/28/95	McInnis/Hall
H. Res. 101, H. Rpt. 104-61	H.R. 925	Rule Adopted Voice Vote Private Property Protection Act of 1995. Report from Rules	2/28/95 3/2/95	Waldholz/Beilenson
H. Res. 103, H. Rpt. 104-65	H.R. 1058	Rule Adopted 271-151 Securities Litigation Act. Laid on the table	3/3/95 3/7/95	Dreier/Frost
H. Res. 104, H. Rpt. 104-66	H.R. 988	Attorney Accountability Act of 1995. Reported from Rules	3/3/95 3/6/95	Goss/Hall
H. Res. 105, H. Rpt. 104-68	H.R. 1058	Rule Adopted Voice Vote Securities Litigation Reform Act. Reported from Rules	3/6/95 3/7/95	Dreier/Frost
H. Res. 108, H. Rpt. 104-69	H.R. 956	Rule Adopted 257-155-1 present Common Sense Legal Standards Reform Act of 1995. Reported from Rules	3/7/95 3/8/95	Linder/Frost
		Rule Adopted Voice Vote		

TABLE 2.—RESOLUTIONS REPORTED—Continued

Rule	Bill	Floor action	Date	Manager
H. Res. 109, H. Rpt. 104-72	H.R. 956	Common Sense Legal Standards Reform Act of 1995. Reported from Rules	3/8/95	Linder/Frost
		Previous Question 234-191	3/9/95	
		Rule Adopted 247-181	3/9/95	
H. Res. 115, H. Rpt. 104-78	H.R. 1158	Emergency Supplemental Appropriations for Additional Disaster Assistance and Making Rescissions for 1995. Reported from Rules	3/14/95	Dreier/Moakley
		Rule Adopted 242-190	3/15/95	
H. Res. 116, H. Rpt. 104-82	H.J. Res. 73	Term Limits Constitutional Amendments. Reported from Rules	3/15/95	Goss/Beilenson
		Rule Adopted Voice Vote	3/28/95	
H. Res. 117, H. Rpt. 104-83	H.R. 4	Personal Responsibility Act of 1995. Reported from Rules	3/16/95	Solomon/Beilenson
		Rule Adopted Voice Vote	3/21/95	
		Personal Responsibility Act of 1995. Reported from Rules	3/21/95	Solomon/Hall
		Rule Adopted 217-211	3/22/95	
H. Res. 119, H. Rpt. 104-85	H.R. 4	Conference Report on the Permanent Extension of deduction for health insurance costs of self-employed individuals. Reported from Rules	3/29/95	Quillen/Frost
		Previous question 224-201	3/29/95	
		Rule Adopted 244-178	3/30/95	
H. Res. 125, H. Rpt. 104-97	H.R. 1271	Family Privacy Protection Act of 1995. Reported from Rules	4/3/95	McInnis/Beilenson
		Rule Adopted 423-1	4/4/95	
H. Res. 126, H. Rpt. 104-98	H.R. 660	Housing for Older Persons Act of 1995. Reported from Rules	4/3/95	Diaz-Balart/Hall
		Rule Adopted Voice Vote	4/6/95	
H. Res. 128, H. Rpt. 104-100	H.R. 1215	Contract With America Tax Relief Act of 1995. Reported from Rules	4/4/95	Solomon/Moakley
		Previous Question 230-203	4/5/95	
		Rule Adopted 228-204	4/5/95	
H. Res. 129, H. Rpt. 104-102	H.R. 889	Conference Report on Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness 1995. Reported from Rules	4/5/95	Dreier/Beilenson
		Rule Adopted Voice Vote	4/6/95	

H. Res. 130, H. Rpt. 104-103	H.R. 483	Medicare Select Extension. Reported from Rules	4/5/95 4/7/95	Pryce/Moakley
H. Res. 136, H. Rpt. 104-108	H.R. 655	Rule Adopted 253-172 Hydrogen Future Act of 1995. Reported from Rules	5/1/95 5/2/95	Quillen/Beilenson
H. Res. 139, H. Rpt. 104-111	H.R. 1361	Rule Adopted Voice Vote Coast Guard Authorization Act, FY 96. Reported from Rules	5/3/95 5/9/95	Goss/Frost
H. Res. 140, H. Rpt. 104-114	H.R. 961	Rule Adopted Voice Vote Clean Water Amendments of 1995. Reported from Rules	5/9/95 5/10/95	Quillen/Beilenson
H. Res. 144, H. Rpt. 104-116	H.R. 535	Rule Adopted 414-4 Coming National Fish Hatchery Conveyance Act. Reported from Rules	5/11/95 5/15/95	Wadholtz/Beilenson
H. Res. 145, H. Rpt. 104-117	H.R. 584	Rule Adopted Voice Vote Conveyance of the Fairport National Fish Hatchery. Reported from Rules	5/11/95 5/15/95	Wadholtz/Beilenson
H. Res. 146, H. Rpt. 104-118	H.R. 614	Rule Adopted Voice Vote Conveyance of the New London National Fish Hatchery Production Facility. Reported from Rules	5/11/95 5/15/95	Wadholtz/Beilenson
H. Res. 147, H. Rept. 104-121	S. 4	Rule Adopted Voice Vote Line Item Veto Act. Reported from Rules	5/17/95 5/16/95	Goss/Hall
H. Res. 148, H.Rept. 104-122	S. 219	Laid on the table Regulatory Transition Act of 1995. Reported from Rules	5/16/95 5/17/95	Dreier/Hall
H. Res. 149, H. Rept. 104-125	H. Com. Res. 67	Laid on the table Budget Resolution, FY 1996. Reported from Rules	5/16/95 5/17/95	Solomon/Frost
H. Res. 151, H. Rept. 104-126	H.R. 1158	Previous Question 252-170 Rule Adopted 255-168 Conference Report on Emergency Supplemental Appropriations for Additional Disaster Assistance and Making Recissions, FY 95. Reported from Rules	5/17/95 5/18/95	Dreier/Moakley
H. Res. 155, H. Rept. 104-129	H.R. 1561	Rule Adopted Voice Vote American Overseas Interests Act of 1995. Reported from Rules	5/22/95 5/23/95	Goss/Hall
H. Res. 156, H. Rept. 104-130	H.R. 1561	Rule Adopted 233-176 American Overseas Interests Act of 1995. Reported from Rules	5/25/95	Goss/Hall

TABLE 2.—RESOLUTIONS REPORTED—Continued

Rule	Bill	Floor action	Date	Manager
H. Res. 164, H. Rept. 104-136	H.R. 1530	Rule Adopted 252-168 National Defense Authorization Act, FY 96. Reported from Rules	6/7/95	Solomon/Moakley
		Previous Question 255-191	6/8/95	
		Rule Adopted 233-183	6/13/95	
H. Res. 167, H. Rept. 104-140	H.R. 1817	Military Construction Appropriations, FY 96. Reported from Rules	6/15/95	Quillen/Hall
		Previous Question 223-180	6/16/95	
		Rule Adopted 245-155	6/16/95	
H. Res. 169, H. Rept. 104-146	H.R. 1854	Legislative Branch Appropriations, FY 96. Reported from Rules	6/19/95	Diaz-Balart/Beilenson
		Previous Question 232-196	6/20/95	
		Rule Adopted 236-191	6/20/95	
H. Res. 170, H. Rept. 104-147	H.R. 1868	Foreign Assistance Appropriation, FY 96. Reported from Rules	6/20/95	Goss/Hall
		Previous Question 221-178	6/22/95	
		Rule Adopted 217-175	6/22/95	
H. Res. 171, H. Rept. 104-154	H.R. 1905	Energy and Water Appropriations, FY 96. Reported from Rules	6/22/95	Quillen/Beilenson
		Rule Adopted Voice Vote	7/11/95	
H. Res. 173, H. Rept. 104-164	H.J. Res. 79	Flag Desecration. Reported from Rules	6/27/95	Solomon/Beilenson
		Previous Question 258-170	6/27/95	
		Rule Adopted 271-152	6/27/95	
H. Res. 175, H. Rept. 104-165	H. Con. Res. 67	Conference Report on Subdivision of Budget Totals, FY 1996-2002. Reported from Rules	6/28/95	Solomon/Hall
		Previous Question 233-181	6/29/95	
		Rule Adopted 234-180	6/29/95	
H. Res. 176, H. Rept. 104-166	H.R. 1944	Emergency Supplemental Disaster Assistance, 1995. Reported from Rules	6/28/95	Dreier/Beilenson
		Previous Question 236-194	6/29/95	
		Rule Adopted 234-197	6/29/95	
H. Res. 177, H. Rept. 104-167	H.R. 1868	Foreign Operations Appropriations, FY 96. Reported from Rules	6/29/95	Goss/Hall
		Previous Question 236-162	7/11/95	
		Rule Adopted 246-156	7/11/95	

H. Res. 179, H. Rept. 104-168	S. Con. Res. 20	Adjournment of the House and Senate for the Independence Day district work period. Reported from Rules	6/29/95 6/30/95	Waldholz/Frost
H. Res. 180, H. Rept. 104-169	H.R. 483	Rule Adopted 242-157 Conference Report on Extension of Medicare Select Policies. Reported from Rules	6/29/95 6/30/95	Pryce/Moakley
H. Res. 185, H. Rept. 104-182	H.R. 1977	Rule Adopted Voice Vote Interior Appropriations, FY 96. Reported from Rules	7/11/95 12/12/95 7/12/95	Pryce/Beilenson
H. Res. 187, H. Rpt. 104-184	H.R. 1977	Defeated 192-238 Interior Appropriations, FY 96. Reported from Rules	7/12/95 7/12/95	Pryce/Beilenson
H. Res. 188, H. Rpt. 104-185	H.R. 1976	Previous Question 230-194 Rule Adopted 229-195 Agriculture Appropriations, FY 96. Reported from Rules	7/12/95 7/13/95 7/13/95	Pryce/Beilenson
H. Res. 189, H. Rpt. 104-186	H.R. 1977	Rule Adopted Voice Vote Interior Appropriations, FY 96. Reported from Rules	7/13/95 7/18/95 7/18/95	Dreier/Hall
H. Res. 190, H. Rpt. 104-190	H.R. 2020	Previous Question 242-185 Rule Adopted Voice Vote Interior Appropriations, FY 96. Reported from Rules	7/13/95 7/17/95 7/17/95	Pryce/Beilenson
H. Res. 193, H. Rpt. 104-194	H.R. 2058 H.J. Res. 96	Rule Adopted Voice Vote Treasury, Postal Appropriations, FY 96. Reported from Rules	7/17/95 7/18/95 7/18/95	Diaz-Batari/Beilenson
H. Res. 194, H. Rpt. 104-195	H.R. 2002	Previous Question 232-192 Rule Adopted Voice Vote Disapproved of Most-Favored-Nation Treatment for China Reported from Rules	7/19/95 7/20/95	Solomon/Beilenson
H. Res. 197, H. Rpt. 104-198	H.R. 70	Rule Adopted Voice Vote Transportation Appropriations, FY 96. Reported from Rules	7/19/95 7/21/95 7/21/95	Waldholz/Beilenson
H. Res. 198, H. Rpt. 104-200	H.R. 2076	Previous Question 217-202 Rule Adopted Voice Vote Exports of Alaskan North Slope Oil. Reported from Rules	7/21/95 7/24/95	Linder/Frost
H. Res. 201, H. Rpt. 104-206	H.R. 2099	Rule Adopted Voice Vote Commerce, Justice, State Appropriations, FY 96. Reported from Rules Rule Adopted Voice Vote VA, HUD Appropriations, FY 96.	7/21/95 7/25/95	Goss/Hall

TABLE 2.—RESOLUTIONS REPORTED—Continued

Rule	Bill	Floor action	Date	Manager
H. Res. 204	H. Rpt. 104-213	Reported from Rules	7/25/95	Quillen/Beilenson
	S. 21	Rule Adopted 230-189	7/27/95	
		Bosnia and Herzegovina Self Defense Act of 1995.		
		Reported from Rules		
H. Res. 205	H. Rpt. 104-214	Rule Adopted 230-189	7/28/95	Diaz-Balart/Beilenson
	H.R. 2126	Defense Appropriations, FY 96.	8/1/95	
		Reported from Rules		
H. Res. 206	H. Rpt. 104-221	Rule Adopted 409-1	7/31/95	Goss/Frost
	H.R. 1854	Legislative Branch Appropriations, FY 96.		
		Reported from Rules		
		Previous Question 228-179	8/1/95	Diaz-Balart/Frost
		Rule Adopted Voice Vote	9/6/95	
		Communications Act of 1995.	9/6/95	
		Reported from Rules		
H. Res. 207	H. Rpt. 104-223	Rule Adopted 255-256	8/1/95	Linder/Beilenson
	H.R. 1555	Labor, Health, Human Services, Education Appropriations, FY 96.	8/2/95	
		Reported from Rules		
H. Res. 208	H. Rpt. 104-224	Rule Adopted 323-104	8/1/95	Solomon/Frost
	H.R. 2127	Restrictions on Promotion by the Government of Use by Employee Benefit Plans of Economically Targeted Investments.	8/2/95	
		Reported from Rules		
H. Res. 215	H. Rpt. 104-240	Rule Adopted Voice Vote	9/7/95	Linder/Hall
	H.R. 1594	Intelligence Authorization Act, FY 96.	9/12/95	
		Reported from Rules		
H. Res. 216	H. Rpt. 104-241	Rule Adopted Voice Vote	9/9/95	Goss/Beilenson
	H.R. 1655	Deficit Reduction Lock-Box Act of 1995.	9/12/95	
		Reported from Rules		
H. Res. 218	H. Rpt. 104-243	Rule Adopted Voice Vote	9/12/95	Goss/Frost
	H.R. 1162	Federal Acquisition Act of 1995.	9/13/95	
		Reported from Rules		
H. Res. 219	H. Rpt. 104-244	Rule Adopted Voice Vote	9/12/95	Goss/Frost
	H.R. 1670	Reported from Rules	9/13/95	
H. Res. 222	H. Rpt. 104-249	Rule Adopted 414-0	9/12/95	McInnis/Beilenson
	H.R. 1617	Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act.	9/13/95	
		Reported from Rules		
		Rule Adopted 388-2	9/18/95	Waldfholz/Hall
		Conference Report on Military Construction Appropriations, FY 96.	9/19/95	
H. Res. 223	H. Rpt. 104-251	Reported from Rules	9/19/95	McInnis/Hall

H. Res. 224, H. Rpt. 104-252	H.R. 2274	Rule Adopted Voice Vote National Highway System Designation Act of 1995.	9/20/95	
		Reported from Rules	9/19/95	Quillen/Frost
		Previous Question 241-173	9/20/95	
H. Res. 225, H. Rpt. 104-253	H.R. 927	Rule Adopted 375-39-1 present Cuban Liberty and Democratic Solidarity Act of 1995.	9/20/95	
		Reported from Rules	9/19/95	Diaz-Batardi/Beilenson
		Rule Adopted 304-118	9/20/95	
H. Res. 226, H. Rpt. 104-256	H.R. 743	Teamwork for Employees and Managers Act of 1995.	9/21/95	Waldholz/Frost
		Reported from Rules	9/27/95	
		Rule Adopted 267-149	9/21/95	Dreier/Beilenson
H. Res. 227, H. Rpt. 104-257	H.R. 1170	Three Judge Court for Certain Injunctions.	9/28/95	
		Reported from Rules	9/21/95	Pryce/Hall
H. Res. 228, H. Rpt. 104-258	H.R. 1601	International Space Station Authorization Act of 1995.	9/27/95	Dreier/Hall
		Reported from Rules	9/28/95	
H. Res. 230, H. Rpt. 104-263	H. J. Res. 108	Rule Adopted Voice Vote Continuing Appropriations, FY 96.	9/27/95	Pryce/Beilenson
		Reported from Rules	9/28/95	
H. Res. 231, H. Rpt. 104-264	H.R. 1977	Rule Adopted Voice Vote Conference Report on the Interior Appropriations, FY 96.	9/27/95	Goss/Frost
		Reported from Rules	9/28/95	
H. Res. 232, H. Rpt. 104-265	H.R. 2126	Rule Adopted 251-171 Conference Report on the Defense Appropriations, FY 96.	9/27/95	Quillen/Beilenson
		Reported from Rules	9/28/95	
H. Res. 234, H. Rpt. 104-270	H.R. 2405	Rule Adopted 284-139 Omnibus Civilian Science Authorization Act of 1995.	9/29/95	Linder/Hall
		Reported from Rules	10/11/95	
H. Res. 235, H. Rpt. 104-271	H.R. 1976	Rule Adopted Voice Vote Conference Report on the Agriculture Appropriations, FY 96.	9/29/95	Pryce/Hall
		Reported from Rules	10/12/95	
H. Res. 237, H. Rpt. 104-279	H.R. 2259	Disapproving of Certain Sentencing Guidelines.	10/17/95	Linder/Moakley
		Reported from Rules	10/18/95	
H. Res. 238, H. Rpt. 104-282	H.R. 2425	Rule Adopted Voice Vote Medicare Preservation Act of 1995.	10/17/95	
		Reported from Rules	10/18/95	
		Previous Question 231-194	10/18/95	
		Rule Adopted 227-192	10/19/95	
H. Res. 239, H. Rpt. 104-283	H.R. 2492	Legislative Branch Appropriations, FY 96.	10/19/95	

TABLE 2.—RESOLUTIONS REPORTED—Continued

Rule	Bill	Floor action	Date	Manager
		Reported from Rules	10/19/95	Diaz-Balart/Frost
		Previous Question 235-184	10/31/95	
H. Res. 241, H. Rpt. 104-289	H.R. 2002	Rule Adopted Voice Vote Conference Report on the Transportation Appropriations, FY 96.	10/31/95	
		Reported from Rules		Waldholz/Beilenson
H. Res. 245, H. Rpt. 104-292	H. Con. Res. 109, H.R. 2491	Rule Adopted Voice Vote Seven-Year Balanced Budget Reconciliation Act of 1995.	10/24/95 10/25/95	
		Reported from Rules		Solomon/Beilenson
		Previous Question 228-191	10/25/95	
H. Res. 248, H. Rpt. 104-297	H.R. 1905	Rule Adopted 235-185 Conference Report on the Energy and Water Appropriations, FY 96.	10/26/95 10/26/95	
		Reported from Rules		Quillen/Beilenson
H. Res. 249, H. Rpt. 104-298	H.R. 1868	Rule Adopted Voice Vote Conference Report on the Foreign Operations Appropriations, FY 96.	10/30/95 10/31/95	
		Reported from Rules		Goss/Hall
		Previous Question 268-155	10/30/95	
H. Res. 251, H. Rpt. 104-301	H.R. 1833	Rule Adopted 257-165 Partial-Birth Abortion Ban Act of 1995.	10/31/95 10/31/95	
		Reported from Rules		Waldholz/Beilenson
H. Res. 252, H. Rpt. 104-302	H.R. 2546	Rule Adopted 237-190 District of Columbia Appropriations, FY 96.	10/31/95 11/1/95	
		Reported from Rules		Linder/Frost
H. Res. 253, H. Rpt. 104-304	H.R. 1977	Rule Adopted 241-181 Conference Report on the Interior Appropriations, FY 96.	10/31/95 11/1/95	
		Reported from Rules		Pryce/Beilenson
H. Res. 256, H. Rpt. 104-314	S. 395	Rule Adopted 237-188 Conference Report on the Alaska Power Administration Sale Act.	11/1/95 11/15/95	
		Reported from Rules		McInnis/Frost
H. Res. 257, H. Rpt. 104-326	H.J. Res. 115	Rule Adopted 361-54-1 present Further Continuing Appropriations, FY 96.	11/7/95 11/8/95	
		Reported from Rules		Dreier/Beilenson
H. Res. 258, H. Rpt. 104-328	H.R. 2586	Rule Adopted 216-210 Temporary Increase in Public Debt Limit.	11/7/95 11/8/95	
		Reported from Rules		Solomon/Hall
H. Res. 259, H. Rpt. 104-329	H.R. 2539	Rule Adopted 220-200 ICC Termination Act of 1995.	11/8/95 11/9/95	

H. Res. 260, H. Rpt. 104-330	Reported from Rules Rule Adopted Voice Vote	11/9/95 11/14/95	Quillen/Moakley
H. Res. 261, H. Rpt. 104-331	Waiving a Requirement of Clause 4(b) of Rule XI. Reported from Rules Laid on the table	11/9/95 12/6/95	Diaz-Batari/Moakley
H. Res. 262, H. Rpt. 104-332	Further Continuing Appropriations, FY 96. Reported from Rules Rule Adopted 223-182	11/9/95 11/10/95	Dreier/Beilenson
H. Res. 265, H. Rpt. 104-335	Temporary Increase in Public Debt Limit. Reported from Rules Rule Adopted Voice Vote	11/9/95 11/10/95	Pryce/Hall
H. Res. 267, H. Rpt. 104-338	Waiving a Requirement of Clause 4(b) of Rule XI. Reported from Rules Rule Adopted Voice Vote	11/13/95 11/15/95	Diaz-Batari/Beilenson
H. Res. 268, H. Rpt. 104-341	Conference Report on the Treasury-Postal Appropriations, FY 96. Reported from Rules Previous Question 233-189	11/14/95 11/15/95	Diaz-Batari/Beilenson
H. Res. 269, H. Rpt. 104-342	Rule Adopted 285-133 Amending the Rules of the House to provide for Gift Reform. Reported from Rules	11/15/95 11/16/95	Solomon/Frost
H. Res. 270, H. Rpt. 104-343	Lobby Disclosure Act of 1995. Rule Adopted Voice Vote	11/15/95 11/16/95	Dreier/Moakley
H. Res. 271, H. Rpt. 104-346	Continuing Appropriations, Further, 1996. Reported from Rules Rule Adopted 249-176	11/15/95 11/15/95	McInnis/Frost
H. Res. 272, H. Rpt. 104-348	Conference Report on the Defense Appropriations, FY 96. Reported from Rules Rule Adopted 372-55	11/15/95 11/16/95	Dreier/Beilenson
H. Res. 273, H. Rpt. 104-349	Conference Report on the Balanced Budget Act of 1995. Reported from Rules Rule Adopted 230-193	11/16/95 11/17/96	Solomon/Hall
H. Res. 275, H. Rpt. 104-351	Prohibition on Use of Funds for Bosnia Deployment. Reported from Rules Rule Adopted 239-181	11/16/95 11/17/95	McInnis/Moakley
	Motions to suspend the rules. Reported from Rules Previous Question 247-169	11/17/95 11/18/95	
	Rule Adopted Voice Vote	11/18/95	

TABLE 2.—RESOLUTIONS REPORTED—Continued

Rule	Bill	Floor action	Date	Manager
H. Res. 276, H. Rpt. 104—352		Waives a requirement of Clause 4(b) of Rule XI. Reported from Rules	11/17/95	Diaz-Batart/Beilenson
		Rule Adopted Voice Vote	11/18/96	
		Reconciliation.		
H. Res. 279, H. Rpt. 104—354	H.R. 2491	Reported from Rules	11/18/95	Dreier/Beilenson
		Rule Adopted Voice Vote	11/18/95	
H. Res. 280, H. Rpt. 104—355	H.R. 2099	Conference Report on the VA, HUD Appropriations, FY 96. Reported from Rules	11/18/95	
		Rule Adopted Voice Vote	11/20/95	Quillen/Frost
H. Res. 284, H. Rpt. 104—370	H.R. 1788	Amtrak Reform and Privatization Act of 1995. Reported from Rules	11/29/95	Quillen/Moakley
		Rule Adopted Voice Vote	11/30/95	
H. Res. 287, H. Rpt. 104—375	H.R. 1350	Maritime Security Act of 1995. Reported from Rules	11/30/95	Quillen/Moakley
		Rule Adopted Voice Vote	12/6/95	
H. Res. 289, H. Rpt. 104—381	H.R. 2076	Commerce, Justice, State Appropriations. Reported from Rules	12/5/95	Goss/Moakley
		Rule Adopted Voice Vote	12/6/95	
H. Res. 290, H. Rpt. 104—382	H.R. 1058	Securities Litigation Reform. Reported from Rules	12/5/95	Dreier/Hall
		Rule Adopted 318—97—1	12/6/95	
H. Res. 291, H. Rpt. 104—385	H.R. 2099	Conference Report on the VA, HUD Appropriations. Reported from Rules	12/6/95	Quillen/Beilenson
		Rule Adopted 242—175	12/7/95	
H. Res. 293, H. Rpt. 104—388	H.R. 2621	To Enforce the Public Debt and to Protect the Social Security Trust Fund and Other Federal Trust Funds and Accounts invested in Public Debt Obligations. Reported from Rules	12/7/95	
		Previous Question 223—183	12/7/95	Goss/Moakley
		Rule Adopted 228—184	12/14/95	
H. Res. 296, H. Rpt. 104—399	H.R. 1868	Foreign Operations Appropriations. Reported from Rules	12/14/95	Goss/Hall
		Rule Adopted 241—178	12/13/95	
H. Res. 297, H. Rpt. 104—400		Waives a requirement of Clause 4(b) of Rule XI. Reported from Rules	12/12/95	Solomon/Moakley
		Rule Adopted 230—186	12/13/95	
H. Res. 301, H. Rpt. 104—403	H.R. 1977	Conference Report on the Interior Appropriations.		

H. Res. 303. H. Rpt. 104-404	H.R. 1745	Reported from Rules Rule Adopted 231-188	12/13/95 12/12/95	Pryce/Beilenson
H. Res. 304. H. Rpt. 104-405	H.R. 2770	Utah Public Lands Management Act of 1995. Reported from Rules	12/13/95 5/15/96	Linder/Moakley
H. Res. 307. H. Rpt. 104-407	H. Res. 306 H.R. 1530	Previous Question 221-197 Rule Adopted Voice Vote U.S. Troop Deployment in Bosnia. Reported from Rules	5/15/96	Solomon/Hall
H. Res. 309. H. Rpt. 104-423	H. Con. Res. 122	Rule Adopted 357-70 Conference Report on the National Defense Authorization Act, FY 96. Reported from Rules	12/13/95 12/14/95 12/15/95	Solomon/Frost
H. Res. 310. H. Rpt. 104-424		Revised Budget Resolution. Reported from Rules	12/18/95 12/19/95	Solomon/Moakley
H. Res. 312. H. Rpt. 104-424	H.R. 2539	Previous Question 230-188 Rule Adopted 229-189 Waiver of Clause 2(g)(3) of Rule XI. Reported from Rules	12/19/95 12/19/95	Goss/Moakley
H. Res. 313. H. Rpt. 104-426	H.R. 558	Laid on the table Conference Report on the ICC Termination Act. Reported from Rules	12/18/95 1/5/96	Quillen/Moakley
H. Res. 319. H. Rpt. 104-431	H.R. 4	Rule Adopted Voice Vote Texas Low-Level Radioactive Waste Disposal Consent Act. Reported from Rules	12/19/95 12/20/95	Goss/Beilenson
H. Res. 320. H. Rpt. 104-432		Rule Adopted Voice Vote Conference Report on the Personal Responsibility and Work Opportunity Act of 1995. Reported from Rules	12/20/95 12/21/95	Solomon/Hall
H. Res. 322. H. Rpt. 104-441	H. Res. 299	Rule Adopted Voice Vote Authorizing Recesses. Previous Question 228-179 Amending House Rules Regarding Outside Income. Reported from Rules	12/20/95 12/21/95	Pryce/Moakley
H. Res. 323. H. Rpt. 104-442	H.R. 2677	Rule Adopted 380-11-1 present National Parks and National Wildlife Refuge Systems Freedom Act. Reported from Rules	12/21/95 12/22/95	Solomon/Moakley
H. Res. 330. H. Rpt. 104-445		Laid on the table Authorizing Recesses. Reported from Rules Rule Adopted 224-190	12/21/95 2/28/96	McInnis/Beilenson
			1/3/96 1/5/96	Pryce/Moakley

TABLE 2.—RESOLUTIONS REPORTED—Continued

Rule	Bill	Floor action	Date	Manager
H. Res. 334, H. Rpt. 104-447	H.R. 1643	Most-Favored Nation Status of Bulgaria. Reported from Rules	1/4/96	Dreier/Moakley
		Previous Question 228-187	1/5/96	
		Rule Adopted Voice Vote	1/5/96	
H. Res. 336, H. Rpt. 104-448	H.J. Res. 134 H. Com. Res. 134	Continuing Appropriations. Reported from Rules	1/5/96	Solomon/Moakley
		Previous Question 226-183	1/5/96	
		Rule Adopted Voice Vote	1/5/96	
H. Res. 338, H. Rpt. 104-449	H.R. 1358	Fisheries Conveyance. Reported from Rules	1/5/96	Dreier/Frost
		Previous Question 204-167	1/5/96	
		Rule Adopted 344-24	1/5/96	
H. Res. 340, H. Rpt. 104-451	S. 1124	Conference Report on the Defense Authorization Act, FY 96. Reported from Rules	1/23/96	Diaz-Balart/Frost
		Rule Adopted Voice Vote	1/24/96	
H. Res. 342, H. Rpt. 104-453		Waiving a requirement of Clause 4(b) of Rule XI. Reported from Rules	1/24/96	McInnis/Moakley
		Rule Adopted 229-191	1/25/96	
H. Res. 351, H. Rpt. 104-456	H.R. 2546	Conference Report on the District of Columbia Appropriations, FY 96. Reported from Rules	1/31/96	Linder/Frost
		Rule Adopted Voice Vote	1/31/96	
H. Res. 352, H. Rpt. 104-457		Authorizing Recesses. Reported from Rules	1/31/96	Waldholz/Moakley
		Laid on the table	2/28/96	
H. Res. 353, H. Rpt. 104-459	S. 652	Conference Report on the Telecommunications Act of 1996. Reported from Rules	1/31/96	Linder/Beitenson
		Rule Adopted 337-80	2/1/96	
H. Res. 355, H. Rpt. 104-460	H.R. 2924	Social Security Guarantee Act. Reported from Rules	2/1/96	Goss/Frost
		Previous Question 229-178	2/1/96	
		Rule Adopted Voice Vote	2/1/96	
H. Res. 366, H. Rpt. 104-463	H.R. 2854	Agricultural Market Transition Act. Reported from Rules	2/27/96	Solomon/Hall
		Previous Question 228-182	2/28/96	
		Rule Adopted 244-168	2/28/96	
H. Res. 368, H. Rpt. 104-464	H.R. 994	Regulatory Sunset and Review Act of 1995.		

H. Res. 370, H. Rpt. 104-470	H.R. 927	Reported from Rules Laid on the table	2/29/96	Goss/Beilenson
H. Res. 371, H. Rpt. 104-473	H.R. 3021	Conference Report on the Cuban Liberty and Democratic Solidarity Liberty Act of 1995.	4/17/96	
H. Res. 372, H. Rpt. 104-474	H.R. 3019	Reported from Rules	3/5/96	Diaz-Batari/Beilenson
H. Res. 375, H. Rpt. 104-476	H.R. 1561	Rule Adopted 347-67	3/6/96	
H. Res. 376, H. Rpt. 104-477	H.R. 2703	Continuing Guarantee of Social Security.	3/6/96	Linder/Frost
H. Res. 380, H. Rpt. 104-480	H.R. 2703	Reported from Rules	3/7/96	
H. Res. 384, H. Rpt. 104-483	H.R. 2202	Rule Adopted 235-175	3/7/96	Dreier/Moakley
H. Res. 386, H. Rpt. 104-489	H.J. Res. 165	Previous Question Voice Vote	3/7/96	
H. Res. 388, H. Rpt. 104-490	H.R. 125	Further Downpayment Toward a Balanced Budget.	3/7/96	Goss/Beilenson
H. Res. 389, H. Rpt. 104-492	H.R. 1833	Conference Report on the Foreign Relations Authorization Act, FY 96 and 97c.	3/12/96	
H. Res. 391, H. Rpt. 104-500	H.R. 3136	Reported from Rules	3/12/96	Pryce/Frost
H. Res. 392, H. Rpt. 104-501	H.R. 3103	Rule Adopted 226-180	3/13/96	
		Anti-Terrorism Act.	3/13/96	
		Reported from Rules	3/13/96	
		Laid on table	3/12/96	Pryce/Frost
		Effective Death Penalty and Public Safety Act of 1996.	3/12/96	
		Reported from Rules	3/13/96	
		Rule Adopted 251-157	3/14/96	Dreier/Beilenson
		Immigration in the National Interest Act.	3/19/96	
		Reported from Rules	3/19/96	
		Previous Question 233-152	3/20/96	McInnis/Frost
		Rule Adopted Voice Vote	3/21/96	
		Further Continuing Appropriations, FY 96.	3/21/96	
		Reported from Rules	3/21/96	Solomon/Frost
		Previous Question 234-187	3/22/96	
		Rule Adopted 237-183	3/22/96	
		Gun Crime Enforcement and Second Amendment Restoration Act of 1996.	3/22/96	
		Reported from Rules	3/22/96	
		Rule Adopted 244-166	3/22/96	
		Partial-Birth Abortion Ban.	3/22/96	Waldbholz/Beilenson
		Reported from Rules	3/27/96	
		Rule Adopted 269-148	3/27/96	
		Contract With America Advancement Act of 1996.	3/27/96	Solomon/Beilenson
		Reported from Rules	3/28/96	
		Previous Question 232-180	3/28/96	
		Rule Adopted 232-177		
		Health Coverage Availability & Affordability Act of 1996.		

TABLE 2.—RESOLUTIONS REPORTED—Continued

Rule	Bill	Floor action	Date	Manager
		Reported from Rules	3/27/96	Goss/Moakley
		Previous Question 229-186	3/28/96	
H. Res. 393, H. Rpt. 104-502	H.R. 2854	Rule Adopted Voice Vote	3/28/96	
		Conference Report on the Federal Agricultural Improvement and Reform Act of 1996.		
		Reported from Rules		Solomon/Hall
H. Res. 394, H. Rpt. 104-503	H.R. 956	Rule Adopted Voice Vote	3/27/96	
		Conference Report on Product Liability Reform.	3/28/96	
		Reported from Rules		Linder/Frost
H. Res. 395, H. Rpt. 104-513	H.J. Res. 159	Rule Adopted 237-173	3/27/96	
		Tax Limitation Constitutional Amendment.		
		Reported from Rules		McInnis/Moakley
		Previous Question 232-168	3/29/96	
H. Res. 396, H. Rpt. 104-514	H.R. 842	Rule Adopted 234-162	3/29/96	
		Truth in Budgeting Act.	4/15/96	
		Reported from Rules		Quillen/Beilenson
H. Res. 405, H. Rpt. 104-522	S. 735	Rule Adopted Voice Vote	3/29/96	
		Conference Report on the Terrorism Prevention Act.	4/17/96	
		Reported from Rules		Pryce/Frost
		Previous Question 274-148	4/18/96	
H. Res. 409, H. Rpt. 104-532	H.R. 2715	Rule Adopted 289-125	4/18/96	
		Paperwork Elimination Act of 1996.		Linder/Hall
		Reported from Rules		
H. Res. 410, H. Rpt. 104-533	H.R. 1675	Rule Adopted Voice Vote	4/23/96	
		National Wildlife Refuge Improvement Act of 1995.	4/24/96	
		Reported from Rules		Goss/Beilenson
H. Res. 411, H. Rpt. 104-534	H.R. 175	Rule Adopted Voice Vote	4/23/96	
		Further Continuing Appropriations, FY 96.	4/24/96	
		Reported from Rules		Drier/Moakley
H. Res. 412, H. Rpt. 104-535 .....	.....	Rule Adopted Voice Vote	4/23/96	
		Waiving a requirement of Clause 4(b) of Rule XI.	4/24/96	
		Reported from Rules		McInnis/Moakley
		Previous Question 220-200	4/25/96	
H. Res. 415, H. Rpt. 104-538	H.R. 3019	Rule Adopted 286-135	4/25/96	
		Conference Report on the further Omnibus Continuing Appropriations, FY 96.		Solomon/Moakley
		Reported from Rules		
		Rule Adopted Voice Vote	4/25/96	

H. Res. 418, H. Rpt. 104-543	H.R. 2641	U.S. Marshals Service Improvement Act of 1996. Reported from Rules	4/30/96	Pryce/Hall
H. Res. 419, H. Rpt. 104-544	H.R. 2149	Previous Question 219-203 Rule Adopted Voice Vote Ocean Shipping Reform Act of 1995. Reported from Rules	5/1/96 5/1/96	
H. Res. 421, H. Rpt. 104-552	H.R. 2974	Rule Adopted 422-0 Crimes Against Children and Elderly Persons Increased Punishment Act. Reported from Rules	4/30/96 5/1/96	Quillen/Moakley
H. Res. 422, H. Rpt. 104-553	H.R. 3120	Rule Adopted Voice Vote Amending Title 18, United States Code, with respect to Witness Retaliation, Witness Tampering, and Jury Tampering. Reported from Rules	5/2/96 5/7/96	Diaz-Batari/Frost
H. Res. 426, H. Rpt. 104-564	H.R. 2406	Rule Adopted Voice Vote United States Housing Act of 1996 Reported from Rules	5/2/96 5/7/96	Greene/Beilenson
H. Res. 427, H. Rpt. 104-565	H.R. 3322	Rule Adopted Voice Vote Previous Question 218-208 Omnibus Civilian Science Authorization Act of 1996 Reported from Rules	5/7/96 5/8/96	Dreier/Beilenson
H. Res. 428, H. Rpt. 104-566	H.R. 3286	Rule Adopted Voice Vote Adoption Promotion & Stability Act of 1996 Reported from Rules	5/7/96 5/9/96	Greene/Beilenson
H. Res. 430, H. Rpt. 104-570	H.R. 3230	Rule Adopted Voice Vote National Defense Authorization Act, FY 97 Reported from Rules	5/7/96 5/9/96	Pryce/Hall
H. Res. 435, H. Rpt. 104-577	H. Com. Res. 178	Rule Adopted 235-149 Concurrent Resolution on the Budget, FY 97. Reported from Rules	5/9/96 5/10/96	Solomon/Frost
H. Res. 436, H. Rpt. 104-580	H.R. 3415	Previous Question 227-196 Rule Adopted Voice Vote Repeal of 4.3 cent increase in Transportation Fuels Taxes. Reported from Rules	5/15/96 5/16/96 5/16/96	Solomon/Moakley
H. Res. 437, H. Rpt. 104-581	H.R. 3259	Previous Question 221-181 Rule Adopted Voice Vote Intelligence Authorization, FY 97. Reported from Rules	5/16/96 5/21/96 5/21/96	Dreier/Moakley
H. Res. 438, H. Rpt. 104-582	H.R. 3144	Rule Adopted Voice Vote Defend America Act of 1996. Reported from Rules	5/16/96 5/21/96	Goss/Beilenson
			5/16/96	Diaz-Batari/Frost

TABLE 2.—RESOLUTIONS REPORTED—Continued

Rule	Bill	Floor action	Date	Manager
H. Res. 440, H. Rpt. 104-590	H.R. 1227	No action taken		
		Small Business Job Protection and Community Flexibility Act.	5/21/96	Solomon/Hall
		Reported from Rules	5/22/96	
		Rule Adopted 219-211		
H. Res. 442, H. Rpt. 104-599	H.R. 3517	Military Construction Appropriations.	5/29/96	Quillen/Hall
		Reported from Rules	5/30/96	
		Rule Adopted Voice Vote		
H. Res. 445, H. Rpt. 104-601	H.R. 3540	Foreign Assistance Appropriations, FY 97.	5/30/96	Goss/Hall
		Reported from Rules	6/5/96	
		Rule Adopted Voice Vote		
H. Res. 446, H. Rpt. 104-604	H.R. 3562	Wisconsin Works Waiver Approval Act.	6/5/96	Solomon/Moakley
		Reported from Rules	6/6/96	
		Rule Adopted 363-59	6/6/96	
H. Res. 448, H. Rpt. 104-606	H.R. 2754	Shipbuilding Trade Agreement Act.	6/6/96	Dreier/Moakley
		Reported from Rules	6/12/96	
		Rule Adopted Voice Vote		
H. Res. 450, H. Rpt. 104-450	H. Con. Res. 178	Conference Report on the Concurrent Resolution on the Budget, FY 97.	6/10/96	Dreier/Moakley
		Reported from Rules	6/12/96	
		Rule Adopted 232-190		
H. Res. 451, H. Rpt. 104-616	H.R. 3603	Agriculture Appropriations, FY 97.	6/10/96	Linder/Hall
		Reported from Rules	6/12/96	
		Rule Adopted Voice Vote		
H. Res. 453, H. Rpt. 104-619	H.R. 3610	Defense Appropriations, FY 97.	6/12/96	Solomon/Frost
		Reported from Rules	6/13/96	
		Rule Adopted Voice Vote		
H. Res. 455, H. Rpt. 104-627	H.R. 3662	Interior Appropriations, FY 97.	6/18/96	Pryce/Beilenson
		Reported from Rules	6/19/96	
		Rule Adopted Voice Vote		
H. Res. 456, H. Rpt. 104-630	H.R. 3666	Veterans, HUD Appropriations, FY 97.	6/19/96	Quillen/Frost
		Reported from Rules	6/25/96	
		Rule Adopted 247-165		
H. Res. 460, H. Rpt. 104-633	H.R. 3675	Transportation Appropriations, FY 97.	6/25/96	Greene/Moakley
		Reported from Rules	6/25/96	
		Rule Adopted Voice Vote		
H. Res. 463, H. Rpt. 104-636	H.J. Res. 182, H. Res. 461	Disapproval of Most-Favored-Nation Trade Status for China, FY 96/Regarding the People's Republic of China.	6/25/96	Solomon/Moakley

H. Res. 465, H. Rpt. 104-640	Reported from Rules	6/26/96	
	Rule Adopted Voice Vote		
	Adjournment of the House/Senate for Independence Day District Work Period.		
	Reported from Rules	6/26/96	Diaz-Balart/Moakley
H. Res. 472, H. Rpt. 104-662	Rule Adopted 248-166	6/27/96	
	Labor, Health, Human Services Education Appropriations, FY 97.		
	Reported from Rules	7/9/96	Diaz-Balart/Moakley
	Rule Adopted 218-202	7/10/96	
	Legislative Branch Appropriations, FY 97.		
H. Res. 473, H. Rpt. 104-663	Rule Adopted Voice Vote	7/9/96	Dreier/Beilenson
	Reported from Rules	7/10/96	
	Defense of Marriage Act.		
H. Res. 474, H. Rpt. 104-666	Rule Adopted Voice Vote	7/10/96	
	Reported from Rules	7/10/96	
	Treasury, Postal Appropriations, FY 97.		
H. Res. 475, H. Rpt. 104-671	Rule Adopted 290-133	7/10/96	McInnis/Moakley
	Reported from Rules	7/11/96	
	Commerce, Justice State Appropriations, FY 97.		
H. Res. 479, H. Rpt. 104-678	Rule Adopted Voice Vote	7/11/96	Diaz-Balart/Moakley
	Reported from Rules	7/16/96	
	Campaign Finance Reform Act of 1996.		
H. Res. 481, H. Rpt. 104-685	Rule Adopted Voice Vote	7/17/96	Pryce/Beilenson
	Reported from Rules	7/17/96	
	Personal Responsibility Act of 1996.		
H. Res. 482, H. Rpt. 104-686	Rule Adopted 358-54	7/17/96	Solomon/Frost
	Reported from Rules	7/18/96	
	Energy and Water Development Appropriations, FY 97.		
H. Res. 483, H. Rpt. 104-687	Rule Adopted 270-140	7/17/96	Quillen/Beilenson
	Reported from Rules	7/18/96	Dreier/Beilenson
	Working Families Flexibility Act.		
H. Res. 488, H. Rpt. 104-704	Rule Adopted 228-175	7/24/96	Greene/Moakley
	Reported from Rules	7/26/96	
	International Dolphin Conservation Program Act.		
H. Res. 489, H. Rpt. 104-708	Rule Adopted Voice Vote	7/25/96	Goss/Beilenson
	Reported from Rules	7/31/96	
	Waiver of a requirement of Clause 4(b) of Rule XI.		
H. Res. 492, H. Rpt. 104-720	Rule Adopted Voice Vote	7/30/96	McInnis/Moakley
	Reported from Rules	7/31/96	

TABLE 2.—RESOLUTIONS REPORTED—Continued

Rule	Bill	Floor action	Date	Manager
H. Res. 495, H. Rpt. 104-729	H.R. 3734	Conference Report on the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Reported from Rules	7/31/96	Solomon/Moakley
		Previous Question 259-164	8/1/96	
		Rule Adopted 281-137	8/1/96	
H. Res. 496, H. Rpt. 104-730	H.R. 3603	Conference Report on the Agriculture Appropriation, FY 97. Reported from Rules	7/31/96	Goss/Hall
		Laid on the table	8/1/96	
H. Res. 497, H. Rpt. 104-731	H.R. 3517	Conference Report on the Military Construction Appropriation, FY 97. Reported from Rules	7/31/96	Pryce/Hall
		Laid on the table	8/1/96	
H. Res. 498, H. Rpt. 104-732	H.R. 3230	Conference Report on the National Defense Authorization Act, FY 97. Reported from Rules	7/31/96	Solomon/Frost
		Rule Adopted Voice Vote	8/1/96	
H. Res. 499, H. Rpt. 104-734	H.R. 123	English Language Empowerment Act of 1996. Reported from Rules	7/31/96	Linder/Beilenson
		Rule Adopted 236-178	8/1/96	
H. Res. 500, H. Rpt. 104-735		Waiving a requirement of Clause 4(b) of Rule XI. Reported from Rules	7/31/96	Goss/Beilenson
		Rule Adopted Voice Vote	8/1/96	
H. Res. 502, H. Rpt. 104-738	H.R. 3103	Conference Report on Health Insurance Portability and Accountability Act of 1996. Reported from Rules	8/1/96	Goss/Beilenson
		Rule Adopted 236-178	8/1/96	
H. Res. 503, H. Rpt. 104-737	H.R. 3448	Conference Report on the Small Business Job Protection Act of 1996. Reported from Rules	8/1/96	Solomon/Moakley
		Rule Adopted Voice Vote	8/2/96	Dreier/Beilenson
H. Res. 507, H. Rpt. 104-743	S. 1316	Conference Report on the Safe Drinking Water Act Amendments of 1996. Reported from Rules	8/1/96	McInnis/Moakley
		Authorizing suspension of the rules. Rule Adopted Voice Vote	8/2/96	
H. Res. 508, H. Rpt. 104-744		Reported from Rules	8/1/96	Goss/Moakley
		Rule Adopted 228-189	8/2/96	
H. Res. 516, H. Rpt. 104-773	H.R. 3719	Small Business Programs Improvement Act of 1996. Reported from Rules	9/4/96	Linder/Beilenson
		Rule Adopted Voice Vote	9/5/96	
H. Res. 517, H. Rpt. 104-774	H.R. 3308	United States Armed Forces Protection Act of 1996. Reported from Rules	9/4/96	Solomon/Hall

H. Res. 522, H. Rpt. 104-803	H.R. 3675	Rule Adopted Voice Vote Conference Report on the Transportation Appropriations, FY 97.	9/5/96
H. Res. 525, H. Rpt. 104-809		Reported from Rules Rule Adopted Voice Vote	9/17/96 9/18/96
H. Res. 528, H. Rpt. 104-829	H.R. 2202	Waiving a requirement of Clause 4(b) of Rule XI. Reported from Rules	9/19/96 9/24/96
H. Res. 529, H. Rpt. 104-830	H.R. 3259	Rule Adopted 225-191 Conference Report on the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.	9/24/96 9/25/96
H. Res. 530, H. Rpt. 104-834	H.R. 4134	Reported from Rules Rule Adopted 254-165 Conference Report on the Intelligence Authorization Act of 1997.	9/24/96 9/25/96
H. Res. 536, H. Rpt. 104-842	H.R. 1296	Rule Adopted Voice Vote Authorizing states to deny public education benefits to certain aliens not lawfully present in the United States.	9/24/96 9/25/96
H. Res. 540, H. Rpt. 104-851	H.R. 3539	Reported from Rules Adopted Voice Vote Conference Report on the Omnibus Parks and Public Lands Management Act of 1996.	9/24/96 9/25/96
H. Res. 546, H. Rpt. 104-855		Reported from Rules No action taken Conference Report on the Federal Aviation Authorization Act of 1996.	9/24/96 9/25/96
		Rule Adopted 222-182 Pre-adjournment business resolution.	9/26/96 9/27/96
		Reported from Rules Previous Question 223-183 Rule Adopted Voice Vote	9/27/96 9/28/96 9/28/96

TABLE 3.—RESOLUTIONS REJECTED

H. Res. 185	H.R. 1977	Making Appropriations for the Department of the Interior and related agencies for FY 1996.
-------------------	-----------------	--

TABLE 4.—RESOLUTIONS DISCHARGED

H. Res. 299	A resolution to amend the Rules of the House of Representatives regarding outside earned income.
-------------------	-------	--

TABLE 5.—RESOLUTIONS LAID ON THE TABLE

H. Res. 47	H. Res. 43	To Permit Committee Chairmen to schedule hearings.
H. Res. 103	H. Res. 1058	The Securities Litigation Reform Act of 1995.
H. Res. 147	S. 4	The Legislative Line Item Veto Act of 1995.
H. Res. 148	S. 219	The Regulatory Transition Act of 1995.
H. Res. 260 .....	.....	Waiving a Requirement of clause 4(b), Rule XI.
H. Res. 310 .....	.....	Waiving the Provisions of clause 2(g)(3) of Rule XI.
H. Res. 323	H.R. 2677	National Parks and Wildlife Refuge Systems Freedom Act of 1995.
H. Res. 352 .....	.....	Authorizing the Speaker to Declare Recesses.
H. Res. 368	H.R. 994	The Regulatory Sunset and Review Act of 1996.
H. Res. 367	H.R. 2703	The Comprehensive Anti-Terrorism Act of 1995.
H. Res. 496	H.R. 3603	Agriculture, Rural Develop. Appropriations Conference Report.
H. Res. 497	H.R. 3517	Military Construction Appropriations, FY 1997 Conference Report.

TABLE 6.—RESOLUTIONS PENDING

H. Res. 438	H.R. 3144	The Defend America Act.
H. Res. 536	H.R. 1296	Omnibus Parks and Land Management Act of 1996.

TABLE 7.—LIST OF ORIGINAL JURISDICTION REFERRALS

HOUSE RESOLUTIONS

1. H. Res. 14: SPON-Rep. Linder; OFFICIAL TITLE: A resolution providing for the consideration of a joint resolution (H.J. Res. 2) proposing an amendment to the Constitution of the United States with respect to the number of terms of office of Members of the Senate and the House of Representatives.

2. H. Res. 20: SPON-Rep. Kanjorski; OFFICIAL TITLE: A resolution to enhance public confidence in the United States Congress by amending the Rules of the House of Representatives to treat copyright royalties received by Members, officers and employees as honoraria.

3. H. Res. 21: SPON-Rep. King; OFFICIAL TITLE: A resolution to establish a Select Committee on POW and MIA Affairs.

4. H. Res. 24: SPON-Rep. Klug; OFFICIAL TITLE: A resolution requiring the appropriate committees of the House to report legislation to transfer certain functions of the Government Printing Office, and for other purposes.

5. H. Res. 26: SPON-Rep. Saxton; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to require a three-fifths vote of the House on passage of any measure carrying an income tax rate increase.

6. H. Res. 27: SPON-Rep. Solomon; OFFICIAL TITLE: A resolution to authorize and direct the Committee on Appropriations to create a new Subcommittee on Veterans' Affairs.

7. H. Res. 28: SPON-Rep. Stearns; OFFICIAL TITLE: A resolution repealing rule XLIX of the Rules of the House of Representatives relating to the statutory limit on the public debt.

8. H. Res. 33: SPON-Rep. Gephardt; OFFICIAL TITLE: A resolution providing for consideration of a joint resolution (H.J. Res. 1) proposing a balanced budget amendment to the Constitution of the United States.

9. H. Res. 40: SPON-Rep. Bryant (TX); OFFICIAL TITLE: A resolution to amend the Rules of the House of Representatives concerning the receipt of gifts from lobbyists and other persons and for other purposes.

10. H. Res. 43: SPON-Rep. Solomon; OFFICIAL TITLE: A resolution to amend clause 2(g)(3) of House Rule XI to permit committee chairmen to schedule hearings.

11. H. Res. 56: SPON-Rep. Weldon (PA); OFFICIAL TITLE: A resolution to amend the Rules of the House of Representatives to require the Committee on Ways and Means to include in committee reports the identity, sponsor, and revenue cost of single-taxpayer relief provisions contained in reported bills.

12. H. Res. 66: SPON-Rep. Smith (WA); OFFICIAL TITLE: A resolution to amend the Rules of the House of Representatives to ban gifts, and for other purposes.

13. H. Res. 95: SPON-Rep. Weldon (PA); OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to establish a Citizens' Commission on Congressional Ethics, and for other purposes.

14. H. Res. 97: SPON-Rep. Latham; OFFICIAL TITLE: A resolution to authorize and direct each standing committee of the House with subject matter jurisdiction over laws under which Federal agencies prescribe rules and regulations to report legislation during this session of Congress which would have the effect of streamlining those rules and regulations, and for other purposes.

15. H. Res. 102: SPON-Rep. Sanford; OFFICIAL TITLE: A resolution requiring the transfer to private sector providers of responsibility for certain administrative and maintenance entities and functions of the House of Representatives, and for other purposes.

16. H. Res. 106: SPON-Rep. Pombo; OFFICIAL TITLE: A resolution requiring that certain introduced measures be accompanied by statements of the constitutional authority for enacting them.

17. H. Res. 111: SPON-Rep. Stockman; OFFICIAL TITLE: A resolution providing for consideration of the bill (H.R. 807) to protect the Constitution of the United States from unauthorized encroachment into legislative powers by the executive branch, and to protect the American taxpayer from unauthorized encroachment into his wallet by an unconstitutional action of the President.

18. H. Res. 112: SPON-Rep. Stockman; OFFICIAL TITLE: A resolution providing for consideration of the bill (H.R. 807) to protect the Constitution of the United States from unauthorized encroachment into legislative powers by the executive branch, and to protect the American taxpayer from unauthorized encroachment into his wallet by an unconstitutional action of the President.

19. H. Res. 127: SPON-Rep. Bryant (TX); OFFICIAL TITLE: A resolution providing for the consideration of the resolution (H. Res. 40) to amend the Rules of the House of Representatives concerning the receipt of gifts from lobbyists and other persons, and for other purposes.

20. H. Res. 132: SPON-Rep. Miller (CA); OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to provide for disclosure of the source of amendments, measures, and committee reports.

21. H. Res. 133: SPON-Rep. Schroeder; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to require that reports from the Committee on Ways and Means accompanying revenue bills with targeted tax benefits clearly identify those benefits.

22. H. Res. 138: SPON-Rep. Smith (MI); OFFICIAL TITLE: A resolution repealing rule XLIX of the Rules of the House of Representatives relating to the statutory limit on the public debt.

23. H. Res. 142: SPON-Rep. Scott; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to allow proxy voting in committee in particular, limited circumstances.

24. H. Res. 154: SPON-Rep. Lipinski; OFFICIAL TITLE: A resolution to amend clause 2(a) of House Rule XXVIII to extend the length of time required before considering the report of a committee of conference.

25. H. Res. 160: SPON-Rep. Ward; OFFICIAL TITLE: A resolution providing for the consideration of the bill (H.R. 1535) to amend the Internal Revenue Code of 1986 to revise the tax rules on expatriation, to modify the basis rules for non-resident aliens becoming citizens or residents, and for other purposes.

26. H. Res. 161: SPON-Rep. Vucanovich; OFFICIAL TITLE: A resolution amending clause 4 of rule XIII of the Rules of the House to abolish the Consent Calendar and to establish in its place a Corrections Calendar.

27. H. Res. 162: SPON-Rep. Hamilton; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to provide for the consideration in each Congress of a congressional reform resolution, and for other purposes.

28. H. Res. 182: SPON-Rep. Royce; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to require the reduction of section 602(b)(1) suballocations to reflect floor amendments to general appropriation bills, and for other purposes.

29. H. Res. 184: SPON-Rep. Maloney; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to require that committee reports accompanying reported bills and joint resolutions contain a detailed analysis of the impact of the bill or joint resolution on children.

30. H. Res. 191: SPON-Rep. Brewster; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to require the reduction of section 602(b)(1) suballocations to reflect floor amendments to general appropriation bills, and for other purposes.

31. H. Res. 195: SPON-Rep. McHale; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to reduce the time for a recorded vote from 15 minutes to 2 minutes, and for other purposes.

32. H. Res. 196: SPON-Rep. McHale; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to eliminate the discretion of the Speaker to name another Member to perform the duties of the Chair without the approval of two-thirds of the Members, and for other purposes.

33. H. Res. 199: SPON-Rep. Stockman; OFFICIAL TITLE: A resolution amending clause 2 of rule XXII of the Rules of the House to prohibit the introduction or consideration of legislation designating a building or any other structure in honor of a person who is serving or has served as a Member of Congress, a Federal judge, or an officer of the executive branch before the date that is 5 years after the person has retired from that office.

34. H. Res. 202: SPON-Rep. Stupak; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to require that Members who change political parties repay certain funds to the political party from which the change of affiliation was made.

35. H. Res. 203: SPON-Rep. Stupak; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to provide that the House may declare vacant the office of any Member who publicly announces a change in political party affiliation.

36. H. Res. 210: SPON-Rep. Stockman; OFFICIAL TITLE: A resolution providing for the consideration of the bill (H.R. 464) to repeal the prohibitions relating to semiautomatic assault weapons and large capacity ammunition feeding devices.

37. H. Res. 211: SPON-Rep. Nadler; OFFICIAL TITLE: A resolution to amend the Rules of the House of Representatives to require a bill or joint resolution which amends a law to show the change in the law made by the amendment, and for other purposes.

38. H. Res. 212: SPON-Rep. Orton; OFFICIAL TITLE: A resolution to express the sense of the House of Representatives that the provisions of S. 4 (the Line Item Veto Act), as passed by the House, should apply to all fiscal year 1996 appropriation bills and to the reconciliation bill required by H. Con. Res. 67.

39. H. Res. 213: SPON-Rep. Schroeder; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to prohibit consideration of a conference report on any legislative branch appropriation bill until all other regular appropriation bills for that fiscal year are enacted into law.

40. H. Res. 221: SPON-Rep. Gephardt; OFFICIAL TITLE: A resolution providing that consideration in the House of Representatives and its committees and subcommittees thereof of any legislation changing existing law with respect to medicare or medicaid pursuant to the reconciliation instructions of the concurrent resolution on the budget for fiscal year 1996 shall be preceded by adequate time for public examination of such legislation and public hearings thereon, and expressing the sense of the House that the Senate should similarly provide for such public examination and hearings.

41. H. Res. 240: SPON-Rep. Schumer; OFFICIAL TITLE: A resolution providing for the consideration of the bill (H.R. 1710) to combat terrorism.

42. H. Res. 242: SPON-Rep. Bryant (TX); OFFICIAL TITLE: A resolution providing for consideration of the bill (H.R. 2261) to provide for the regulation of lobbyists and gift reform, and for other purposes.

43. H. Res. 246: SPON-Rep. Kanjorski; OFFICIAL TITLE: A resolution providing for the consideration of the bill H.R. 302, and amendments thereto, to ensure timely payment of Social Security and Medicare benefits, to protect the stability of financial markets, to preserve the credit rating of the United States Government, and for other purposes, by increasing the statutory limit on the public debt.

44. H. Res. 250: SPON-Rep. Waldholtz; OFFICIAL TITLE: A resolution to amend the Rules of the House of Representatives to provide for gift reform.

45. H. Res. 254: SPON-Rep. Solomon; OFFICIAL TITLE: A resolution making technical corrections in the Rules of the House of Representatives.

46. H. Res. 263: SPON-Rep. Rivers; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to require that the expenses of special-order speeches be paid from the Members Representational Allowance of the Members making such speeches.

47. H. Res. 264: SPON-Rep. Burton; OFFICIAL TITLE: A resolution to amend the Rules of the House of Representatives to require greater disclosure of gifts.

48. H. Res. 278: SPON-Rep. Baldacci; OFFICIAL TITLE: A resolution providing that when the House adjourns on the legislative day of Saturday, November 18, 1995, it shall stand adjourned until noon Sunday, November 19, 1995, to continue working to resolve the budget impasse.

49. H. Res. 286: SPON-Rep. Woolsey; OFFICIAL TITLE: A resolution to limit the access of lobbyists to the Hall of the House.

50. H. Res. 292: SPON-Rep. Kennedy (MA); OFFICIAL TITLE: A resolution providing for the consideration of the bill (H.R. 2409) to increase the public debt limit.

51. H. Res. 299: SPON-Rep. Johnson (CT); OFFICIAL TITLE: A resolution to amend the Rules of the House of Representatives regarding outside earned income.

52. H. Res. 314: SPON-Rep. Burton; OFFICIAL TITLE: A resolution to amend the Rules of the House of Representatives to discourage frivolous ethics complaints.

53. H. Res. 321: SPON-Rep. Taylor (MS); OFFICIAL TITLE: A resolution directing that the Committee on Rules report a resolution providing for consideration of the bill (H.R. 2530) a bill to provide for deficit reduction and achieve a balanced budget by fiscal year 2002.

54. H. Res. 328: SPON-Rep. Gephardt; OFFICIAL TITLE: A resolution relating to the privileges of the House.

55. H. Res. 329: SPON-Rep. Hoyer; OFFICIAL TITLE: A resolution providing for the consideration of the joint resolution (H.J. Res. 118) making further continuing appropriations for the fiscal year 1996, and for other purposes.

56. H. Res. 332: SPON-Rep. Cardin; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to prohibit a House recess or adjournment during any period of lapsed appropriations for the Federal Government.

57. H. Res. 333: SPON-Rep. Condit; OFFICIAL TITLE: A resolution providing for the consideration of H.R. 2530, a bill to provide for deficit reduction and achieve a balanced budget by fiscal year 2002.

58. H. Res. 341: SPON-Rep. Hoke; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to require that no object or activity for which Federal money is provided shall be named for a living individual who is or, within the last 5 Congresses, has been a Member of Congress.

59. H. Res. 346: SPON-Rep. Goss; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives respecting the procedures of the Committee on Standards of Official Conduct.

60. H. Res. 350: SPON-Rep. Mink; OFFICIAL TITLE: A resolution relating to a question of the privileges of the House.

61. H. Res. 354: SPON-Rep. Jackson-Lee (TX); OFFICIAL TITLE: A resolution relating to a question of the privileges of the House.

62. H. Res. 356: SPON-Rep. Gephardt; OFFICIAL TITLE: A resolution to protect the creditworthiness of the United States and avoid default of the United States Government.

63. H. Res. 358: SPON-Rep. Durbin; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to postpone final House action on legislative branch appropriations for any fiscal year until all other regular appropriations for that fiscal year are enacted into law.

64. H. Res. 361: SPON-Rep. Zimmer; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to prohibit foreign travel by a retiring Member.

65. H. Res. 364: SPON-Rep. Barr; OFFICIAL TITLE: A resolution providing for the consideration of the bill (H.R. 125) to repeal the ban on semi-automatic assault weapons and the ban on large capacity ammunition.

66. H. Res. 369: SPON-Rep. Clinger; OFFICIAL TITLE: A resolution to provide to the Committee on Government Reform and Oversight special authorities to obtain testimony for purposes of investigation and study of the White House Travel Office matter.

67. H. Res. 373: SPON-Rep. Smith (WA); OFFICIAL TITLE: A resolution providing for the consideration of the bill (H.R. 2566) to reform the financing of Federal elections, and for other purposes.

68. H. Res. 416: SPON-Rep. Gilman; OFFICIAL TITLE: A resolution establishing a select subcommittee of the Committee on International Relations to investigate the United States Role in Iranian arms transfer to Croatia and Bosnia.

69. H. Res. 423: SPON-Rep. Ganske; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to require each Member of the House of Representatives to submit annual reports for publication in the Congressional Record on certain Federally-funded travel taken by the Member during the year.

70. H. Res. 424: SPON-Rep. Sabo; OFFICIAL TITLE: A resolution providing for the consideration of the resolution (H. Con. Res. 66) setting forth the congressional budget for the United States Government for the fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002.

71. H. Res. 425: SPON-Rep. Tanner; OFFICIAL TITLE: A resolution providing for the consideration of the bill (H.R. 2915) to enhance support and work opportunities for families with children, reduce welfare dependence and control welfare spending.

72. H. Res. 443: SPON-Rep. Condit; OFFICIAL TITLE: A resolution providing for consideration of the bill (H.R. 1627) to amend the Federal Insecticide, Fungicide and Rodenticide Act and the Federal Food, Drug, and Cosmetic Act, and for other purposes.

73. H. Res. 454: SPON-Rep. Lofgren; OFFICIAL TITLE: A resolution directing the Committee on House Oversight of the House of Representatives to take all necessary steps to make voting records of members of the House and other information on the legislative activities of the House accessible on the Internet through the official homepage of the House of Representatives, and for other purposes.

74. H. Res. 457: SPON-Rep. Boehner; OFFICIAL TITLE: A resolution to amend the Rules of the House of Representatives to prohibit the knowing solicitation, distribution, or acceptance of campaign contributions in the Hall of the House or rooms leading thereto.

75. H. Res. 461: SPON-Rep. Cox; OFFICIAL TITLE: A resolution regarding U.S. concerns with human rights abuse, nuclear and chemical weapons proliferation, illegal weapons trading, military intimidation of Taiwan, and trade violations by the People's Republic of China and the People's Liberation Army, and directing the committees of jurisdiction to commence hearings and report appropriate legislation.

76. H. Res. 466: SPON-Rep. Bonilla; OFFICIAL TITLE: A resolution providing for the consideration of the bill (H.R. 2275) to reauthorize and amend the Endangered Species Act of 1973.

77. H. Res. 476: SPON-Rep. Stupak; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to reduce the number of programs covered by each regular appropriation bill.

78. H. Res. 477: SPON-Rep. Minge; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives regarding trust relationships.

79. H. Res. 478: SPON-Rep. White; OFFICIAL TITLE: A resolution to amend the Rules of the House of Representatives to provide public access to committee documents over the Internet, and for other purposes.

80. H. Res. 480: SPON-Rep. Bass; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to implement the recommendations of the Task Force on Committee Review regarding committee operations, procedures, and staffing, and for other purposes.

81. H. Res. 486: SPON-Rep. Doolittle; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to require witnesses at committee hearings to submit statements identifying Federal grants or contracts received during the current and previous two fiscal years.

82. H. Res. 505: SPON-Rep. Fox; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to take away the power of the Committee on Rules to report rules or orders waiving the germaneness requirement.

83. H. Res. 512: SPON-Rep. Solomon; OFFICIAL TITLE: A resolution to amend House Rules to require the random drug testing of officers and employees of the House.

84. H. Res. 514: SPON-Rep. Solomon; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to reduce the number of programs covered by each general appropriation bill.

85. H. Res. 518: SPON-Rep. Millender-McDonald; OFFICIAL TITLE: A resolution to establish a Select Committee to Investigate CIA Involvement in the financing, distribution and promulgation of crack cocaine and the use of any proceeds to support the Contras.

86. H. Res. 519: SPON-Rep. Solomon; OFFICIAL TITLE: A resolution to amend House Rules to require the random drug testing of Members, officers and employees of the House.

87. H. Res. 520: SPON-Rep. Waters; OFFICIAL TITLE: A resolution to establish a Select Committee to Investigate CIA Involvement in Crack Cocaine Sales to Fund Contras.

88. H. Res. 533: SPON-Rep. Bono; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to require that every Member establishes a written office policy regarding standards for the use of computer software, programs, and data bases.

89. H. Res. 548: SPON-Rep. Minge; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to allow floor consideration of amendments that are supported by at least 20 percent of the membership of the majority and minority parties of the House.

90. H. Res. 549: SPON-Rep. Pryce; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to impose the Ramseyer requirement on conference reports.

91. H. Res. 550: SPON-Rep. Shays; OFFICIAL TITLE: A resolution amending the Rules of the House of Representatives to permit standing committees and subcommittees to designate members to question witnesses for periods not to exceed 30 minutes.

HOUSE BILLS

1. H.R. 1: SPON-Rep. Shays; OFFICIAL TITLE: A bill to make certain laws applicable to the legislative branch of the Federal Government.

2. H.R. 2: SPON-Rep. Clinger; OFFICIAL TITLE: A bill to give the President item veto authority over appropriation Acts and targeted tax benefits in revenue Acts.

3. H.R. 4: SPON-Rep. Shaw; OFFICIAL TITLE: A bill to restore the American family, reduce illegitimacy, control welfare spending and reduce welfare dependence.

4. H.R. 5: SPON-Rep. Clinger; OFFICIAL TITLE: A bill to curb the practice of imposing unfunded Federal mandates on States and local governments, to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and to provide information on the cost of Federal mandates on the private sector, and for other purposes.

5. H.R. 9: SPON-Rep. Archer; OFFICIAL TITLE: A bill to create jobs, enhance wages, strengthen property rights, maintain certain economic liberties, decentralize and reduce the power of the Federal Government with respect to the States, localities, and citizens of the United States, and to increase the accountability of Federal officials.

6. H.R. 10: SPON-Rep. Hyde; OFFICIAL TITLE: A bill to reform the Federal civil justice system; to reform product liability law.

7. H.R. 27: SPON-Rep. Duncan; OFFICIAL TITLE: A bill to grant the power to the President to reduce budget authority.

8. H.R. 58: SPON-Rep. Baker (LA); OFFICIAL TITLE: A bill to require analysis and estimates of the likely impact of Federal legislation and regulations upon small businesses, the private sector, and State and local governments, and for other purposes.

9. H.R. 70: SPON-Rep. Thomas; OFFICIAL TITLE: A bill to permit exports of certain domestically produced crude oil, and for other purposes.

10. H.R. 87: SPON-Rep. Bartlett; OFFICIAL TITLE: A bill to establish the Department of Energy Laboratory Facilities Commission, and for other purposes.

11. H.R. 90: SPON-Rep. Sensenbrenner; OFFICIAL TITLE: A bill to appropriate 2 percent of Federal individual income tax revenues to the States to fight crime.

12. H.R. 108: SPON-Rep. Bilirakis; OFFICIAL TITLE: A bill to modify the provision of law which provides a permanent appropriation for the compensation of Members of Congress, and for other purposes.

13. H.R. 128: SPON-Rep. Solomon; OFFICIAL TITLE: A bill to give the President legislative, line-item veto authority over budget authority in appropriations bills in fiscal years 1996 and 1997.

14. H.R. 204: SPON-Rep. Condit; OFFICIAL TITLE: A bill to require the President to submit to the Congress each year an integrated justification for United States foreign assistance programs, and for other purposes.

15. H.R. 215: SPON-Rep. Crapo; OFFICIAL TITLE: A bill to reform the House of Representatives, and for other purposes.

16. H.R. 251: SPON-Rep. Gutierrez; OFFICIAL TITLE: A bill to amend the Ethics Reform Act of 1989 to prevent any action to dissolve, diminish the scope of the mission of, or limit the activities of, the House Committee on Standards of Official Conduct during certain investigations.

17. H.R. 252: SPON-Rep. Hamilton; OFFICIAL TITLE: A bill to improve the operations of the legislative branch of the Federal Government, and for other purposes.

18. H.R. 309: SPON-Rep. Klink; OFFICIAL TITLE: A bill to require the Congress to comply with the laws which it requires others to comply with.

19. H.R. 376: SPON-Rep. Stupak; OFFICIAL TITLE: A bill to provide for return of excess amounts from official allowances of Members of the House of Representatives to the Treasury for deficit reduction.

20. H.R. 430: SPON-Rep. Tauzin; OFFICIAL TITLE: A bill to establish The National Dividend Plan by reforming the budget process, and by amending the Internal Revenue Code of 1986 to eliminate the double tax on dividends, to allocate corporate income tax revenues for payments to qualified registered voters, and for other purposes.

21. H.R. 470: SPON-Rep. Gilman; OFFICIAL TITLE: A bill to provide for adherence with the MacBride Principles by United States persons doing business in Northern Ireland.

22. H.R. 567: SPON-Rep. Bentsen; OFFICIAL TITLE: A bill to require that the President transmit to Congress, that the congressional Budget Committees report, and that the Congress consider a balanced budget for each fiscal year.

23. H.R. 678: SPON-Rep. Porter; OFFICIAL TITLE: A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed cancellations of budget items.

24. H.R. 759: SPON-Rep. Knollenberg; OFFICIAL TITLE: A bill to improve the effectiveness of Federal welfare efforts and increase citizen participation in fighting poverty.

25. H.R. 766: SPON-Rep. Callahan; OFFICIAL TITLE: A bill to amend the Congressional Budget Act of 1974 to provide for a two-year (biennial) budgeting cycle, and for other purposes.

26. H.R. 788: SPON-Rep. Royce; OFFICIAL TITLE: A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to prohibit the consideration of retroactive tax increases.

27. H.R. 815: SPON-Rep. Wyden; OFFICIAL TITLE: A bill to provide that the Bureau of Labor Statistics may not change, during the 104th Congress, the method of calculating the consumer price index if it would result in higher taxes unless the change has been approved by law.

28. H.R. 821: SPON-Rep. McIntosh; OFFICIAL TITLE: A bill to reform the regulatory process, and for other purposes.

29. H.R. 822: SPON-Rep. Miller (FL); OFFICIAL TITLE: A bill to provide a fair, nonpolitical process that will achieve \$45,000,000,000 in budget outlay reductions each fiscal year until a balanced budget is reached.

30. H.R. 823: SPON-Rep. Miller (FL); OFFICIAL TITLE: A bill to provide a fair, nonpolitical process that will achieve \$45,000,000,000 in budget outlay reductions each fiscal year until a balanced budget is reached.

31. H.R. 834: SPON-Rep. Jacobs; OFFICIAL TITLE: A bill to nullify the 25 percent pay increase that was afforded to Members of Congress and certain other Government officials by the Ethics Reform Act of 1989; to repeal section 225 of the Federal Salary Act of 1967, and for other purposes.

32. H.R. 841: SPON-Rep. Wolf; OFFICIAL TITLE: A bill to provide an equitable process for strengthening the passenger rail service network of Amtrak through the timely closure and realignment of routes with low economic performance.

33. H.R. 1050: SPON-Rep. Dellums; OFFICIAL TITLE: A bill to establish a living wage, jobs for all policy for the United States in order to reduce poverty, inequality, and the undue concentration of income, wealth, and power in the United States, and for other purposes.

34. H.R. 1064: SPON-Rep. Sensenbrenner; OFFICIAL TITLE: A bill to repeal the Impoundment Control Act of 1974.

35. H.R. 1100: SPON-Rep. Maloney; OFFICIAL TITLE: A bill to establish a temporary commission to recommend reforms in the laws relating to elections for Federal office.

36. H.R. 1110: SPON-Rep. Allard; OFFICIAL TITLE: A bill to amend the Congressional Budget Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985 to limit the rate of growth of Federal outlays to 2 percent per year.

37. H.R. 1111: SPON-Rep. Dornan; OFFICIAL TITLE: A bill to clarify the war powers of Congress and the President in the post-Cold War period.

38. H.R. 1131: SPON-Rep. McCreery; OFFICIAL TITLE: A bill to balance the Federal budget by fiscal year 2002 through the establishment of Federal spending limits.

39. H.R. 1162: SPON-Rep. Crapo; OFFICIAL TITLE: A bill to establish a Deficit Reduction Trust Fund and provide for the downward adjustment of discretionary spending limits in appropriation bills.

40. H.R. 1186: SPON-Rep. Oxley; OFFICIAL TITLE: A bill to provide for the safety of journeymen boxers, and for other purposes.

41. H.R. 1219: SPON-Rep. Kasich; OFFICIAL TITLE: A bill to amend the Congressional Budget Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985 to extend and reduce the discretionary spending limits, and for other purposes.

42. H.R. 1233: SPON-Rep. Wise; OFFICIAL TITLE: A bill to improve budgetary information by requiring that the unified budget presented by the President contain an operating budget and a capital budget, distinguish between general funds, trust funds, and enterprise funds, and for other purposes.

43. H.R. 1245: SPON-Rep. Castle; OFFICIAL TITLE: A bill to amend the Congressional Budget Act of 1974 to provide for budgeting for emergencies through the establishment of a budget reserve account, and for other purposes.

44. H.R. 1327: SPON-Rep. Kasich; OFFICIAL TITLE: A bill to provide tax relief to strengthen the American family and create jobs, to reduce Federal spending and the budget deficit, and for other purposes.

45. H.R. 1356: SPON-Rep. Sanders; OFFICIAL TITLE: A bill to amend the Ethics in Government Act of 1978 to strengthen financial disclosure requirements, and for other purposes.

46. H.R. 1387: SPON-Rep. Barrett (WI); OFFICIAL TITLE: A bill to amend the Congressional Budget Act of 1974 to establish a process to identify and control tax expenditures.

47. H.R. 1424: SPON-Rep. Stearns; OFFICIAL TITLE: A bill to provide Americans with secure, portable health insurance benefits through tax credits, medical savings accounts, and greater choice of health insurance plans without mandates, and for other purposes.

48. H.R. 1434: SPON-Rep. Houghton; OFFICIAL TITLE: A bill to establish a commission to review the dispute settlement reports of the World Trade Organization, and for other purposes.

49. H.R. 1516: SPON-Rep. Visclosky; OFFICIAL TITLE: A bill to achieve a balanced Federal budget by fiscal year 2002 and each year thereafter, achieve significant deficit reduction in fiscal year 1996 and each year through 2002, establish a Board of Estimates, require the President's budget and the congressional budget process to meet specified deficit reduction and balance requirements, enforce those requirements through a multiyear congressional budget process and, if necessary, sequestration, and for other purposes.

50. H.R. 1560: SPON-Rep. Gephardt; OFFICIAL TITLE: A bill to expand United States exports of goods and services by requiring the development of objective criteria to achieve market access in foreign countries, to provide the President with reciprocal trade authority, and for other purposes.

51. H.R. 1561: SPON-Rep. Gilman; OFFICIAL TITLE: A bill to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes.

52. H.R. 1563: SPON-Rep. Gilman; OFFICIAL TITLE: A bill to authorize appropriations for foreign assistance programs, and for other purposes.

53. H.R. 1576: SPON-Rep. Zimmer; OFFICIAL TITLE: A bill to amend section 207 of title 18, United States Code, to tighten restrictions on former executive and legislative branch officials and employees, and for other purposes.

54. H.R. 1676: SPON-Rep. Jacobs; OFFICIAL TITLE: A bill to amend the Omnibus Budget Reconciliation Act of 1990 to clarify that the expenses of administering the Old Age, Survivors and Disability Insurance programs are not included in the budget of the United States Government, and for other purposes.

55. H.R. 1763: SPON-Rep. Fox; OFFICIAL TITLE: A bill to require the review of all Federal departments and agencies and their programs, and for other purposes.

56. H.R. 1837: SPON-Rep. Franks (NJ); OFFICIAL TITLE: A bill to establish a temporary commission to recommend reforms in the laws relating to elections for Federal office.

57. H.R. 1923: SPON-Rep. Solomon; OFFICIAL TITLE: A bill to balance the budget of the United States Government by restructuring government, reducing Federal spending, eliminating the deficit, limiting bureaucracy, and restoring federalism.

58. H.R. 1993: SPON-Rep. Tiahrt; OFFICIAL TITLE: A bill to abolish the Department of Energy and restoring federalism.

59. H.R. 2006: SPON-Rep. Gekas; OFFICIAL TITLE: A bill to amend title 31, United States Code, to provide an automatic continuing appropriation for the United States Government.

60. H.R. 2060: SPON-Rep. Armev; OFFICIAL TITLE: A bill to promote freedom, fairness, and economic opportunity for families by reducing the power and reach of the Federal establishment.

61. H.R. 2072: SPON-Rep. Smith (WA); OFFICIAL TITLE: A bill to amend the Federal Election Campaign Act of 1971 to ban contributions to candidates in elections for Federal office by persons other than individuals and political party committees, to amend the Rules of the House of Representatives to ban gifts, and for other purposes.

62. H.R. 2117: SPON-Rep. Hoekstra; OFFICIAL TITLE: A bill to provide that the voters of the United States be given the right, through advisory voter initiative, to propose the enactment and repeal of Federal laws in a national election.

63. H.R. 2152: SPON-Rep. English; OFFICIAL TITLE: A bill to establish the Independent Commission on Medicare to make recommendations on how to best match the structure of the medicare program with the funding made available for the program by Congress, to provide for expedited consideration in Congress of the Commission's recommendations, and to establish a default process for meeting Congressional spending targets for the medicare program if Congress rejects the Commission's recommendations.

64. H.R. 2197: SPON-Rep. Allard; OFFICIAL TITLE: A bill to amend the Congressional Budget Act of 1974 to establish a point of order against certain continuing resolutions.

65. H.R. 2347: SPON-Rep. Burton; OFFICIAL TITLE: A bill to seek international sanctions against the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes.

66. H.R. 2371: SPON-Rep. Archer; OFFICIAL TITLE: A bill to provide trade agreements authority to the President.

67. H.R. 2403: SPON-Rep. Clement; OFFICIAL TITLE: A bill to amend title 49, United States Code, with respect to the regulation of interstate transportation by common carriers engaged in civil aviation, and for other purposes.

68. H.R. 2425: SPON-Rep. Archer; OFFICIAL TITLE: A bill to amend title XVIII of the Social Security Act to preserve and reform the medicare program.

69. H.R. 2459: SPON-Rep. Kasich; OFFICIAL TITLE: A bill to amend the Congressional Budget Act of 1974 to extend and reduce the discretionary spending limits and to extend the pay-as-you-go requirements set forth in the Balanced Budget and Emergency Deficit Control Act of 1985.

70. H.R. 2485: SPON-Rep. Archer; OFFICIAL TITLE: A bill to amend title XVIII of the Social Security Act to preserve and reform the medicare program.

71. H.R. 2486: SPON-Rep. Peterson (MN); OFFICIAL TITLE: A bill to amend title XVIII of the Social Security Act to preserve and reform the medicare program.

72. H.R. 2517: SPON-Rep. Kasich; OFFICIAL TITLE: A bill to provide for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996.

73. H.R. 2526: SPON-Rep. Owens; OFFICIAL TITLE: A bill to create a Creative Revenues Commission, to facilitate the reform of the Federal tax system, and for other purposes.

74. H.R. 2530: SPON-Rep. Orton; OFFICIAL TITLE: A bill to provide for deficit reduction and achieve a balanced budget by fiscal year 2002.

75. H.R. 2557: SPON-Rep. Ewing; OFFICIAL TITLE: A bill to amend the Agricultural Trade Act of 1978 to provide greater assurances for contract sanctity.

76. H.R. 2564: SPON-Rep. Canady; OFFICIAL TITLE: A bill to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes.

77. H.R. 2588: SPON-Rep. DeFazio; OFFICIAL TITLE: A bill to nullify the 25 percent pay increase afforded to Members of Congress by the Ethics Reform Act of 1989, and for other purposes.

78. H.R. 2599: SPON-Rep. Barton; OFFICIAL TITLE: A bill to reform the Congressional Budget Process, establish binding spending caps, introduce fiscal integrity, discipline and accountability, and for other purposes.

79. H.R. 2610: SPON-Rep. Sanford; OFFICIAL TITLE: A bill to eliminate certain benefits for Members of Congress.

80. H.R. 2622: SPON-Rep. Cardin; OFFICIAL TITLE: A bill to amend the Congressional Budget Act of 1974 to require that budget resolutions be joint resolutions and that those resolutions contain extensions of the statutory limit on the public debt, and for other purposes.

81. H.R. 2635: SPON-Rep. White; OFFICIAL TITLE: A bill to establish a temporary commission to recommend reforms in the laws relating to elections for Congress.

82. H.R. 2727: SPON-Rep. Hayworth; OFFICIAL TITLE: A bill to require Congress and the President to fulfill their Constitutional duty to take personal responsibility for Federal laws.

83. H.R. 2755: SPON-Rep. Foglietta; OFFICIAL TITLE: A bill to establish a Corporate and Farm Independence Commission, and for other purposes.

84. H.R. 2797: SPON-Rep. Volkmer; OFFICIAL TITLE: A bill to abolish the Committee on Standards of Official Conduct in the House of Representatives, establish an Independent Commission on Congressional Ethics, and provide for the transfer of the duties and functions of the Committee to the Independent Commission.

85. H.R. 2802: SPON-Rep. Longley; OFFICIAL TITLE: A bill to impose temporarily a 25 percent duty on imports of certain Canadian wood and lumber products, to require the administering authority to initiate an investigation under title VII of the Tariff Act of 1930 with respect to such products, and for other purposes.

86. H.R. 2903: SPON-Rep. Kasich; OFFICIAL TITLE: A bill to provide for deficit reduction and achieve a balanced budget by fiscal year 2002.

87. H.R. 2990: SPON-Rep. Smith (MI); OFFICIAL TITLE: A bill to require congressional approval of proposed rules considered by the Congress to be significant rules.

88. H.R. 3023: SPON-Rep. Shaw; OFFICIAL TITLE: A bill to require the imposition of certain trade sanctions on countries which threaten the national security of the United States and the health and safety of United States citizens by failing to take effective action against the production of and trafficking in illicit narcotic, and psychotropic substances, and for other purposes.

89. H.R. 3024: SPON-Rep. Young (AK); OFFICIAL TITLE: A bill to provide a process leading to full self-government for Puerto Rico.

90. H.R. 3121: SPON-Rep. Gilman; OFFICIAL TITLE: A bill to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes.

91. H.R. 3125: SPON-Rep. English; OFFICIAL TITLE: A bill to provide for improvements in financial security for senior citizens.

92. H.R. 3136: SPON-Rep. Archer; OFFICIAL TITLE: A bill to provide for enactment of the Senior Citizens' Right to Work Act of 1996, the Line Item Veto Act, and the Small Business Growth and Fairness Act of 1996, and to provide for a permanent increase in the public debt limit.

93. H.R. 3277: SPON-Rep. Smith (TX); OFFICIAL TITLE: A bill to ensure congressional approval of the amount of compliance costs imposed on the private sector by regulations issued under new or reauthorized Federal laws.

94. H.R. 3314: SPON-Rep. Regula; OFFICIAL TITLE: A bill to assess the impact of the NAFTA, to require further negotiation of certain provisions of the NAFTA, to establish a commission to review the dispute settlement reports of the World Trade Organization, and for other purposes.

95. H.R. 3351: SPON-Rep. Foglietta; OFFICIAL TITLE: A bill to establish a Corporate Independence Commission, and for other purposes.

96. H.R. 3375: SPON-Rep. Royce; OFFICIAL TITLE: A bill to amend the Internal Revenue Code of 1986 to repeal the 1993 increase in motor fuels tax, and for other purposes.

97. H.R. 3379: SPON-Rep. Condit; OFFICIAL TITLE: A bill to amend chapter 11 of title 31, United States Code, to require that each President's budget submission to Congress include a detailed plan to achieve a balanced Federal budget, and for other purposes.

98. H.R. 3407: SPON-Rep. Roth; OFFICIAL TITLE: A bill to establish the Thrift Charter Merger Commission, and for other purposes.

99. H.R. 3411: SPON-Rep. Shadegg; OFFICIAL TITLE: A bill to protect the rights of the States and the people from abuse by the Federal Government; to strengthen the partnership and the intergovernmental relationship between State and Federal

Governments; to restrain Federal agencies from exceeding their authority; to enforce the Tenth Amendment to the Constitution; and for other purposes.

100. H.R. 3483: SPON-Rep. Moran; OFFICIAL TITLE: A bill to amend title 5, United States Code, to enable Federal agencies to design personnel systems suited to their missions, and for other purposes.

101. H.R. 3505: SPON-Rep. Farr; OFFICIAL TITLE: A bill to amend the Federal Election Campaign Act of 1971, and for other purposes.

102. H.R. 3539: SPON-Rep. Shuster; OFFICIAL TITLE: A bill to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes.

103. H.R. 3564: SPON-Rep. Gilman; OFFICIAL TITLE: A bill to amend the NATO Participation Act of 1994 to expedite the transition to full membership in the North Atlantic Treaty Organization of emerging democracies in Central and Eastern Europe.

104. H.R. 3566: SPON-Rep. Barrett (WI); OFFICIAL TITLE: A bill to expand the definition of limited tax benefit for purposes of the Line Item Veto Act.

105. H.R. 3622: SPON-Rep. Chrysler; OFFICIAL TITLE: A bill to provide for the substitution of the term "standard trade relations" in lieu of "nondiscriminatory treatment" and "most-favored-nation treatment", and for other purposes.

106. H.R. 3670: SPON-Rep. Schaefer; OFFICIAL TITLE: A bill to extend certain programs under the Energy Policy and Conservation Act through fiscal year 1998, and for other purposes.

107. H.R. 3792: SPON-Rep. Bass; OFFICIAL TITLE: A bill to restore integrity, goodwill, honesty, and trust to Congress.

108. H.R. 3982: SPON-Rep. Franks (NJ); OFFICIAL TITLE: A bill to establish a Permanent Performance Review Commission.

109. H.R. 3992: SPON-Rep. McCarthy; OFFICIAL TITLE: A bill to establish the National Commission on the Long-Term Solvency of the Medicare Program.

110. H.R. 3996: SPON-Rep. Myrick; OFFICIAL TITLE: A bill to amend title 18, United States Code, to punish false statements during debate on the floor of either House of Congress.

111. H.R. 4060: SPON-Rep. Solomon; OFFICIAL TITLE: A bill to establish the Commission on the Future for America's Veterans.

112. H.R. 4065: SPON-Rep. Gephardt; OFFICIAL TITLE: A bill to require prior congressional approval before the President supports the admission of the People's Republic of China into the World Trade Organization, and to provide for the withdrawal of the United States from the World Trade Organization if China is accepted into the WTO without the support of the United States.

113. H.R. 4142: SPON-Rep. Barton; OFFICIAL TITLE: A bill to amend the Congressional Budget Act of 1974 provide for the withdrawal of the United States from the World Trade Organization if China is accepted into the WTO without the support of the United States.

114. H.R. 4214: SPON-Rep. Orton; OFFICIAL TITLE: A bill to amend the Antiquities Act to provide for the Congressional approval of the establishment of national monuments, and for other purposes.

115. H.R. 4215: SPON-Rep. Petri; OFFICIAL TITLE: A bill to provide for the establishment and maintenance of personal social security investment accounts for all Americans under the social security system.

116. H.R. 4228: SPON-Rep. Young; OFFICIAL TITLE: A bill to provide a process leading to full self-government for Puerto Rico.

117. H.R. 4280: SPON-Rep. Thomas; OFFICIAL TITLE: A bill to amend title 44, United States Code, to establish the Joint Committee on Information, and for other purposes.

118. H.R. 4281: SPON-Rep. Young (AK); OFFICIAL TITLE: A bill to provide a process leading to full self-government for Puerto Rico.

119. H.R. 4285: SPON-Rep. Cox; OFFICIAL TITLE: A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to reform the budget process, and for other purposes.

120. H.R. 4289: SPON-Rep. Bereuter; OFFICIAL TITLE: A bill to provide a more effective remedy for inadequate trade benefits extended to the United States by other countries and for restrictions on free emigration imposed by other countries.

121. H.R. 4327: SPON-Rep. White; OFFICIAL TITLE: A bill to establish a temporary commission to recommend reforms in the laws relating to elections for Federal office.

HOUSE CONCURRENT RESOLUTIONS

1. H. Con. Res. 17: SPON-Rep. Flanagan; OFFICIAL TITLE: A concurrent resolution relating to the treatment of Social Security under any constitutional amendment requiring a balanced budget.

2. H. Con. Res. 126: SPON-Rep. Dornan; OFFICIAL TITLE: A concurrent resolution to establish a joint committee to oversee the conduct of Operation Joint Endeavor/Task Force Eagle.

3. H. Con. Res. 131: SPON-Rep. Kasich; OFFICIAL TITLE: A concurrent resolution establishing procedures making the transmission of the continuing resolution (H.J. Res. 134) to the President contingent upon the submission by the President of a 7-year balanced budget using updated economic and technical assumptions of the Congressional Budget Office.

4. H. Con. Res. 222: SPON-Rep. Dornan; OFFICIAL TITLE: A concurrent resolution providing that George Washington's "Farewell Address" shall be read at the beginning of each Congress.

HOUSE JOINT RESOLUTIONS

1. H.J. Res. 95: SPON-Rep. DeFazio; OFFICIAL TITLE: A joint resolution to amend the War Powers Resolution.

2. H.J. Res. 130: SPON-Rep. Hyde; OFFICIAL TITLE: A joint resolution providing for the establishment of a Joint Committee on Intelligence.

3. H.J. Res. 135: SPON-Rep. Dornan; OFFICIAL TITLE: A joint resolution to establish a joint committee to oversee the conduct of Operation Joint Endeavor/Task Force Eagle.

VIII. PUBLICATIONS

Committee on Rules Legislative Calendar, First Session, One Hundred Fourth Congress.

Rules of the Committee on Rules, One Hundred Fourth Congress, 1995–1996.

Rules Adopted by the Committees of the House of Representatives, One Hundred Fourth Congress, 1995–1996 (Committee Print).

Joint Subcommittee hearings on the Congressional Budget Process, One Hundred Fourth Congress, July 13, 19, and September 13, 1995.

Hearings before the Committee on Rules on H.Res. 250, Amending the Rules of the House of Representatives to provide for Gift Reform, One Hundred Fourth Congress, November 2 and 7, 1995.

Report on Survey of House Committee Chairmen and Ranking Minority Members on Committee Operations, Staffing, and Procedures, One Hundred Fourth Congress, September 5, 1996 (Committee Print).

Hearings before the Committee on Rules on Congressional Reform, Building on Change: Preparing for the 105th Congress, One Hundred Fourth Congress. (July 17, 1996 before the Full Committee) (July 24, September 5 and 12, 1996 before the Joint Subcommittees on Legislative and Budget Process and Organization of the House).

Committee on Rules Legislative Calendar, Final Calendar, One Hundred Fourth Congress.

Survey of Activities of the House Committee on Rules, One Hundred Fourth Congress, 1995–1996. Report 104–868, 2d Session.

ADDITIONAL VIEWS

While some of the procedural changes the Republican majority instituted during this Congress are commendable, their record is not so successful as this survey suggests.

In our view, the majority fell far short of the goals they expressed at the beginning of this Congress. They said that 70 percent of rules issued by the Committee would be open; instead, less than 45 percent were open. They made a commitment to preserve and expand the minority's rights to offer a motion to recommit; instead, they found new ways to restrict that right.

The majority also claimed they would not use the new unfunded mandates point of order in ways other than for which it was explicitly intended, but the first time it was invoked, it was used to block consideration of a minority motion to recommit, even though the motion contained no mandate, as the Congressional Budget Office confirmed.

In addition, the majority said they would try never to waive all points of order, but the Committee reported more than 100 rules containing such blanket waivers. The majority said that they would not invoke "martial law"—a special rule allowing rules to be brought up without the usual one-day layover—yet kept the House under martial law for the longest extended period in history.

Three new House rules established by the Republican majority were routinely waived. One was the $\frac{3}{5}$ vote requirement for any measure increasing income taxes, which was waived for every measure where it potentially applied. A second was the rule prohibiting committees from conducting business while the House was in the Committee of the Whole; that rule was waived more than 950 times. The third was the rule limiting Members to no more than two standing committee and four subcommittee assignments; at the end of the 104th Congress, 41 Republican Members exceed the two-committee limit and 30 exceeded the four-subcommittee limit.

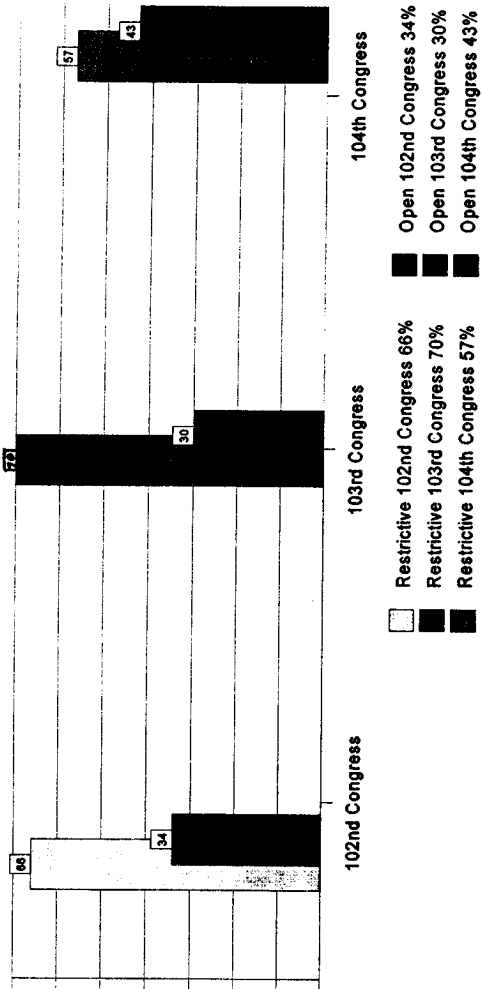
These views explain in detail the ways in which the Republican majority failed to meet the procedural standards they set for the House during the 104th Congress.

OPENNESS VS. RESTRICTIVE RULES

On January 5, 1995, Chairman Solomon said, "I have been instructed by our new Speaker Gingrich . . . He has instructed me to try to have open rules and fair rules be the norm of this Congress . . . 70 percent of the rules in the 103rd Congress were restricted or closed rules. We are going to try to turn that around . . . I am going to pledge to try to turn this around: Instead of having 70 percent closed rules and restricted rules, we are going to have 70 percent open and unrestricted rules, if we possibly can." [January 5, 1995, Congressional Record, H134, H135, H137].

Using their own definition of open, less than 45 percent of the rules reported from the Rules Committee were open, far short of their 70 percent goal. We disagree with their definitions but even on their own terms, they failed.

Comparison of Restrictive Vs. Open Rules



The chart above demonstrates that Republicans failed to make more than a modest improvement. In fact, the small gain in the percentage of open rules is accounted for by the use of three parliamentary ruses used to push some closed rules off the chart and to include some questionable open rules on the chart:

(1) a handful of closed rules were adopted by the House but were not reported by the Committee on Rules and, therefore, do not count in these statistics. Examples include: (1) H.Res. 6 adopted on opening day (before the Committee on Rules had organized) which contained a completely closed rule for consideration of H.R. 1 and (2) a time cap rule for consideration of H.R. 729, adopted by the House but not reported from the Committee.

(2) a handful of open rules were reported to provide for consideration of measures that were debated briefly and then adopted either by voice vote or by recorded vote with more than $\frac{2}{3}$ voting aye. These are added to the chart even though such measures would ordinarily be considered on the suspension calendar, and we suspect the Committee granted open rules only in order to pad the Committee's statistics. Examples include: H.R. 101, passed by voice vote immediately after adoption of the committee amendment (a version of the bill as amended could have been considered under suspension of the rules), H.R. 400, passed without amendment by a vote of 427 to 0, and, H.R. 440, passed by voice vote without amendment.

(3) some open rules were reported and adopted by the House even though the majority later changed the terms of debate to consider the measures under restrictive floor procedures. Chairman Solomon's memo below explains this strange alchemy—how to transform an open rule into one that limits the offering of amendments—and suggests that it be used more often: The rules in this third category are all treated as open rules in our statistics.

MEMORANDUM

July 6, 1995

TO: THE REPUBLICAN LEADERSHIP
 FROM: JERRY SOLOMON
 RE: ALTERNATIVES TO RESTRICTIVE RULES ON APPROPRIATIONS BILLS

So far, the majority leadership and Appropriations Committee have not taken advantage of existing House rules to manage and control the amendment process, even though the Rules Committee has followed the Majority Leader's guidelines on appropriations rules to allow for a greater management and control. These include opening appropriations bills to amendment by title instead of by paragraph, and by encouraging Members to pre-print their amendments in the Record to receive priority in recognition. This should have paved the way for unanimous consent agreements and motions, if necessary, to limit debate on particular amendments and amendments thereto, and even to limit debate on further amendments to a particular title. Under House Rules, once such a motion has been agreed to, only pre-printed amendments are allowed upon the expiration of the time limit, and such amendments may only be debated for 10-minutes - 5 minutes for and 5 minutes against. In addition, the Leadership has not exercised the Majority Leader's new prerogative under the Rules to offer the motion to rise once the House is considering limitation amendments at the end of the process. This could be done, for instance, after allowing two limitation amendments per side, with time agreements on each.

Below is a listing of suggestions for alternative approaches to restrictive rules:

- **Time Limit Agreements** - The majority managers of appropriations bills should make a greater effort to seek unanimous consent to limit time on amendments, including amendments thereto.
- **Time Limit Motions** - The majority managers should take greater advantage of moving reasonable time limits on amendments, and, if necessary, on further amendments to a title. None has been moved to date as far as we know. Such motions on titles would still allow for ten minute debates on pre-printed amendments after the time has expired for debating priority amendments offered by both sides to the title.
- **Limiting Legislative Amendments** - The more legislative policy debates that are injected into the appropriations process, beyond mere cutting amendments, the longer the amendment process on each bill will take. A greater effort could be made by the Leadership to limit legislative provisions and amendments on appropriations bills in favor of debating and voting on these through the regular authorization process. In this way, the Leadership could reserve such debates in the appropriations process to only those major issues which the Leadership strongly feels must be attached to appropriations bills.
- **Limit Dilatory Motions** - Special rules could confine the minority to not more than one motion to strike the enacting clause per bill and also authorize not more than one motion to rise per day if offered by anyone other than the majority manager or the majority leader. At present, motions to strike the enacting clause are in order at any time there has been a change in the bill, i.e., an amendment adopted; and motions to rise are in order at any time after there has been only one intervening speech since the last such motion.
- **Second Rule** - If the above suggestions are still not sufficient in expediting action, the Leadership can always seek a second rule to further restrict amendments (as was done on the foreign ops bill), and blame Democrats for the need to do so.

In the beginning of the 104th Congress a Roll Call headline stated Chairman Solomon Says He plans to Grant Open Rules on 75 Percent of Bills Next Year.¹ On January 5th Chairman Solomon stated on the Floor “I am going to say to you now, today we are shooting to have 70 percent of those rules open so that as the minority and even the majority Members over here will have the right to work their will on the floor of this Congress.” We were encouraged by Mr. Solomon’s commitment to openness on the House floor and looked forward to a constructive Congress.

Unfortunately, not only did the majority not reach Chairman Solomon’s goal of 70 percent open rules, they employed what can only be described as a sleight of hand to define what is an open rule and what is restrictive rule in order to improve their statistics. According to the majority, 58.5 percent of the rules reported by the committee this session were categorized as open/modified open, 27.5 percent were structured/modified closed, and 14 percent were closed. We take some exception to these statistics because we believe that they do not honestly reflect the breakdown of special rules during the 104th Congress.

In their views for the Survey of Activities for the 102nd Congress, the Republicans railed against the Democrats rules classification system. They pointed out that the Republican classification system used in the 102nd Congress (and the 103rd): “while identifying individual rules as open, closed or modified closed, lists the latter two as restrictive for the purposes of its comparative tables since the differences between modified open and modified closed are often in the eye of the beholder and closed rules are simply the most extreme form of a restrictive rule.”²

In those same views the Republicans criticized rules which set an overall time limit on the amendment process: “The majority attempts to paint these as nearly open rules as well since as they observe of the 102nd Congress, under such rules ‘there were no instances in which the amendment process took the entire time allotted.’ Nevertheless, we are concerned that such time caps may well cut-off Members who otherwise would like to offer amendments, especially since the managers of the bills can cleverly see to it that most time is consumed on committee amendments.”³

They also classified rules which require amendments to be printed in the Congressional Record as restrictive. “The minority classifies such rules as modified open, though they are still restrictive. Members who have not had time to look at a bill and draft amendments prior to its being called up are still shut out of the process.”⁴

However, with their ascension to majority status, the Republicans came to the conclusion that their definition of what is open and restrictive was no longer needed. They now categorize special rules as follows. An open/modified open rule is defined as: “one under which any Member may offer a germane amendment under the five minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five minute rule subject only to an overall time limit on the amendment process

¹ Roll Call, November 28, 1994.

² Survey of Activities of the House Committee on Rules, 102nd Congress.

³ Survey of Activities of the House Committee on Rules, 102nd Congress.

⁴ Ibid.

and/or a requirement that the amendment be pre-printed in the Congressional Record.”⁵

The term restrictive has completely disappeared from their lexicon and in its place the term structured/modified closed appears. This type of rule is defined as: “one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendments.”

Why would the Republicans make such a change? We believe the answer to that can be found in the tables accompanying these views. This analysis clearly shows that if the Republicans had held themselves to the same rigid standards that they held us to when we were in the majority, that their numbers would be almost the exact opposite of what they purport them to be, 56 percent restrictive, 44 percent open. Essentially the Republicans decided to change the rules of the game in order to make their manipulation of the rules process look more open than that of the democrats. We find this disturbing and hypocritical considering the past statements made by Republicans on the floor of the House and in past Survey of Activities.

In this edition of the Survey of Activities the Republicans comment on the submission of charts which categorize rules in the Congressional Record during the course of this Congress. They correctly point out that we did not confine our charts solely to resolutions reported from the Rules Committee. In fact our chart was titled “Floor Procedure in the 104th Congress” and was intended to illustrate the Republicans’ use of parliamentary procedure to restrict the Democrats opportunity to amend legislation.

They took particular exception to the inclusion of several resolutions which provide for the disposition of Senate amendments. These resolutions are especially important because they provide for the consideration of Senate bills in the House and deny the minority its right to the motion to recommit. Frankly, we were shocked that the Republicans would take exception to their inclusion in our charts since they championed the protection of this right for so many years when they were in the minority. We would like to point out that for the purposes of this document, which is dedicated solely to activities of the Rules Committee, we have eliminated the six resolutions which were not reported from the committee.

No matter how the total is calculated, the statistics reveal that the Republicans fell well short of Chairman Solomon’s stated goal of reporting open rules on 70 percent of bills during the 104th Congress.

The following is a chart which documents the resolutions reported from the Rules Committee during the 104th Congress. This chart is different from the one which was submitted for the Congressional Record during the session and which the Republicans took strong exception to. The information contained in that chart covered all floor procedure during the session and included closed

⁵The Amendment Process Under Special Rules Reported by the Rules Committee 103rd Congress V. 104th Congress (as of September 30, 1996).

rules adopted by the House such as the resolution providing for the consideration of H.R. 1 which was not reported from the Committee. While we did take such resolutions out of this chart we did not exclude three resolutions which make in order House amendments to Senate amendments to House passed bills. The reason for this is because these rules clearly provide for the initial consideration of continuing resolutions and also restrict the minority's traditional right to the motion to recommit. For further discussion of this point please read the section titled Motion to Recommit.

ANALYSIS OF RESOLUTIONS, 104TH CONGRESS, 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 5	Unfunded Mandates	H. Res. 38	Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A
Contract H.J. Res. 2	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes; PQ **NR	2R, 4D
Contract H.R. 101	To transfer a parcel of land to the Taos Pueblo Indians of New Mexico.	H. Res. 51	Open	N/A
H.R. 400	To provide for the exchange of lands within Gates of the Arctic National Park and Preserve.	H. Res. 52	Open	N/A
H.R. 440	To provide for the conveyance of lands to certain individuals in Butte County, California.	H. Res. 53	Open	N/A
H.R. 2	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A
Contract H.R. 665	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A
Contract H.R. 666	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A
Contract H.R. 667	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A
Contract H.R. 668	The Criminal Alien Deportation Improvement Act.	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A
Contract H.R. 728	Local Government Law Enforcement Block Grants.	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A
Contract H.R. 7	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference; PQ	N/A
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive; makes in order only the Gibbons amendment; waives all points of order; Contains self-executing provision; PQ.	N/A
H.R. 830	The Paperwork Reduction Act	H. Res. 91	Open	N/A
Contract H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority.	H. Res. 92	Restrictive; makes in order only the Obey substitute	1D
H.R. 450	Regulatory Moratorium	H. Res. 93	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A
Contract H.R. 1022	Risk Assessment	H. Res. 96	Restrictive; 10 hr. Time Cap on amendments **NR	N/A

H.R. 926	Regulatory Flexibility	H. Res. 100	Open	N/A
Contract				
H.R. 925	Private Property Protection Act	H. Res. 101	Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment; waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D
Contract				
H.R. 1058	Securities Litigation Reform Act	H. Res. 105	Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it. **NR.	1D
Contract				
H.R. 988	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference	N/A
Contract				
H.R. 956	Product Liability and Legal Reform Act	H. Res. 109	Restrictive; makes in order only 15 germane amendments and denies 64 germane amendments from being considered; PQ.	8D; 7R
Contract				
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions.	H. Res. 115	Restrictive; Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) of rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A
H.J. Res. 73	Term Limits	H. Res. 116	Restrictive; Makes in order only 4 amendments considered under a "Queen of the Hill" procedure and denies 21 germane amendments from being considered. **NR.	1D; 3R
Contract				
H.R. 4	Welfare Reform	H. Res. 119	Restrictive; Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a "Queen of the Hill" procedure; All points of order are waived against the amendments. **NR.	5D; 26R
Contract				
H.R. 1271	Family Privacy Act	H. Res. 125	Open	N/A
Contract				
H.R. 660	Housing for Older Persons Act	H. Res. 126	Open	N/A
Contract				
H.R. 1215	The Contract With America Tax Relief Act of 1995.	H. Res. 128	Restrictive; Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D
Contract				
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive; waives cl 2(f)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A

ANALYSIS OF RESOLUTIONS, 104TH CONGRESS, 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A
H.R. 961	Clean Water Act	H. Res. 140	Open; pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A
H.R. 535	Coming National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.	H. Res. 145	Open	N/A
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive; Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language; PQ.	3D; 1R
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive; Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(l)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee.	N/A
H.R. 1530	National Defense Authorization Act FY 1996	H. Res. 164	Restrictive; Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes sections 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins; PQ.	36R; 18D; 2 Bipartisan
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold of spending amounts pending passage of Budget; PQ.	N/A

H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive; Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments; PQ.	5R, 4D; 2 Bipartisan
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ); PQ.	N/A
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority.	N/A
H.J. Res. 79	Constitutional Amendment to Permit Congress and the States to Prohibit the Physical Desecration of the American Flag.	H. Res. 173	Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr.; PQ.	N/A
H.R. 1944	Rescissions Bill	H. Res. 176	Restrictive; Provides for consideration of the bill in the House. Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment; PQ **NR.	N/A
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive; Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments; PQ.	N/A
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open; waives sections 302(f) and 308(a) of the Budget Act and cl. 2 and 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tausin amendment; self-executes Budget Committee amendment; waives cl. 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority; PQ.	N/A
H.R. 1977	Interior Appropriations	H. Res. 187	Open; waives sections 302(f), 306 and 308(a) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tausin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl. 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority; PQ.	N/A
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Sleen amendment first order of business; if adopted the amendment will be considered as base text (10 min); Pre-printing gets priority; PQ.	N/A
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive; provides for the further consideration of the bill; allows only amendments pre-printed before July 14th to be considered; limits motions to rise.	N/A

ANALYSIS OF RESOLUTIONS, 104TH CONGRESS, 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; provides the bill be read by title; Pre-printing gets priority; PQ.	N/A
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive; provides for consideration in the House of H.R. 2058 (90 min.) And H.J. Res. 96 (1 hr). Waives certain provisions of the Trade Act.	N/A
H.R. 2002	Transportation Appropriations	H. Res. 194	Open; waives cl. 3 of rule XIII and section 401(a) of the CBA against consideration of the bill; waives cl 6 and cl 2 of rule XXI against provisions in the bill; Makes in order the Clinger/Solomon amendment waives all points of order against the amendment (Line Item Veto); provides the bill be read by title; Pre-printing gets priority; PQ *RULE AMENDED*	N/A
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open; Makes in order the Resources Committee amendment in the nature of a substitute as original text; Pre-printing gets priority; Provides a Senate hook-up with S. 395.	N/A
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open; waives cl. 2 and cl. 6 of XXI against provisions in the bill; Pre-printing gets priority; provides the bill be read by title.	N/A
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Provides that the amendment in part 1 of the report is the first business, if adopted it will be considered as base text (30 min); waives all points of order against the Klug and Davis amendments; Pre-printing gets priority; Provides that the bill be read by title.	N/A
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive; 3 hours of general debate; Makes in order an amendment to be offered by the Minority Leader or a designee (1 hr); If motion to recommit has instructions it can only be offered by the Minority Leader or a designee. **NR.	1D
H.R. 2126	Defense Appropriations	H. Res. 205	Open; waives cl 21)(6) of rule XI and section 306 of the Congressional Budget Act against consideration of the bill; waives cl 2 and cl 6 of rule XXI against provisions in the bill; self-executes a strike of sections 8021 and 8024 of the bill as requested by the Budget Committee; Pre-printing gets priority; Provides the bill be read by title.	N/A
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive; waives sec. 302(f) of the Budget Act against consideration of the bill; Makes in order the Commerce Committee amendment as original text and waives sec. 302(f) of the Budget Act and cl. 5(a) of rule XXI against the amendment; Makes in order the Bliley amendment (30 min) as the first order of business; if adopted it will be original text; makes in order only the amendments printed in the report and waives all points of order against the amendments; provides a Senate hook-up with S. 652.	2R/3D/3 Bi-partisan

H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open; Provides that the first order of business will be the managers amendments (10 min), if adopted they will be considered as base text; waives cl 2 and cl 6 of rule XXI against provisions in the bill; waives all points of order against certain amendments printed in the report; Pre-printing gets priority; Provides the bill be read by title; PQ.	N/A
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open; 2 hrs of gen. debate. Makes in order the committee substitute as original text.	N/A
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive; waives sections 302(f), 308(a) and 401(b) of the Budget Act. Makes in order the committee substitute as modified by Govt. Reform amend (striking sec. 505) and an amendment striking title VII. Cl 7 of rule XVI and cl 5(a) of rule XXI are waived against the substitute. Sections 302(f) and 401(b) of the CBA are also waived against the substitute. Amendments must also be pre-printed in the Congressional Record.	N/A
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open; waives cl 7 of rule XVI against the committee substitute made in order as original text; Pre-printing gets priority.	N/A
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open; waives sections 302(f) and 308(a) of the Budget Act against consideration of the bill; bill will be ready by title; waives cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Pre-printing gets priority.	N/A
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open; waives section 302(f) and 401(b) of the Budget Act against the substitute made in order as original text (H.R. 2332), cl. 5(a) of rule XXI is also waived against the substitute. Provides for consideration of the managers amendment (10 min.) if adopted, it is considered as base text.	N/A
H.R. 2274	National Highway System Designation Act of 1995.	H. Res. 224	Open; waives section 302(f) of the Budget Act against consideration of the bill; Makes H.R. 2349 in order as original text; waives section 302(f) of the Budget Act against the substitute as well as cl. 5(a) of rule XXI and cl 1(q)(10) of rule X against the substitute; provides for the consideration of a managers amendment (10 min) if adopted, it is considered as base text; Pre-printing gets priority; PQ.	N/A
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995.	H. Res. 225	Restrictive; waives cl 2(U)(2)(B) of rule XI against consideration of the bill; makes in order H.R. 2347 as base text; waives cl 7 of rule XVI against the substitute; Makes Hamilton amendment the first amendment to be considered (1 hr). Makes in order only amendments printed in the report.	2R/2D
H.R. 743	The Teamwork for Employees and Managers Act of 1995.	H. Res. 226	Open; waives cl 2(U)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing gets priority.	N/A
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open; makes in order a committee amendment as original text; Pre-printing gets priority.	N/A
H.R. 1601	International Space Station Authorization Act of 1995.	H. Res. 228	Open; makes in order a committee amendment as original text; Pre-printing gets priority.	N/A

ANALYSIS OF RESOLUTIONS, 104TH CONGRESS, 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed; provides for the immediate consideration of the CR; one motion to commit which may have instructions only if offered by the Minority Leader or a designee. **NR.	
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995.	H. Res. 234	Open; self-executes a provision striking section 304(b)(3) of the bill (Commerce Committee request); Pre-printing gets priority. **NR.	N/A
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments.	H. Res. 237	Restrictive; waives cl 20(2)(B) of rule XI against the bill's consideration; makes in order of the text of the Senate bill S. 1254 as original text; Makes in order only a Conyers substitute; provides a Senate hook-up after adoption.	1D
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive; waives all points of order against the bill's consideration; makes in order the text of H.R. 2485 as original text; waives all points of order against H.R. 2485; makes in order only an amendment offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (3/5 requirement on votes raising taxes); PQ.	1D
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive; provides for consideration of the bill in the House; PQ **NR	N/A
H.R. 2491	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform.	H. Res. 245	Restrictive; makes in order H.R. 2517 as original text; waives all points of order against the bill; Makes in order only H.R. 2530 as an amendment only if offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXII (3/5 requirement on votes raising taxes); PQ.	1D
H.R. 1833	Partial Birth Abortion Ban Act of 1995	H. Res. 251	Closed	N/A
H.R. 2546	D.C. Appropriations FY 1996	H. Res. 252	Restrictive; waives all points of order against the bill's consideration; Makes in order the Walsh amendment as the first order of business (10 min); if adopted it is considered as base text; waives cl 2 and 6 of rule XXI against the bill; makes in order the Bomilla, Gunderson and Hostettler amendments (30 min); waives all points of order against the amendments; debate on any further amendments is limited to 30 min. each.	N/A
H.J. Res. 115	Further Continuing Appropriations for FY 1996.	H. Res. 257	Closed; Provides for the immediate consideration of the CR; one motion to commit which may have instructions only if offered by the Minority Leader or a designee. **NCR.	N/A
H.R. 2586	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive; Provides for the immediate consideration of the CR; one motion to re-commit which may have instructions only if offered by the Minority Leader or a designee; self-executes 4 amendments in the rule; Solomon, Medicare Coverage of Certain Anti-Cancer Drug Treatments, Habeas Corpus Reform, Chrysler (MI); makes in order the Walker amend (40 min) on regulatory reform.	5R
H.R. 2539	ICC Termination	H. Res. 259	Open; waives section 302(f) and section 308(a).	

H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1 hr) **NR.	N/A
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt.	H. Res. 262	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1 hr).	N/A
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed; provides for consideration of the bill in the House; 30 min of debate; makes in order the Burton amendment and the Gingrich en bloc amendment (30 min each); waives all points of order against the amendments; Gingrich is only in order if Burton fails or is not offered.	2R
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open; waives cl. 2(i)(6) of rule XI against the bill's consideration; waives all points of order against the Istook and McIntosh amendments.	N/A
H.J. Res. 122	Continuing Appropriations FY 1996	H. Res. 270	Restrictive; provides for consideration of the bill in the House; makes in order a motion to recommit which may include instructions only if offered by the Minority Leader or his designee.	N/A
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive; waives all points of order against the bill's consideration; provides one motion to amend if offered by the Minority Leader or designee (1 hr non-amendable); motion to recommit which may have instructions only if offered by Minority Leader or his designee; if Minority Leader motion is not offered debate time will be extended by 1 hr. **NR.	N/A
H.R. 1788	Antrak Reform and Privatization Act of 1995 ..	H. Res. 284	Open; waives all points of order against the bill's consideration; makes in order the Transportation substitute modified by the amend in the report; Bill read by title; waives all points of order against the substitute; makes in order a manager's amend as the first order of business, if adopted it is considered base text (10 min); waives all points of order against the amendment; Pre-printing gets priority.	N/A
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open; makes in order the committee substitute as original text; makes in order a manager's amendment which if adopted is considered as original text (20 min) unamendable; pre-printing gets priority.	N/A
H.R. 2621	To Protect Federal Trust Funds	H. Res. 293	Closed; provides for the adoption of the Ways & Means amendment printed in the report. 1 hr. of general debate; PQ **NR.	N/A
H.R. 1745	Utah Public Lands Management Act of 1995 ..	H. Res. 303	Open; waives cl 2(i)(6) of rule XI and sections 302(f) and 311(a) of the Budget Act against the bill's consideration. Makes in order the Resources substitute as base tax and waives cl 7 of rule XVI and sections 302(f) and 308(a) of the Budget Act; makes in order a manager's amend as the first order of business, if adopted it is considered base text (10 min).	N/A
H.R. 2770	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia.	H. Res. 304	Closed; makes in order three resolutions; H.R. 2770 (Dorman), H. Res. 302 (Buyer), and H. Res. 306 (Gephardt); 1 hour of debate on each. **NR.	1D, 2R
H. Res. 306	Revised Budget Resolution	H. Res. 309	Closed; provides 2 hours of general debate in the House; PQ	N/A
H. Con. Res. 122	Texas Low-Level Radioactive Waste Disposal Compact Consent Act.	H. Res. 313	Open; pre-printing gets priority	N/A

ANALYSIS OF RESOLUTIONS, 104TH CONGRESS, 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 134	Further Continuing Appropriations for FY 1996	H. Res. 317	Restrictive; provides for consideration of the bill in the House; one motion to re-commit which may contain instructions if offered by the minority leader or his designee.	N/A
H.R. 2677	The National Parks and National Wildlife Refuge Systems Freedom Act of 1995.	H. Res. 323	Closed; consideration in the House; self-executes Young amendment. **NR	N/A

*Contract Bills, 58% restrictive; 42% open.
 **All legislation 1st Session, 51% restrictive; 49% open.
 ***All legislation 2nd Session, 62% restrictive; 38% open.
 ****All legislation 104th Congress, 56% restrictive; 44% open.
 *****NR indicates that the legislation being considered by the House for amendment has circumvented standard procedure and was never reported from any House committee.
 *****PQ indicates that the previous question was ordered on the resolution.
 *****Restrictive rules are those which limit the number of amendments which can be offered, and include so called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress. N/A means not available.

ANALYSIS OF RESOLUTIONS, 104TH CONGRESS, 2ND SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS

Bill No.	Title	Resolution No.	Process used for consideration	Amendments in order
H.R. 1643	To Authorize the extension of nondiscriminatory treatment (MFN) to the products of Bulgaria.	H. Res. 334	Closed; provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the rules Committee report; 1 hr. of general debate; previous question is considered as ordered. **NR; PQ	N/A
H.J. Res. 134 H. Con. Res. 131	Making Continuing Appropriations/Establishing procedures making the transmission of the continuing resolution H.J. Res. 134.	H. Res. 336	Closed; provides to take from the Speaker's table H.J. Res. 134 with the Senate amendment and concur with the Senate amendment with an amendment (H. Con. Res. 131) which is self-executed in the rule. The rule provides further that the bill shall not be sent back to the Senate until the Senate agrees to the provisions of H. Con. Res. 131. **NR; PQ	N/A
H.R. 1358	Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts.	H. Res. 338	Closed; provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered. **NR; PQ	N/A
H.R. 2924	Social Security Guarantee Act	H. Res. 355	Closed; **NR; PQ	N/A

H.R. 2854	The Agricultural Market Transition Program	H. Res. 366	Restrictive; waives all points of order against the bill; 2 hrs. of gen. debate; makes in order a committee substitute as original text and waives all points of order against the substitute; Makes in order only the 16 amends printed in the report and waives all points of order against the amendments; Circumvents unfunded mandates law; Chairman has en bloc authority for amends in report (20 min) on each en bloc; PQ.	5D; 9R; 2 Bipartisan
H.R. 994	Regulatory Sunset & Review Act of 1995	H. Res. 368	Open rule; makes in order the Hyde substitute printed in the Record as original text; waives cl 7 of rule XVI against the substitute; Pre-printing gets priority; vacates the House action on S. 219 and provides to take that bill from the Speakers table and consider the Senate bill; allows Chrmn. Clinger a motion to strike all after the enacting clause of the Senate bill and insert the text of H.R. 994 as passed by the House (1 hr) debate; waives germaneness against the motion; provides if the motion is adopted that it is in order for the House to insist on its amendments and request a conference. RULE TABLED.	N/A
H.R. 3021	To Guarantee the Continuing Full Investment of Social Security and Other Federal Funds in Obligations of the United States.	H. Res. 371	Closed rule; gives one motion to recommit, which if it contains instructions, may only if offered by the Minority Leader or his designee. **NR.	N/A
H.R. 3019	A further Downpayment Toward a Balanced Budget.	H. Res. 372	Restrictive; self-executes CBO language regarding contingency funds in section 2 of the rule; makes in order only the amendments printed in the report; Lowey (20 min), Istook (20 min), Crapo (20 min), Obey (1 hr); waives all points of order against the amendments; gives one motion to recommit, which if contains instructions, may only if offered by the Minority Leader or his designee. **NR.	2D/2R
H.R. 2703	The Effective Death Penalty and Public Safety Act of 1996.	H. Res. 380	Restrictive; makes in order only the amendments printed in the report; waives all points of order against the amendments; gives Judiciary Chairman en bloc authority (20 min) on en blocs; provides a Senate hook-up with S. 735. **NR.	6D; 7R; 4 Bipartisan
H.R. 2202	The Immigration and National Interest Act of 1995.	H. Res. 384	Restrictive; waives all points of order against the bill and amendments in the report except for those arising under sec. 425(a) of the Budget Act (unfunded mandates); 2 hrs. of general debate on the bill; makes in order the committee substitute as base text; makes in order only the amends in the report; gives the Judiciary Chairman en bloc authority (20 min) of debate on the en blocs; self-executes the Smith (TX) amendment re: employee verification program; PQ.	12D; 19R; 1 Bipartisan
H.J. Res. 165	Making Further Continuing Appropriations for FY 1996.	H. Res. 386	Closed; provides for the consideration of the CR in the House and gives one motion to recommit which may contain instructions only if offered by the Minority Leader; the rule also waives cl 4(b) of rule XI against the following; an omnibus appropriations bill, another CR, a bill extending the debt limit. **NR.	N/A
H.R. 125	The Gun Crime Enforcement and Second Amendment Restoration Act of 1996.	H. Res. 388	Closed; self-executes an amendment; provides one motion to recommit which may contain instructions only if offered by the Minority Leader or his designees. **NR.	N/A

ANALYSIS OF RESOLUTIONS, 104TH CONGRESS, 2ND SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for consideration	Amendments in order
H.R. 3136	The Contract With America Advancement Act of 1996.	H. Res. 391	Closed; provides for the consideration of the bill in the House; self-executes an amendment in the Rules report; waives all points of order, except sec. 425(a)(unfunded mandates) of the CBA, against the bill's consideration; orders the PQ except 1 hr. of general debate between the Chairman and Ranking Member of Ways and Means; one Archer amendment (10 min); one motion to recommit which may contain instructions only if offered by the Minority Leader of his designee; Provides a Senate hookup if the Senate passes S.4 by March 30, 1996. **NR.	N/A
H.R. 3103	The Health Coverage Availability and Affordability Act of 1996.	H. Res. 392	Restrictive; 2 hrs. of general debate (45 min split by Ways & Means) (45 split by Commerce) (30 split by Economic and Educational Opportunities); self-executes H.R. 3160 as modified by the amendment in the Rules report as original text; waives all points of order, except sec. 425(a)(unfunded mandates) of the CBA; makes in order a Democratic substitute (1 hr) waives all points of order, except sec. 425(a)(unfunded mandates) of the CBA, against the amendment; one motion to recommit which may contain instructions only if offered by the Minority Leader or his designee; waives cl 5 ^o of Rule XXI (requiring 3/5 vote on any tax increase) on votes on the bill, amendments of conference reports.	N/A
H.J. Res. 159	Tax Limitation Constitutional Amendment	H. Res. 395	Restrictive; provides for consideration of the bill in the House; 3 hrs of general debate; Makes in order H.J. Res. 169 as original text; allows for an amendment to be offered by the Minority Leader or his designee (1 hr) **NR; PQ.	1D
H.R. 842	Truth in Budgeting Act	H. Res. 396	Open; 2 hrs of general debate; Pre-printing gets priority	N/A
H.R. 2715	Paperwork Elimination Act of 1996	H. Res. 409	Open; Preprinting gets priority	N/A
H.R. 1675	National Wildlife Refuge Improvement Act of 1995.	H. Res. 410	Open; Makes the Young amendment printed in the 4/16/96 Record in order as original text; waives cl 7 of rule XVI against the amendment; Preprinting gets priority; **NR.	N/A
H.J. Res. 175	Further Continuing Appropriations for FY 1996	H. Res. 411	Closed; provides for consideration of the bill in the House; one motion to recommit which, if containing instructions, may be offered by the Minority Leader or his designee. **NR.	N/A
H.R. 2641	United States Marshals Service Improvement Act of 1996.	H. Res. 418	Open; Pre-printing gets priority; Senate hook-up. **PQ	N/A
H.R. 2149	The Ocean Shipping Reform Act	H. Res. 419	Open; Makes in order a managers amendment as the first order of business (10 min); if adopted it is considered as base text; waives cl 7 of rule XVI against the managers amendment; Pre-printing gets priority; makes in order an Oberstar en bloc amendment.	N/A

H.R. 2974	To amend the Violent Crime Control and Law Enforcement Act of 1994 to provide enhanced penalties for crimes against elderly and child victims.	H. Res. 421	Open; waives cl 7 of rule XIII against consideration of the bill; makes in order the Judiciary substitute printed in the bill as original text; waives cl 7 of rule XVI against the substitute; Pre-printing gets priority.	N/A
H.R. 3120	To amend Title 18, United States Code, with respect to witness retaliation, witness tampering and jury tampering.	H. Res. 422	Open; waives cl 7 of rule XIII against consideration of the bill; makes in order the Judiciary substitute printed in the bill as original text; waives cl 7 of rule XVI against the substitute; Pre-printing gets priority.	N/A
H.R. 2406	The United States Housing Act of 1996	H. Res. 426	Open; makes in order the committee substitute printed in the bill as original text; waives cl 5(a) of rule XXI against the substitute; makes in order a managers amendment as the first order of business (10 min); if adopted it is considered as base text; Pre-printing gets priority; provides a Senate hook-up. **PQ.	N/A
H.R. 3322	Omnibus Civilian Science Authorization Act of 1996.	H. Res. 427	Open; waives cl 21(1)(2) of rule XI against the bill's consideration; makes in order a managers amendment as the first order of business (10 min); if adopted it is considered as base text; waives cl 5(a) of rule XXI against the bill; pre-printing gets priority.	N/A
H.R. 3286	The Adoption Promotion and Stability Act of 1996.	H. Res. 428	Restrictive; provides consideration of the bill in the House; makes in order the Ways & Means substitute printed in the bill as original text; makes in order a Gibbons amendment to title II (30 min) and a Young amendment (30 min); provides one motion to recommit which may contain instructions only if offered by the Minority Leader or his designee.	ID; IR
H.R. 3230	Defense Authorization Bill FY 1997	H. Res. 430	Restrictive; makes in order the committee substitute printed in the bill as original text; waives all points of order against the substitute; makes in order only the amendments in the report; waives all points of order against the amendments; provides an extra 40 min of debate on Cooperative Threat Reduction; provides the Chairman with en bloc authority; provides Chairman authority to cluster votes and to consider amendments out of order.	200; 17R; 4 Bipartisan
H. Con. Res. 178	FY 1997 Budget Resolution	H. Res. 435	Restrictive; Makes in order three substitutes printed in the report; Payne (NJ); Orton and Sabo; waives all points of order against the substitutes. If one of the substitutes is adopted then that will conclude the consideration of the concurrent resolution for amendment; provides for 40 min of general debate after the concurrent resolution is considered for amendment; waives rule XLIX against the adoption of a concurrent resolution for the budget; if H. Con. Res. 178 is agreed to, allocations of spending and credit responsibilities in House Rept. 104-575 shall be considered the 602(a)s. However, upon adoption by the Congress of a budget resolution this shall cease to apply.	3D
H.R. 3415	Repeal of the 4.3-Cent increase in Transportation Fuels Taxes.	H. Res. 436	Closed; waives all points of order against the bill and its consideration; self-executes a Bilely amendment. **PQ.	N/A

ANALYSIS OF RESOLUTIONS, 104TH CONGRESS, 2ND SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for consideration	Amendments in order
H.R. 3259	Intelligence Authorization Act for FY 1997	H. Res. 437	Restrictive; waives sections 302(f), 308(a), and 401(a) of the Budget Act against consideration of the bill; waives cl 7 of rule XVI and cl 5(b) of rule XXI against the amendment in the nature of a substitute printed in the bill as original text; also waives sections 302(f) and 401(a) of the Budget Act against the substitute; makes in order only those amendments which are preprinted in the Congressional Record.	N/A
H.R. 3144	The Defend America Act	H. Res. 438	Restrictive; waives all points of order against the bill; makes in order the Spratt substitute and waives all points of order against the substitute.	1D
H.R. 3448/H.R. 1227	The Small Business Job Protection Act of 1996, and The Employee Commuting Flexibility Act of 1996.	H. Res. 440	Restrictive; provides for consideration of the bill in the House without the intervention of points of order except 425(a) of the CBA; makes in order the Ways & Means substitute amendment as original text (1 hr. of debate); waives all points of order except 425(a) of the CBA against the substitute; Self executes an amendment by the Educational Opportunities Committee adding a short title; 90 min of debate on 1227; makes in order a Riggs amendment (90 min) and a Goodling amendment (1 hr); allows Goodling to be divided on section 3(d), the small business exemption; waives all points of order against the amendments except for 425(a) of the CBA; directs the Clerk in the engrossment of 3448, to wait until 1227 is complete, add that text to 3448, lay 1227 on the table and send 3448 to the Senate. Provides that cl 5c of rule XI shall not apply to H.R. 3448.	2R
H.R. 3517	Military Construction Appropriations FY 1997	H. Res. 442	Open; waives cl 7 of rule XXI against the bill and waives clauses 2 and 6 of rule XXI against certain provisions in the bill; provides that if a motion to rise and report, if offered by the Majority Leader or his designee, after the reading of the final lines of the bill, will be privileged. Pre-printing gets priority.	N/A
H.R. 3540	Foreign Operations Appropriations FY 1997	H. Res. 445	Open; waives cl 1(b) of rule X and cl 7 of rule XXI against the bills consideration; waives cl 2 and cl 5(b) of rule XXI against certain provisions in the bill; provides that if a motion to rise and report if offered by the Majority Leader or his designee, after the reading of the final lines of the bill, will be privileged. Pre-printing gets priority.	N/A
H.R. 3562	The Wisconsin Works Waiver Approval Act	H. Res. 446	Restrictive; self executes a technical amendment in the rule; makes in order the Kleczka amendment (1 hr).	1D
H.R. 2754	Shipbuilding Trade Agreement Act	H. Res. 448	Restrictive; makes in order the Ways and Means amendment in the nature of a substitute as original text; self executes the National Security amendment printed in the report; makes in order the Bateman amendment printed in the report (1 hr.); waives all points of order against the bills consideration, substitute as modified and Bateman amendment.	1R

H.R. 3603	Agriculture Appropriations FY 1997	H. Res. 451	N/A
			Open; waives cl 2(I)(6) of rule XI, cl 7 of rule XXI and section 302 ^(e) of the CBA against the bill's consideration; waives clauses 2 and 6 of rule XXI against the bill; Pre-printing gets priority; provides that if a motion to rise and report is offered by the Majority Leader or his designee, after the reading of the final lines of the bill, will be privileged; self-executes a readjustment of 602(b) allocations in the rule.
H.R. 3610	Defense Appropriations FY 1997	H. Res. 453	N/A
			Open; waives cl 2(I)(6) of rule XI and cl 7 of rule XXI and section 302 ^(e) against the bill's consideration; waives clauses 2 and 6 of rule XXI against the bill; makes in order a managers amendment which will cut \$800 million from the bill to comply with a new 602(b) allocation (20 min) if adopted the amendment is considered base text; Pre-printing gets priority; provides that if a motion to rise and report is offered by the Majority Leader or his designee, after the reading of the final lines of the bill, will be privileged.
H.R. 3662	Interior Appropriations FY 1997	H. Res. 455	N/A
			Open; waives cl 2(I)(6) of rule XI and cl 7 of rule XXI against the bill's consideration; waives cl 2 and 6 of rule XXI against certain provisions in the bill; self executes an amendment striking the last proviso under the heading "Strategic Petroleum Reserve"; Pre-printing gets priority; provides that if a motion to rise and report is offered by the Majority Leader or his designee, after the reading of the final lines of the bill, will be privileged.
H.R. 3666	VA/HUD Appropriations FY 1997	H. Res. 456	N/A
			Open; waives cl 2(I)(6) of rule XI, cl 7 of rule XXI and section 302(f) of the CBA against the bill's consideration; waives cl 2 and 6 of rule XXI against certain provisions in the bill; self executes a provision making the \$861 million for Superfund subject to future appropriation rather than authorization; Pre-printing gets priority; provides that if a motion to rise and report is offered by the Majority Leader or his designee, after the reading of the final lines of the bill, will be privileged.
H.R. 3675	Transportation Appropriations FY 1997	H. Res. 460	N/A
			Open; waives section 401(a) of the CBA against consideration of the bill; waives cl 2 and 6 of rule XXI against certain provisions in the bill; self executes an amendment striking the language on the Denver Airport from the bill; Pre-printing gets priority; provides that if a motion to rise and report is offered by the Majority Leader on his designee, after the reading of the final lines of the bill, will be privileged.
H.J. Res. 182/H. Res. 461	Disapproving MFN Status for the People's Republic of China/Regarding the People's Republic of China.	H. Res. 463	N/A
			Closed; provides for consideration of the bills in the House; waives all points of order against the joint resolution and its consideration; provides 2 hrs. of general debate and orders the previous question; provides 1 hour of general debate on H. Res. 461 after the disposition of H.J. Res. 182 and orders the previous question.
H. Con. Res. 192	Adjournment Resolution for the Independence Day Recess.	H. Res. 465	N/A
			Restrictive; provides for the consideration of the adjournment resolution in the House.

ANALYSIS OF RESOLUTIONS, 104TH CONGRESS, 2ND SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for consideration	Amendments in order
H.R. 3755	Labor HHS Appropriations, FY 1997	H. Res. 472	Open; waives cl 2(i)(6) of rule XI, cl 7 of rule XXI and sections 302 and 308 of the CBA against the bill's consideration; 2 hrs. of gen. debate; waives clauses 2 and 6 of rule XXI against provisions in the bill; Pre-printing gets priority; provides that if a motion to rise and report is offered by the Majority Leader or his designee, after the reading of the final lines of the bill, will be privileged.	N/A
H.R. 3754	Legislative Branch Appropriations, FY 1997	H. Res. 473	Restrictive; waives cl 2(i)(6) of rule XI, cl 7 of rule XXI and sections 302 and 308 of the CBA against the bill's consideration; 2 hrs. of gen. debate; waives clauses 2 and 6 of rule XXI against provisions in the bill; makes in order only the amendments printed in the report; waives all points of order against the amendments. Preprinting gets priority; provides that if a motion to rise and report is offered by the Majority Leader or his designee, after the reading of the final lines of the bill, will be privileged.	3D, 5R
H.R. 3396	Defense of Marriage	H. Res. 474	Restrictive; waives cl 2(i)(6); makes in order 2 amendments by Mr. Frank; 1. (75 min); 2. (15 min); waives all points of order against the amendments.	2D
H.R. 3756	Treasury, Postal Appropriations FY 1997	H. Res. 475	Open; waives sections 302(f), 308(a) and 401(b) of the CBA against the bill's consideration; self executes a provision in the rule concerning expedited procedures; waives clauses 2 and 6 of rule XXI against certain provisions in the bill; makes in order 3 amendments; Lightfoot (10 min); Metcalf/Luther (30 min) and Gulknecht/Luther (20 min); Pre-printing gets priority; provides that if a motion to rise and report is offered by the Majority Leader or his designee, after the reading of the final lines of the bill, will be privileged.	N/A
H.R. 3814	Commerce, Justice State Appropriations, FY 1997	H. Res. 479	Open; waives cl 2(i)(6) of rule XI and cl 7 of rule XVI against the bill's consideration; waives clause 2 and 6 of rule XXI against certain provisions in the bill; Makes in order a Rogers amendment as the first order of business (10 min); Pre-printing gets priority; provides that if a motion to rise and report is offered by the Majority Leader or his designee, after the reading of the final lines of the bill, will be privileged.	N/A
H.R. 3820	Campaign Finance Reform	H. Res. 481	Restrictive; makes in order only one substitute (H.R. 3505) which can be modified by an amendment in the report, if offered by the Minority Leader (1 hr); waives all points of order against the substitute.	1D
H.R. 3734	The Personal Responsibility Act of 1996 (Welfare Reform).	H. Res. 482	Restrictive; waives all points of order against the bill's consideration; provides 2 hrs. of additional general debate; self-executes H.R. 3829, as original text as modified by an amendment printed in the report; makes in order an amendment printed in the report if offered by Mr. Kasich or his designee (20 min); makes a Tanner Castle substitute (H.R. 3832) (1 hr).	1D/1R

H.R. 3816	Energy Appropriations, FY 1997	H. Res. 483	Open; waives clauses 2 and 6 of rule XXI against certain provisions in the bill; pre-printing gets priority; provides that if a motion to rise and report is offered by the Majority Leader or his designee, after the reading of the final lines of the bill, will be privileged.	N/A
H.R. 2391	Working Families Flexibility Act of 1996	H. Res. 488	Restrictive; makes in order the committee amendment substitute in order as base text; waives cl 7 of rule XVI against the substitute; makes in order a managers amendment which if adopted will be considered as base text (10 min); provides a 2 hour time cap on the amendment process; only amendments pre-printed in the Record are in order.	N/A
H.R. 2823	The International Dolphin Conservation Program Act.	H. Res. 489	Restrictive; makes in order an amendment printed in the Record numbered 1 as original text; makes in order a Miller amendment (1 hr).	1D
H.R. 423	English as the Official Language of Government.	H. Res. 499	Restrictive; waives cl 2(i)(6) of rule XI against the bill's consideration; makes in order H.R. 3898 as original text; waives cl 7 of rule XVI against the substitute; makes in order 5 amendments; Cunningham (10 min), Guterrez (20 min), Scott (20 min), Serrano (20 min), Serrano (1 hr); waives all points of order against the amendments.	4D; 1R
H.R. 3719	The Small Business Programs Improvement Act of 1996.	H. Res. 516	Open; waives cl 2(i)(2)(B) of rule XI against the bill and its consideration; waives cl 5(a) of rule XXI against the committee substitute.	N/A
H.R. 3308	United States Armed Forces Protection Act	H. Res. 517	Restrictive; makes in order only the amendments printed in the report; Spence (10 min); Bartlett/Chenoweth/Traficant (40 min); Schroeder (20 min).	1D; 1R; 1 Bipartisan
H.R. 4134	Authorizing States to deny public education benefits to certain aliens not lawfully present in the United States.	H. Res. 530	Closed	N/A

* Contract Bills, 58% restrictive; 42% open.
 ** All legislation 1st Session, 51% restrictive; 49% open.
 *** All legislation 2nd Session, 62% restrictive; 38% open
 **** All legislation 104th Congress, 56% restrictive; 44% open.
 ***** NR indicates that the legislation being considered by the House for amendment has circumvented standard procedure and was never reported from any House committee.
 ***** PQ indicates that the previous question was ordered on the resolution.
 ***** Restrictive rules are those which limit the number of amendments which can be offered, and include so called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress. N/A means not available.

MOTION TO RECOMMIT

While in the minority, Republicans staunchly defended the right to offer a motion to recommit, and promised to expand that right when they took over the House. On the first day of the 104th Congress, they did what they said; they amended clause 4(b) of rule XI to reaffirm the minority's long-standing right to offer a motion to recommit and added protection for a motion to recommit with instructions, at least if it is offered by the minority leader or a designee.

But once again, they did not live up to their promises. In fact, they found innovative ways to undercut their commitments both to the motion to recommit with instructions and even the long-protected simple motion to recommit.

There were questions raised about some of the first rules reported from the Committee which did not explicitly provide for a motion to recommit with instructions. These might have inadvertently violated the amended rule XI. For example, the rule providing for consideration of the Taos Pueblo Indians Land Transfer bill did not originally provide for a motion to recommit with instructions. The rule did provide for consideration of a committee amendment in the nature of a substitute. Under the rules and precedents of the House, a Member cannot offer an amendment to text already amended. Adoption of the committee substitute would amend the entire text and thereby preclude a motion to recommit with instructions unless explicitly sanctioned by the rule. A point of order was not pressed when the majority agreed to amend the rule on the floor to explicitly permit the motion to recommit with instructions.

The most dangerous precedents were set by a series of rules reported at the beginning of the second session—in the midst of the fiscal crisis created by the Republican shut-down of the federal government.

Exactly one year and a day after adopting the expanded protection, the Republican majority found a way to break its commitment to protect even the simple motion to recommit. On January 5, 1996, the Republican leadership used a transparent parliamentary ploy—not once, not twice, but three times—to circumvent the rule assuring the minority a motion to recommit. Clause 4(b) of rule XI, first adopted in 1909, prohibits the Rules Committee from reporting a resolution that prevents the minority from offering a motion to recommit. Specifically, clause 4(b) prohibits the Rules Committee from reporting a rule that “would prevent the motion to recommit from being made as provided in clause 4 of rule XVI” and clause 4 of rule XVI states that the motion will be in order “after the previous question shall have been ordered on the passage of a bill or joint resolution.”

The clear purpose of protecting the motion to recommit on passage of “bills and joint resolutions” is to guarantee that when the House first takes up a legislative proposal, the minority has a right to offer its point of view as the last matter decided before voting on passage.

On January 5, the Republican majority in the House approved three extraordinarily restrictive rules providing for initial consider-

ation of three new approaches to continuing appropriations. Instead of introducing a new bill or joint resolution to provide continuing appropriations—as would ordinarily be the case—the House took up a new House amendment to a Senate amendment to an unrelated House bill. For example, one rule hijacked a germane Senate amendment to a House bill dealing with the National Marine Fisheries Service lab in order to attach a continuing appropriations measure.

The obvious and intended effect in all three cases was to circumvent the prohibition against the Committee on Rules reporting a rule that prevents a motion to recommit on initial consideration.

There were other problems created by this scheme to avoid the motion to recommit: (1) in one case, the effort allowed the Senate to initiate appropriations against all the traditions of the House, and (2) in the remaining two examples, the rule was self-executing, denying Members the opportunity to voice their concern over the procedure without voting against undoing the Republican shutdown.

The first rule, House Resolution 334, provided for consideration in the House of an unusual continuing appropriation amendment to a Senate clean and simple CR. The Senate CR was a non-germane amendment to an unrelated bill, H.R. 1643, extending most-favored-nation duty status for products from Bulgaria. Before this Congress, the House would have simply ignored the Senate amendment to H.R. 1643. The House had previously guarded its traditional and precious prerogative to initiate appropriations, by blueslipping Senate appropriation measures and not taking up Senate amendments to House bills where such amendments initiate appropriations. By taking up H.R. 1643 with the Senate amendment, the House signaled its acceptance of the Senate infringement on the custom and privilege of the House to initiate spending. This price did not seem too high for the Republican leadership so long as it bought a way to prevent Democrats from offering an amendment or a simple motion to recommit.

The next two rules, House Resolutions 336 and 338, went a step further. Not satisfied with blocking all amendments and the motion to recommit, the Republican majority denied any separate debate on the House amendment. Adoption of the rule constituted adoption of the House amendment. When the House passed the rule, the underlying bill and amendments were automatically sent to the Senate without further debate or vote.

In effect, this precludes any serious discussion of the process. The seriousness of the issues involved—the threat of another costly government shutdown if the continuing appropriation was not passed—overwhelmed any debate about the motion to recommit. If any fair-minded Republicans had wanted to protest this rule (and its repudiation of the Republican commitment to a motion to recommit) they could not protest without fear of contradicting the Speaker's new policy on continuing government functions.

On the question at hand, the motion to recommit, a self-executing rule is not in order on initial consideration; it would violate the old and new rule protecting the motion to recommit. What permitted the self-executing rule was again the technique of hijacking an unrelated House bill with a Senate amendment to bring up a

new legislative proposal, instead of introducing a new bill or joint resolution. The self-executing rule enabled the Republican leaders to deny the motion to recommit and to stifle any protest as well.

Finally, the Republican leaders discovered one other inventive way to block consideration of a motion to recommit with instructions. The very first use of the new unfunded mandates point of order was to block consideration of a motion to recommit with instructions concerning minimum wage. In order to avoid a direct vote on the motion to recommit, the majority hid behind the question of consideration. For further explanation see the next section “Unfunded Mandates unwaivable ‘Point of Order’.”

In all, the Republicans found several creative ways to deny both the simple motion to recommit and the motion to recommit with instructions. There are costs, grave costs, attached to their abandoning this promise.

UNFUNDED MANDATES UNWAIVABLE “POINT OF ORDER”

The Republicans pledged to stop unfunded mandates on state and local governments by imposing new restrictions on the ability of Congress to impose such economic burdens. Instead they instituted a flawed system that has proven to be a partisan tool to stop legislative items that the Republican leadership does not want to move forward. Public Law 104–4 implemented the Unfunded Mandates Reform Act of 1995, the first major piece of legislation signed into law during the 104th Congress. This measure, which enjoyed wide bipartisan support, was intended to prevent the imposition of unfunded mandates on public and private sector entities. However, this well-intentioned bill contained a major flaw—a new, non-waivable point of order. The legislation (in Section 425) specifically prevents the Rules Committee from waiving the point of order that may be triggered when there is (or is believed to be) an unfunded mandate in any bill, joint resolution, motion, conference report, or amendment. Only a small handful of House Rules in the history of the House of Representatives have ever been given this extraordinary protection. If a member raises an unfunded mandates point of order, all he or she need do is cite the provision in the measure under debate that is alleged to impose a mandate as defined in Section 425 of PL 104–4. There is an automatic 20 minutes of debate followed by a vote. There is no parliamentary or budgetary ruling on the validity of the point of order and there is no burden of proof on the member raising the point of order. It does not matter if the point of order is baseless. Simply raising the point of order requires the House to vote on whether to consider the text that is challenged. A simple majority of the House, for any reason, regardless of whether there is any legitimate financial imposition or not, can deny the opportunity for the House to proceed with an otherwise germane and viable legislative measure.

During consideration of the unfunded mandates legislation we on the minority side of the Rules panel expressed concern over this provision of the bill noting that it could be used both to stop legislation not containing unfunded mandates from being considered on the Floor and as a dilatory tactic to disrupt the legislative process. We were always assured that this would not be used for this purpose. However, on the first formal raising of the point of order, it

was used as a partisan tool to prevent the consideration of a legitimate legislative measure, a measure which did not even contain an unfunded mandate (a letter from the Congressional Budget Office confirmed this fact). Moreover, to add insult to injury, this tactic was used to prevent the minority from offering a germane motion to recommit with instructions, something that Republicans in previous Congresses had considered to be so sacred that one of their first changes in the House Rules in the 104th Congress was to guarantee the right of the minority to offer this motion. The motion (to H.R. 3136) would have required the implementation of an increase in the minimum wage before provisions in the underlying bill would be enacted. It did not directly implement the increase but rather called for subsequent legislative action to accomplish that goal. However, in this instance because the contents of the motion to recommit were controversial and opposed by the majority leadership at that time, the unfunded mandate point of order was used improperly to prevent any consideration of the issue contained in the motion. The vote on this non-unfunded mandate was nearly party line vote of 192 to 228.

Ironically, the second formal use of the unfunded mandate point of order was used on the same subject matter, only this time the provision against which the point of order was raised actually implemented the minimum wage increase and therefore contained a legitimate unfunded mandate (again, confirmed in a letter by the Congressional Budget Office). But, by that time, due to an enormous public outcry, the Republican leadership wanted the measure to be considered and voted upon by the full House of Representatives. The vote (on H.R. 1227) to allow the consideration of the unfunded mandate notwithstanding the point of order was 267 to 161. Thus, a measure that did not contain an unfunded mandate was blocked from consideration and one which did have a substantial unfunded mandate was allowed to proceed.

Because of the way this point of order was crafted, unless it is changed, there is no way to prevent future abuses. We are terribly concerned that if this practice continues, it will simply become a back-door approach to halt any discussion or vote on an otherwise appropriate and in-order measure, particularly in the case of the motion to recommit. We believe that the Rules Committee majority must move to stop this egregious misuse of this otherwise viable point of order and hope that they will convey to the Republican leadership that this use of the unfunded mandates legislation is not a legitimate method to squelch debate and Floor action on responsible legislative initiatives, regardless of the level of controversy they may generate. The Unfunded Mandates Reform Act was intended to draw attention to financial burdens imposed on state and local governments and the private sector. It should not be used as a weapon to prevent the consideration of viable and responsible legislative initiatives and certainly not to prevent the minority from its right to offer a motion to recommit with instructions. The majority must carefully consider the ramifications of misusing the unfunded mandates point of order for purposes other than the legislative intentions spelled out in PL 104-4.

BLANKET WAIVERS OF POINTS OF ORDER

The Republicans promised not to grant blanket waivers of House rules during the 104th Congress. This is one of those promises they made to convince the American people that they would run the House differently. Like many other promises they made, this one was broken. In fact, they broke it over 100 times. They reported more than 100 rules which gave blanket waivers to 90 bills and to hundreds of amendments and motions. The number of blanket waivers granted saw little change during this Congress.

During the 104th Congress, H.Res. 6 contained an amendment to clause 4 of rule XI as follows: "Whenever the Rules Committee reports a resolution providing for the consideration of a measure, it shall, to the maximum extent possible, specify in the resolution the object of any waiver of a point of order against the measure or against its consideration." According to the section-by-section summary of H.Res. 6 placed in the Congressional Record of January 4, 1995, the stated intent of this amendment was "that Members be fully informed as to what potential violations of House rules are involved in considering a bill." The Record goes on to state that ". . . it is expected that the Rules Committee will, in all but the most time-sensitive situations, endeavor to determine what specific waivers are required and detail them in the rule."

At first blush, this new provision would seem to be a highly commendable endeavor. It is clear that the membership of the House would be better served and informed as to the content of each measure before the House, if all waivers were specified in the resolution. That, however, has not been the case. The rule change has had little effect on the number of resolutions containing waivers of all points of order because it contains a large loophole. The rule says that the Rules Committee must meet this requirement only "to the maximum extent possible." This loophole is the reason the Rules Committee could report 90 resolutions containing waivers of all points of order against bills, resolutions, and conference reports. That total compares to 97 such resolutions reported during the 103rd, which is only 7 less than before the rule was added.

Secondly, the timing of the implementation of this rule seems to suggest that there has been some major abuse in granting non-specific waivers during past Congresses. As the rule implies, it is not always easy nor timely to identify each and every technical violation of the House rules for each measure before the House. We believe that this rule change was merely used to give the impression that significant change was being implemented because it places no requirement on the Rules Committee. Anytime the Republicans of the Rules Committee decided that they did not want the Members of the House to know what House rules were being broken, they simply slipped through the loophole and ignored the intent of the new rule. Needless to say, those "time-sensitive situations" referred to on the first day of the Congress were rather abundant during the 104th Congress. As stated previously, the 104th Congress has seen little change in the number of resolutions that gave blanket waivers. The change proposed in clause 4(e) of rule XI, even though it looks nice on the outside, is really just a hollow shell.

UNPRECEDENTED USE OF "MARTIAL LAW"

The Minority has grave concern about the extent to which the Republican majority of the Rules Committee abused the use of the martial-law procedure during the 104th Congress. The abuse was so great that the House was forced to conduct business under this extraordinary procedure for an unprecedented 132 days. This included the longest continuous period of martial-law in history—121 days. Martial law refers to the waiving of clause 4(b) of rule XI (requiring a two-thirds affirmative vote for same-day consideration by the House of a resolution reported from the Rules Committee) and to the granting of authority to the Speaker to entertain motions to suspend the rules. Under martial-law, the Republican leadership brought bills to the House floor with absolutely no prior notice to the Members. Martial-law was used to take away the normal protections afforded the Minority party and did not give Members adequate time to look over bills before they had to vote on them. When this procedure was used, the Republican leadership was simply telling Members to trust them and vote for the bills in front of them. They used the martial-law procedure to hide their special-interest backroom deals.

During the 104th Congress, a major part of the federal government was shut down for a total of twenty-one days as the Republican leadership played "chicken" with the national economy. The martial-law procedure played a key role in this misguided strategy. The Republican leadership used the procedure to give themselves cover by saying that they were ready to move bills as soon as the President would agree to their demands. The American people did not buy into this and blamed the Republican Congress for the shut down.

It was bad enough that the Republicans ran the House by martial-law for over four months. However, the manner in which they used it made matters even worse. Seven of the nine martial-law resolutions adopted in the House applied to whole classes of bills, allowing the leadership to call up any number of general appropriations bills, budget reconciliation bills, or debt ceiling bills at a moment's notice. As a result, the most egregious elements of the Republican agenda were rammed through the House with much fanfare but little debate.

In contrast, the Democratic controlled House of the 103rd Congress conducted business under martial-law for a total of only five days. Of the five martial-law resolutions adopted by the House, each was effective for a period of only one day and each applied to one specific bill or conference report. There was not one instance when the procedure was used for a class of bills or for more than one day. This gave the membership the traditional one day's notice before the rule was called up on the House floor.

It is highly ironic that during the floor debates regarding martial-law, that the Republicans were saying that they were only conducting business as usual. They had promised to change the way business was done in the House. This is one of the only promises they managed to keep. In fact, they took the House back to the good old days. Not since the days of Speaker Cannon has there

been a more abusive use of the rules of the House than has occurred during this Congress.

THREE-FIFTHS VOTE ON TAX INCREASES

Republicans promised—they adopted a new rule, clause 5(c) of rule XXI—to require a $\frac{3}{5}$ vote on any measure carrying a federal income tax rate increase. They waived the vote requirement every time it applied to a Republican measure:

H.R. 1215 (H. Res. 128)—Contract With America Tax Relief Act¹

H.R. 2425 (H. Res. 238)—Medicare Preservation Act of 1994

H.R. 2491 (H. Res. 245)—Budget Reconciliation Act of 1995

H.R. 3103 (H. Res. 392)—Health Insurance Reform

H.R. 1227 (H. Res. 440)—Small Business Job Protection Act of 1996

H.R. 3734 (H. Res. 495)—Welfare Reform Conference Report

All these measures raised taxes. H.R. 1215 would make those who invest venture capital in qualified jobs-creating small businesses pay a higher rate of federal income tax than they would under existing law. H.R. 2425 would increase tax rates on those who make unqualified withdrawals from medical savings accounts and would impose a new tax rate on high-income Medicare beneficiaries. H.R. 2491 would have raised taxes on millions of American working families by modifying the earned income tax credit and contained several other tax rate increases. H.R. 3103 contained some of the same tax rate increases as in H.R. 2425. H.R. 1227 increased tax rates on nonqualified withdrawals from simplified pension plans. They voted for tax hikes on working families by majority vote and, to do so, they waived the new rule without a second thought.

Republicans clearly backtracked on their promise to use this new rule to restrict tax increases. Remember, their original promise was to require a $\frac{3}{5}$ vote on any tax increase, not just income taxes and not just income tax rate increases.

On opening day Speaker Gingrich said, “Those of us who ended up in the majority stood on those steps and signed a contract and here is what it says: ‘The new Republican majority will . . . require a three-fifths majority vote to pass a tax increase.’” (Congressional Record, January 4, 1995, page H6). Notice the Speaker said any tax increase, not just a tax rate increase.

The original idea may have been to make it more difficult to raise taxes but a quiet revolution within the Republican conference narrowed the scope of the rules change so that the new rule only covered tax rate increases.

In other words, Republicans may have promised not to raise income tax rates without a $\frac{3}{5}$ vote; however, under the new rule they can raise payroll taxes, excise taxes, other income taxes including the effective rates of income taxes. Under the new rule, they can

¹In this instance, the rule did not explicitly waive the $\frac{3}{5}$ vote requirement. However, when the Chair was asked, in a parliamentary inquiry, whether the $\frac{3}{5}$ requirement applied the Chair stated that the requirement did not apply and the ruling of the Chair was appealed [April 5, 1995, Congressional Record, H4316–4319]. The ensuing exchange of letters is printed in November 9, 1995, Congress Record H11994–H11999].

raise every kind of tax, short of statutory rate increases, with impunity.

But even this narrow restriction now proves too difficult for Republicans to live with. It took no longer than the first 100 days and the Contract With America tax bill to force them to bypass their own new rule. The Chair was compelled to rule on the application of the new rule and the embarrassment caused by that ruling is documented in an exchange of letters printed in the Congressional Record of November 9, 1995 [H11994–H11999].

In fact, the problems caused by that ruling led the majority to adopt rules for consideration of subsequent tax rate increases that explicitly waived the $\frac{3}{5}$ voting requirement on each of the bills and any subsequent conference reports.

It was recently reported (Roll Call, Monday, November 25, 1996, page 15) that the Republican conference voted to further narrow the application of this rule to very specific rates that cannot be increased.

We want to make clear there is nothing in the legislative history to support a further narrowing of the rule. The legislative history in fact supports the broadest possible interpretation of the rule since every supporter speaks broadly about the rule touching all tax increases. Here's how Republicans described their rule change at the time it was adopted:

Rep. Dick Armey—"House rules will now require a three-fifths majority to raise taxes"—Cong Rec H31, Wednesday, January 4.

Rep. John Boehner—" . . . and we decided to change the rules to require a three-fifths majority to raise taxes"—Cong Rec H127, Thursday, January 5.

Rep. Gerry Solomon—"Mr. Speaker, the tax-and-spend Democrats are at it again. They are suing us Republicans, do you believe it, to overturn our rules change that requires a three-fifths majority vote to raise taxes.

"The three-fifths majority vote to raise taxes will stand as a hindrance to any Democrat attempt to foist more taxes on the American people. There ain't going to be any more"—Cong Rec H1469, Thursday, February 9.

Rep. Joe Barton of Texas—"This country was founded on the principle of no taxation without representation. Today many Americans believe that principle has been violated and that their elected Representatives in Washington have taxed them so that they can spend money on the special big-spending interests in Washington, DC. To correct this said situation the new Republican majority has now introduced section 106 of the rule change package. Section 106 would require a three-fifths vote to increase income taxes"—Cong Rec H70, Wednesday, January 4.

Rep. Gary Franks—"Under this [rules] package, any income tax increase must now be approved by a three-fifths majority of the House of Representatives"—Cong Rec H43, Wednesday, January 4.

Rep. Jon Fox—"The goal of this rule is twofold. First, it will require three-fifths majority vote for tax increase measures and amendments"—Cong Rec H63, Wednesday, January 4.

Rep. Jim Saxton—"As you know, this amendment to the House rules provides for a three-fifths or 60 percent vote as a necessity

to pass any income tax increase”—Cong Rec H63, Wednesday, January 4.

Rep. Randy Tate—“I am in favor of the proposal of requiring a 60-percent majority in order to raise taxes so that the taxing ways of Congress are gone forever”—Cong Rec H68, Wednesday, January 4.

Rep. Joe Scarborough—“We have to have a three-fifths supermajority now to pass any tax increases on middle class citizens across this country”—Cong Rec H1898, Thursday, February 16.

Rep. Joe Scarborough—“When you pass a taxpayer protection plan that we passed the first day of Congress, that requires this body to pass new taxes increase by a three-fifths vote in the 104th Congress, you are saving jobs . . .”—Cong Rec H2031, Wednesday, February 22.

Rep. Gil Gutknecht—“And we also required a three-fifths vote to pass any kind of tax increase”—Cong Rec H6824, Tuesday, July 11.

Every single Member speaks broadly of all income tax increases. No one even mentions rates, let alone a more limited reading. It is only after they were caught with their hands in the cookie jar (and they waived the vote requirement every time it touched their bills) that they wanted to narrow the rule.

The problem, we submit, is not the breadth of the rule. The problem is that no one can accomplish their political ends by means of a new House rule setting a supermajority vote requirement. Such rules invariably must face the fact that the House is a majoritarian institution; if the Republican majority wishes to increase taxes, even a specific income tax rate, no rule will or should stop them. It is a mistake to try to use the rules of the House to bypass majority rule on fiscal and political policy decisions.

LIMITING THE ABILITY OF COMMITTEES TO SIT WHILE THE HOUSE IS MEETING

The Republicans promised to make sweeping changes in the House Rules, changes that would dramatically improve the inner workings of the House. In their opening day Rules package contained in H.Res. 6, the Republicans reinstated in clause 2(i)(1) of Rule XI that committees (with certain exceptions including but not limited to the Rules, Budget and Appropriations Committees) may not meet without special request while the House is reading a measure for amendment under the five-minute rule. However, we are not certain why this change was necessary because there was no discussion or justification of the need for this measure in any of the January 4, 1995 Floor debate. We can only conclude that this provision was intended to greatly improve and increase the involvement of members on legislation under consideration on the House Floor. But, as has been the case with several other rule changes in the 104th Congress, this measure was an example of a solution looking for a problem.

This provision was deleted from the rules of the 103rd Congress because it had proven to be a deterrent to the House in the timely completion of its committee business. There simply were not enough hours when the House was not in session for committees to meet and carry out the demands of their heavy schedules. While in theory it might be desirable to have all members on the Floor

during every moment of consideration of a bill for amendment under the five-minute rule, it is highly impractical and would certainly severely limit the legislative schedule of the House. Committees have very full dockets and a limited amount of time in which to consider and report critical legislative initiatives to the full House for consideration. This proved to be the case in the 104th Congress. On virtually every substantial legislative day of both sessions of this Congress, majority members have come to the Floor to ask for unanimous consent or to entertain a motion to allow committees to meet during the five-minute rule.

During the 104th Congress there were more than 114 requests, either through a privileged motion by the Majority Leader or through a unanimous consent request, for waivers for committees to meet. These requests covered a total of 964 committee meetings. The accompanying chart, prepared by the Congressional Research Service, shows the many instances when the majority sought to waive this rule. Given these enormous numbers, it is clear that the majority should include a repeal of this provision in their opening day rules package.

TABLE 1.—REQUESTS PERMITTING HOUSE COMMITTEES TO SIT UNDER THE 5-MINUTE RULE, 1ST SESSION, 104TH CONGRESS

Committee ¹	Total committee requests to sit during COTW ²	Committee requests to meet by		Times committee met		Times committee did not meet	
		UC ³	Motion ⁴	No.	Pct.	No.	Pct.
Agriculture	36	31	5	28	78	8	22
Banking and Financial Services	49	45	4	42	86	7	14
Commerce	60	55	5	55	92	5	8
Economic and Educational Opportunities	51	47	4	42	82	9	18
Government Reform and Oversight	58	53	5	51	88	7	12
House Oversight	18	14	4	12	67	6	33
International Relations	59	54	5	55	93	4	7
Judiciary	56	51	5	47	84	9	16
National Security	33	28	5	26	79	7	21
Resources	46	41	5	35	76	11	24
Science	40	35	5	33	83	7	17
Small Business	32	28	4	24	75	8	25
Transportation and Infrastructure	51	47	4	42	82	9	18
Veterans' Affairs	26	21	5	0	0	26	100
Intelligence, Perm. Select	26	22	4	15	58	11	42
Total	641	572	69	507	79	134	21

¹ Pursuant to House Rule XI, Clause 2(i)(1), the Committees on Appropriations, Budget, Rules, Standards of Official Conduct, and Ways and Means have authority to sit while the House is under the 5-minute rule. Thus, they are not included in this table.

² Committee of the Whole is abbreviated as "COTW."

³ Unanimous consent requests permitting committees to sit while the House is under the 5-minute rule. There were 76 UC agreements which covered a total of 572 committees.

⁴ The Majority Leader offered five privileged motions requesting that one or more committees be allowed to sit while the House is under the 5-minute rule. The 5 privileged motions covered a total of 69 committees.

Sources: Daily Digest, Congressional Record, Congressional Quarterly's, Washington Alert.

TABLE 2—REQUESTS PERMITTING HOUSE COMMITTEES TO SIT UNDER THE 5-MINUTE RULE 2D SESSION, 104TH CONGRESS (JAN. 3—OCT. 4, 1996)

Committee ¹	Total committee requests to sit during COTW ²	Committee sessions requested by		Times committee met		Times committee did not meet	
		UC ³	Motion ⁴	No.	Pct.	No.	Pct.
Agriculture	16	15	1	14	88	2	12
Banking and Financial Services	23	22	1	22	96	1	4
Commerce	25	24	1	25	100	0	0
Economic and Educational Opportunities	20	19	1	17	85	3	15
Government Reform and Oversight ...	29	28	1	28	97	1	3
House Oversight	5	4	1	3	60	2	40
International Relations	30	29	1	28	93	2	7
Judiciary	24	23	1	24	100	0	0
National Security	23	22	1	19	83	4	17
Resources	29	28	1	27	93	2	7
Science	22	21	1	20	91	2	8
Small Business	16	15	1	12	75	4	25
Transportation and Infrastructure	29	28	1	26	90	3	10
Veterans' Affairs	12	11	1	11	92	1	8
Intelligence, Perm. Select	21	20	1	16	76	5	14
Total	324	309	15	292	90	32	10

¹ Pursuant to House Rule XI, Clause 2(i)(1), the Committees on Appropriations, Budget, Rules, Standards of Official Conduct, and Ways and Means have authority to sit while the House is under the 5-minute rule. Thus, they are not included in this table.

² Committee of the Whole is abbreviated as "COTW".

³ Unanimous consent (UC) requests permitting committees to sit while the House is under the 5-minute rule. There were 32 UC requests which covered a total of 309 committee sessions.

⁴ On May 9, 1996, the Majority Leader offered one privileged motion requesting that all committees be allowed to sit while the House was under the 5-minute rule. Although the motion permitted committees to meet on two days, May 9–10, 1996, the motion is counted only once in this column.

Sources: Daily Digest, Congressional Record, Congressional Quarterly's, Washington Alert.

LIMITS ON COMMITTEE AND SUBCOMMITTEE ASSIGNMENTS

With great fanfare on the opening day of the 104th Congress, the Republican majority trumpeted their new rules on committees. Members were limited to no more than 2 full committees and no more than 4 subcommittees. Assignment limits are one of the linchpins of committee reform: by limiting members to fewer committees, there would be fewer schedule clashes making the ban on proxy voting more tenable and possibly might allow more committees to complete their work without meeting when the Committee of the Whole is debating amendments.

The problem is that this new rule, as with so many others, was simply waived or ignored when it proved inconvenient. A quick glance through the Clerk's Official List of Committee Assignments, dated September 3, 1996, reveals 41 Republican members each assigned to more than 2 committees; 30 Republican members of the House violate the 4-subcommittee rule, some even serving on 6 subcommittees. Two-thirds of the members violating the subcommittee rule are freshmen Republicans.

CONCLUSION

To be sure the 104th Congress had many accomplishments that are worthy of praise from both sides of the aisle. According to the majority, new rules were adopted and adhered to and a more open, deliberative process governed the day-to-day running of the House during the course of the 104th Congress. As the minority, however, we feel it was our responsibility to set the record straight.

The facts show that the performance of the Republican majority fell far short of their rhetoric. New rules were routinely waived and the amendment process was far more closed than promised. Having been in the majority prior to this Congress we bring a unique perspective to this process. We understand the difficulties and pitfalls that face the governing party as they move their agenda through Congress. It is by no means an easy task.

The fact remains that the Republican majority made significant promises at the beginning of this Congress that they could not fulfill.

APPENDIX

A CASE STUDY: TIME CAPS

The fact that for so long Democrats and Republicans have been unable to agree on the number of rules that are open or restrictive indicates that more fundamental questions about the terms of the debate are unresolved.

For example, we agreed in the 103rd Congress and we agree in the 104th Congress on how many rules impose time caps. The question is: are time cap rules restrictive or open?

For purposes of assessing whether Republicans lived up to their promise of 70 percent open rules, it seems proper to categorize time cap rules as restrictive because when they made their commitment, the term “open” meant open. It did not mean some brand new amalgam of open rules and those rules Republicans used to call “restrictive” and now call “modified open.” It seems only proper to assess their performance on their own terms and for that reason to place time cap rules in the same category they did: restrictive.

But Republicans now claim that time cap rules are modified open rules and should count toward their commitment to openness.

Are time cap rules really open? We said, in the survey of activities of the 103rd Congress, that time cap rules are not strictly speaking open. Yet it does not follow that they are restrictive. Our point then and now is that you cannot simply read the rule to determine whether a time cap restricts the offering of germane amendments; you need to look at each particular time cap and how it affected consideration of the measure made in order. A time cap placed on consideration of a measure which demands a great deal of debate on more than a handful of amendments will constrict. A time limit on a less controversial measure, even if it is a shorter time period, may not restrict the offering of any germane amendments.

Let's look at the time cap rules adopted in the 103rd Congress and the time cap rules in the 104th. The facts will support the conclusion that time caps in this Congress were restrictive but time caps in the 103rd Congress were not—just the reverse of the Republican categorization scheme.

Republican time caps were restrictive (1) because they used time for voting to count against the limited time allotted for amendments, (2) because under Republican time caps, amendments were offered almost exclusively by Members of the Committee and (3) because at the end of the day there were Members who were de-

nied the opportunity to offer germane amendments but that was not so in the case of time cap rules in the 103rd Congress

(1) Time caps in the 103rd specifically excluded voting time in 4 out of 5 cases but in all cases in the 104th Congress the restriction on the amount of time for debating amendments included time for voting.

In the 103rd Congress, there were 5 bills considered under rules with time caps on the amendment process; four in 1994 and one in 1993. All four of the time caps from 1994 specifically excluded voting time. The single exception in the 103rd was H.R. 1036, ERISA Amendments Act. The Rules Committee asked for amendments in advance and received only 2 (Reps. Fawell and Berman). On the floor, Mr. Fawell offered his; it was defeated. Mr. Berman did not offer. No other amendments were offered and the total time consumed by the amendment process (including votes) was about one hour and 15 minutes.

The record of the 104th Congress is quite different. At least two hours of the limited time was eaten up by voting on each of the measures considered under timecap rules in the 104th Congress. In one case, more than forty percent of the capped time was devoted to voting. The chart below illustrates with some examples from the time cap rules adopted in the 104th Congress:

The following is a list of several examples of rules which included time caps and the amount of time spent voting under this process.

Bill No.	Bill title	Roll calls	Time spent voting	Time on amends
H.R. 667	Violent Criminal Incarceration Act	8	2 hrs. 40 min	7 hrs. 20 min
H.R. 728	Block Grants	7	2 hrs. 20 min	7 hrs. 40 min
H.R. 7	National Security Revitalization	11	3 hrs. 40 min	6 hrs. 20 min
H.R. 450	Regulatory Moratorium	13	3 hrs. 30 min	6 hrs. 30 min
H.R. 1022	Risk Assessment	6	2 hrs.	8 hrs.
H.R. 925	Takings	8	2 hrs. 40 min	9 hrs. 20 min
H.R. 988	Attorney Accountability	7	2 hrs. 5 min	4 hrs. 55 min
H.R. 1058	Securities Litigation	8	2 hrs. 40 min	6 hrs. 20 min
H.R. 1158	Appropriations Rescissions	15	4 hrs. 10 min	5 hrs. 50 min

(2) Many members, Republican and Democratic, rose to complain that the time cap rules in the 104th Congress denied members who are not on the committee of jurisdiction the opportunity to offer amendments. The normal order of recognition permits members from the committee to be recognized before members not on the committee. Even with priority of recognition given to those with pre-printed amendments, the fact is that there were many more amendments printed in advance than there was time under the cap to consider (See the next section). So the competition for limited time gave advantage to pre-printed amendments offered by members of the committee at the expense of amendments—whether or not pre-printed—offered by members not on the committee.

(3) Even more importantly, the test of whether a time cap is restrictive is whether Members are excluded from offering germane amendments. The bottom line is: were there any Members with germane amendments to offer when the time expired?

In the 103rd Congress, no bills considered under a time cap consumed the entire amount of time.

Bill/rule	Time cap	Floor time consumed
H.R. 1036 (H. Res. 299)	4-hr time cap	75 minutes.
H.R. 2108 (H. Res. 428)	3-hr time cap	2 hrs 25 minutes.
H.R. 3433 (H. Res. 516)	3-hr time cap	80 minutes.
H.R. 4799 (H. Res. 551)	4-hr time cap	70 minutes.
H.R. 5044 (H. Res. 562)	4-hr time cap	3 hrs, 20 minutes.

No one in the 103rd Congress was shut out by a time cap. No Member with a germane amendment to a bill considered under a time cap was denied the opportunity to offer because time had expired.

Before the Committee rose, on each of the time-cap rules in the 103rd Congress, the Chair asked, “Are there any additional amendments?” and then hearing no response, the Chair said, “If there are no further amendments, under the rule the Committee rises.”

In the 104th, on each and ever time-cap rule, the Chair was forced to state that all time for consideration of amendments had expired. In each and every case, there were identifiable Members with pre-printed amendments who were shut out. Who knows how many others who did not print their amendments in advance were shut out? The chart below shows in the case of several time cap rules adopted in the 104th Congress the names of those members who had printed amendments in advance but had not offered their amendments when time under the cap ran out.

MEMBERS SHUT OUT BY A TIME CAP—104TH CONGRESS

This is a list of Members who were not allowed to offer amendments to major time cap legislation because the time cap on amendments had expired. These amendments were also pre-printed in the Congressional Record. This list is not an an exhaustive one. It contains only Members who had pre-printed their amendments; others may have wished to offer amendments but were prevented from doing so because the time for amendment had expired.

H.R. 728—Law Enforcement Block Grants—10 Members.

Mr. Bereuter, Mr. Kasich, Ms. Jackson Lee, Mr. Stupak, Mr. Serrano, Mr. Watt, Ms. Waters, Mr. Wise, Ms. Furse, Mr. Fields.

H.R. 7—National Security Revitalization Act—8 Members.

Ms. Lofgren, Mr. Bereuter, Mr. Bonior, Mr. Meehan, Mr. Sanders (2), Mr. Schiff, Ms Schroeder, Ms. Waters.

H.R. 450—Regulatory Moratorium—15 Members.

Mr. Towns, Bentsen, Volkmer, Markey, Moran, Fields, Abercrombie, Richardson, Traficant, Mfume, Collins, Cooley, Hansen, Radanovich, Schiff.

H.R. 1022—Risk assessment—3 Members.

Mr. Cooley (2), Mr. Fields, Mr. Vento (at least three other Members had amendments prepared but were not allowed to offer them Mr. Doggett, Mr. Mica, Mr. Markey).

H.R. 925—Takings—At least 7 members had amendments prepared but were not allowed to offer them.

Mr. Conyers, Mr. Miller, Ms. Schroeder, Mr. Fattah, Mr. Traficant, Mr. Wyden/Gilchrest, Ms. Collins.

H.R. 988—Attorney Accountability—4 members.

Mr. Smith (MI), Ms. Harman, Mr. Bryant, Mr. Parker (MS), and Mr. LaTourette.

H.R. 1058—Securities Litigation—3 members.

Mr. Kennedy, Mr. Watt, Mr. Meehan.

H.R. 1158—Rescissions.

More than 70 germane, pre-printed amendments were never considered because of the way the rule was structured.

SPECIAL PROCEDURES—KING OF THE HILL

The Republican majority came to a position of responsibility promising to conduct the business of the House in a manner which is accurate, accountable and fair. One special procedure adopted by the Republicans, however, may result in a determination of the House which does not accurately reflect the will of the Members. As with many legislative initiatives, this new Republican majority chose a label for their procedure which promises much and delivers less. “Most votes wins” replaces the “King of the Hill” amendment structure which has been utilized successfully over the past decade.

The “King of the Hill” structure was first used in 1982 to provide for the consideration of several competing substitutes for the 1983 Budget Resolution. The regular amendment process would have precluded and remaining alternatives from being considered once one alternative had been adopted. Since Members had no assurance they would be able to decide upon each policy choice independently, according to its own merit, the Committee devised the new procedure to guarantee that each amendment would be voted on regardless of the disposition of any of the alternatives. King of the Hill gave members maximum ability to examine a range of policies and to work its will on each major policy choice.

The procedure came under fire from the then-Republican minority, who believed that it left open the possibility for an amendment to receive a large majority vote and still be defeated. In the 104th Congress, the Republicans adopted an alternative procedure which provides that the amendment with the most votes would win. “Most vote wins” implies a parliamentary competition in which all alternatives are considered simultaneously and the one which receives the most votes will prevail. This is not the case.

Under regular order, the amendments are considered sequentially. Each amendment adopted becomes base text to be tested against the next amendment. For example, a special structure making in order three substitute amendments provides the House with four choices, including the text of the underlying bill. The first vote would test support for the first amendment against the text of the bill to determine which of the two alternatives Members prefer. If the first amendment is adopted, it replaces the bill as the preferred text to be tested against the merits of the second amendment. If the first amendment prevails again, it remains text to be tested against the third alternative amendment. If adopted again, it would pass as the language tested and preferred against all of the alternatives. It also would be the last amendment adopted.

The process of consideration of amendments is the same for both the “King of the Hill” and the “most votes wins” procedure. Under either structure, each alternative faces the other alternatives one by one. It is misleading to declare, as the Republicans have, that the amendment receiving the most votes represents the amendment preferred by the Members among all the alternatives. Rather,

each vote in the sequence measures the degree of difference between the two alternatives competing at the time. There may be a weak alternative which results in a lopsided vote in one of the match-ups. This does not mean, however, that the winner is the preferred alternative among the other choices. Another alternative may prove significantly more competitive. The "most vote wins" procedure provides that an amendment which receives the most votes at some point during the sequence will prevail. The "King of the Hill" procedure stipulates that the amendment which wins each successive head-to-head test (the last amendment passed) will prevail as the text Members prefer to all alternatives.

Finally, there is no assurance in the legislative process that the amendment with the most votes wins. An amendment can always be superseded by another amendment or by another substitute whether it is considered under regular order or under one of the special procedures. The final opportunity to amend a bill is guaranteed to the minority party in the motion to recommit. This vote can overturn an amendment agreed to earlier in the process regardless of the number of votes that amendment received.

An examination of the rules considered in the past two Congresses illustrates that there was never an instance in which the amendment in the last-passed position received fewer votes. It also refutes the notion that placing an amendment anywhere in the sequence favors its passage. In the 103rd Congress, "King of the Hill" procedures were used in 15 instances. In three instances, all amendments in the "King of the Hill" structure failed. In six instances, the amendment which prevailed was not in the last position. In four instances, the last position prevailed, but in none of those cases did any preceding amendments receive a greater number of votes. In two of these four instances, more than one amendment passed, but the last amendment also received the most votes.

In the 104th Congress, the Republican majority substituted the "most votes wins" procedure in place of "King of the Hill." The procedure was used in three instances. In one instance, none of the amendments passed. In one instance, the last amendment passed and all other amendments failed. In one instance, two amendments passed. The last amendment in order passed with the most votes, replacing an earlier committee substitute which passed with fewer votes. The committee substitute would have been supplanted under the King of the Hill procedure as well.

Below is a statistical summary of the use of the "King of the Hill" and "most votes wins" procedures in the 103rd and 104th Congresses.

TOTAL "KING OF THE HILL" PROCEDURES—(15)

103RD CONGRESS

All amendments offered

failed—(3):

H. Res. 133 (H. Rpt. 103-37).	H. Con. Res. 64, Concurrent Resolution on the Budget for FY 94 through FY 98 (Substitutes).
H. Res. 246 (H. Rpt. 103-223).	H.R. 2401, Department of Defense Authorization Act of 1994 (ABM).
H. Res. 384 (H. Rpt. 103-429).	H. Con. Res. 218, Budget Resolution for FY 95 (Substitutes).

Favored position failed—(7):	
H. Res. 246 (H. Rpt. 103–223).	H.R. 2401, Department of Defense Authorization Act of 1994 (ABM).
H. Res. 401 (H. Rpt. 103–474).	H.R. 4092, Violent Crime Control and Law Enforcement Act of 1994 (Habeas).
H. Res. 429 (H. Rpt. 103–509).	H.R. 4301, Department of Defense Authorization Act of 1995 (Ballistic Missile Defense).
H. Res. 431 (H. Rpt. 103–520).	H.R. 4301, Department of Defense Authorization Act of 1995 (Bosnia).
H. Res. 509 (H. Rpt. 103–673).	H.R. 4590, MFN China (Substitutes).
H. Res. 512 (H. Rpt. 103–689).	H.R. 4907, Full Budget Disclosure Act of 1994 (Substitutes).
H. Res. 570 (H. Rpt. 103–416).	H.J. Res. 416, Limited Authorization for US-Led Forces in Haiti (Substitutes).
Most votes passed—(10):	
Not in favored position:	
(6)	
H. Res. 401 (H. Rpt. 103–474).	H.R. 4092, Violent Crime Control and Law Enforcement Act of 1994 (Habeas).
H. Res. 429 (H. Rpt. 103–509).	H.R. 4301, Department of Defense Authorization Act of 1995 (Ballistic Missile Defense).
H. Res. 431 (H. Rpt. 103–520).	H.R. 4301, Department of Defense Authorization Act of 1995 (Bosnia).
H. Res. 509 (H. Rpt. 103–673).	H.R. 4590, MFN China (Substitutes).
H. Res. 512 (H. Rpt. 103–689).	H.R. 4907, Full Budget Disclosure Act of 1994 (Substitutes).
H. Res. 570 (H. Rpt. 103–416).	H.J. Res. 416, Limited Authorization for US-Led Forces in Haiti (Substitutes).
Favored position: (4)	
H. Res. 254 (H. Rpt. 103–252).	H.R. 2401, Department of Defense Authorization Act of 1994 (Gays in Military).
H. Res. 293 (H. Rpt. 103–328).	H. Con. Res. 170, Removal of Armed Forces from Somalia (Substitutes).
H. Res. 336 (H. Rpt. 103–416).	H.R. 3759, Emergency Supplemental Appropriations (Spending Cuts).
H. Res. 484 (H. Rpt. 103–614).	H.R. 4604, Budget Control Act of 1994 (Substitutes, entitlements).
Two amendments passed:	
(2)	
H. Res. 254 (H. Rpt. 103–252).	H.R. 2401, Department of Defense Authorization Act of 1994 (Gays in Military).
H. Res. 293 (H. Rpt. 103–328).	H. Con. Res. 170, Removal of Armed Forces from Somalia (Substitutes).

Two amendments passed, but favored position did not get most votes (0).

*NOTE: In two instances, the rule passed but KOH procedure was not used (H. Res. 429—one of two designated amendments was not offered; H. Res. 474—bill was not considered).

104TH CONGRESS

All amendments offered

failed—(1):

H. Res. 116 (H. Rpt. 104-4)

H.J. Res. 73, Constitutional Amendment on Term Limits (Substitutes).

Most votes passed—(2):

Last amendment passed:

H. Res. 119 (H. Rpt. 104-85)

H.R. 4, Personal Responsibility Act (Substitutes).

Two amendments passed:

H. Res. 44 (H. Rpt. 104-4)

H. Con. Res. 17, Constitutional Amendment on Balanced Budget (Substitutes). Last amendment passed.

JOE MOAKLEY.
ANTHONY BEILENSON.
MARTIN FROST.
TONY P. HALL.

