

115TH CONGRESS  
1ST SESSION

# H. RES. 5

Adopting rules for the One Hundred Fifteenth Congress.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. MCCARTHY submitted the following resolution; which was referred to the  
Committee on \_\_\_\_\_

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# RESOLUTION

Adopting rules for the One Hundred Fifteenth Congress.

1       *Resolved*, That the Rules of the House of Representa-  
2 tives of the One Hundred Fourteenth Congress, including  
3 applicable provisions of law or concurrent resolution that  
4 constituted rules of the House at the end of the One Hun-  
5 dred Fourteenth Congress, are adopted as the Rules of  
6 the House of Representatives of the One Hundred Fif-  
7 teenth Congress, with amendments to the standing rules  
8 as provided in section 2, and with other orders as provided  
9 in sections 3, 4, and 5.

10 **SEC. 2. CHANGES TO THE STANDING RULES.**

11       (a) DECORUM.—

1           (1) In clause 3 of rule II, add the following new  
2 paragraph:

3           “(g)(1) The Sergeant-at-Arms is authorized  
4 and directed to impose a fine against a Member,  
5 Delegate, or the Resident Commissioner for the use  
6 of an electronic device for still photography or for  
7 audio or visual recording or broadcasting in con-  
8 travention of clause 5 of rule XVII and any applica-  
9 ble Speaker’s announced policy on electronic devices.

10           “(2) A fine imposed pursuant to this para-  
11 graph shall be \$500 for a first offense and  
12 \$2,500 for any subsequent offense.

13           “(3)(A) The Sergeant-at-Arms shall  
14 promptly notify the Member, Delegate, or the  
15 Resident Commissioner, the Speaker, the Chief  
16 Administrative Officer, and the Committee on  
17 Ethics of any such fine.

18           “(B) Such Member, Delegate, or Resi-  
19 dent Commissioner may appeal the fine in  
20 writing to the Committee on Ethics not  
21 later than 30 calendar days or five legisla-  
22 tive days, whichever is later, after notifica-  
23 tion pursuant to subdivision (A).

24           “(C) Upon receipt of an appeal pursu-  
25 ant to subdivision (B), the Committee on

1 Ethics shall have 30 calendar days or five  
2 legislative days, whichever is later, to ei-  
3 ther dismiss the fine or allow it to proceed.  
4 Upon a determination regarding the appeal  
5 or if no appeal has been filed at the expira-  
6 tion of the period specified in subdivision  
7 (B), the chair of the Committee on Ethics  
8 shall promptly notify the Member, Dele-  
9 gate, or the Resident Commissioner, the  
10 Speaker and the Chief Administrative Offi-  
11 cer. The Speaker shall promptly lay such  
12 notification before the House.

13 “(4) The Sergeant-at-Arms and the Com-  
14 mittee on Ethics are authorized to establish  
15 policies and procedures for the implementation  
16 of this paragraph.”.

17 (2) In clause 4 of rule II, add the following new  
18 paragraph:

19 “(d)(1) Upon notification from the chair of the  
20 Committee on Ethics pursuant to clause 3(g)(3)(C),  
21 the Chief Administrative Officer shall deduct the  
22 amount of any fine levied under clause 3(g) from the  
23 net salary otherwise due the Member, Delegate, or  
24 the Resident Commissioner.

1           “(2) The Chief Administrative Officer is  
2           authorized to establish policies and procedures  
3           for such salary deductions.”.

4           (3) Rule XVII is amended by redesignating  
5           clause 9 as clause 10, and by inserting after clause  
6           8 the following new clause:

7   **“Legislative Proceedings**

8           “9.(a) A Member, Delegate, the Resident Commis-  
9           sioner, officer, or employee of the House may not engage  
10          in disorderly or disruptive conduct in the Chamber, includ-  
11          ing—

12           “(1) intentionally obstructing or impeding the  
13          passage of others in the Chamber;

14           “(2) the use of an exhibit to impede, disrupt,  
15          or disturb the proceedings of the House; and

16           “(3) the denial of legislative instruments to oth-  
17          ers seeking to engage in legislative proceedings.

18          “(b) This clause establishes a standard of conduct  
19          within the meaning of clause 3(a)(2) of rule XI.”.

20          (b) AUTHORIZATION AND OVERSIGHT PLANS.—

21           (1) Clause 2(d) of rule X is amended to read  
22          as follows:

23           “(d)(1) Not later than February 15 of the first  
24          session of a Congress, each standing committee  
25          (other than the Committee on Appropriations, the

1 Committee on Ethics, and the Committee on Rules)  
2 shall, in a meeting that is open to the public, adopt  
3 its authorization and oversight plan for that Con-  
4 gress. Such plan shall be submitted simultaneously  
5 to the Committee on Oversight and Government Re-  
6 form, the Committee on House Administration, and  
7 the Committee on Appropriations.

8 “(2) Each such plan shall include, with re-  
9 spect to programs and agencies within the com-  
10 mittee’s jurisdiction, and to the maximum ex-  
11 tent practicable—

12 “(A) a list of such programs or agen-  
13 cies with lapsed authorizations that re-  
14 ceived funding in the prior fiscal year or,  
15 in the case of a program or agency with a  
16 permanent authorization, which has not  
17 been subject to a comprehensive review by  
18 the committee in the prior three Con-  
19 gresses;

20 “(B) a description of each such pro-  
21 gram or agency to be authorized in the  
22 current Congress;

23 “(C) a description of each such pro-  
24 gram or agency to be authorized in the  
25 next Congress, if applicable;

1           “(D) a description of any oversight to  
2           support the authorization of each such pro-  
3           gram or agency in the current Congress;  
4           and

5           “(E) recommendations for changes to  
6           existing law for moving such programs or  
7           agencies from mandatory funding to dis-  
8           cretionary appropriations, where appro-  
9           priate.

10          “(3) Each such plan may include, with re-  
11          spect to the programs and agencies within the  
12          committee’s jurisdiction—

13               “(A) recommendations for the consoli-  
14               dation or termination of such programs or  
15               agencies that are duplicative, unnecessary,  
16               or inconsistent with the appropriate roles  
17               and responsibilities of the Federal Govern-  
18               ment;

19               “(B) recommendations for changes to  
20               existing law related to Federal rules, regu-  
21               lations, statutes, and court decisions af-  
22               fecting such programs and agencies that  
23               are inconsistent with the authorities of the  
24               Congress under Article I of the Constitu-  
25               tion; and

1                   “(C) a description of such other over-  
2                   sight activities as the committee may con-  
3                   sider necessary.

4                   “(4) In the development of such plan, the  
5                   chair of each committee shall coordinate with  
6                   other committees of jurisdiction to ensure that  
7                   programs and agencies are subject to routine,  
8                   comprehensive authorization efforts.

9                   “(5) Not later than March 31 in the first  
10                  session of a Congress, after consultation with  
11                  the Speaker, the Majority Leader, and the Mi-  
12                  nority Leader, the Committee on Oversight and  
13                  Government Reform shall report to the House  
14                  the authorization and oversight plans submitted  
15                  by committees together with any recommenda-  
16                  tions that it, or the House leadership group de-  
17                  scribed above, may make to ensure the most ef-  
18                  fective coordination of authorization and over-  
19                  sight plans and otherwise to achieve the objec-  
20                  tives of this clause.”.

21                  (2) In clause 1(d)(2)(B) of rule XI, insert “au-  
22                  thorization and” before “oversight”.

23                  (3) In clause 1(d)(2)(C) of rule XI, insert “au-  
24                  thorization and” before “oversight”.

1 (c) AMENDMENTS TO APPROPRIATION BILLS.—In  
2 clause 2 of rule XXI, add the following new paragraph:

3 “(g) An amendment to a general appropriation  
4 bill shall not be in order if proposing a net increase  
5 in the level of budget authority in the bill.”.

6 (d) DUPLICATION OF FEDERAL PROGRAMS.—In  
7 clause 3(c) of rule XIII, add the following new subpara-  
8 graph:

9 “(5) On a bill or joint resolution that es-  
10 tablishes or reauthorizes a Federal program, a  
11 statement indicating whether any such program  
12 is known to be duplicative of another such pro-  
13 gram, including at a minimum an explanation  
14 of whether any such program was included in a  
15 report to Congress pursuant to section 21 of  
16 Public Law 111-139 or whether the most recent  
17 Catalog of Federal Domestic Assistance (pub-  
18 lished pursuant to section 6104 of title 31,  
19 United States Code) identified other programs  
20 related to the program established or reauthor-  
21 ized by the measure.”.

22 (e) RECOGNITION OF MEMBERS.—

23 (1) In clause 6 of rule I, strike “The Speaker  
24 shall rise to put a question but may state it sit-  
25 ting.”.



1           (2) In clause 6(d) of rule XIII, strike “rises”  
2           and insert “seeks recognition”.

3           (3) In clause 1(a) of rule XVII, strike “rise  
4           and”.

5           (4) In clause 2 of rule XVII, strike “rise at  
6           once” and insert “seek recognition”.

7           (5) In clause 5 of rule XVII, strike “walk out  
8           of or across” and insert “exit or cross”.

9           (6) In clause 1(a) of rule XX, strike “from  
10          their seats to” and insert “or otherwise indicate  
11          from their seats and”.

12          (f) CONVENING OUTSIDE THE HALL OF THE  
13          HOUSE.—In clause 12(d) of rule I, strike “whenever” and  
14          insert “if”.

15          (g) TEMPORARY PRESIDING AUTHORITY CLARIFICA-  
16          TION.—In clause 2(a) of rule II, insert “and in the ab-  
17          sence of a Member acting as Speaker pro tempore pursu-  
18          ant to clause 8(b)(3)(A) of rule I,” after “tempore,”.

19          (h) CONTINUING LITIGATION AUTHORITIES.—In  
20          clause 8 of rule II, add the following new paragraph:

21                 “(c) The House, the Speaker, a committee or  
22                 the chair of a committee authorized during a prior  
23                 Congress to act in a litigation matter is authorized  
24                 to act as the successor in interest to the House, the  
25                 Speaker, such committee or the chair of such com-

1 mittee of a prior Congress, respectively, with respect  
2 to such litigation matter, and to take such steps as  
3 may be appropriate to ensure continuation of such  
4 litigation matter.”.

5 (i) CLARIFYING STAFF ACCESS TO THE HOUSE  
6 FLOOR.—In clause 5 of rule IV, strike “shall remain at  
7 the desk and”.

8 (j) MEMBER RECORDS.—In clause 6 of rule VII—

9 (1) redesignate paragraphs (a) and (b) as sub-  
10 paragraphs (1) and (2);

11 (2) designate the existing sentence as para-  
12 graph (a);

13 (3) in paragraph (a) (as so designated), insert  
14 “as described in paragraph (b)” after “Resident  
15 Commissioner”; and

16 (4) add at the end the following new paragraph:

17 “(b) Records created, generated, or received by  
18 the congressional office of a Member, Delegate, or  
19 the Resident Commissioner in the performance of of-  
20 ficial duties are exclusively the personal property of  
21 the individual Member, Delegate, or the Resident  
22 Commissioner and such Member, Delegate, or Resi-  
23 dent Commissioner has control over such records.”.

24 (k) RESPONSE TO SUBPOENAS.—Amend rule VIII to  
25 read as follows—

1 “RULE VIII

2 “RESPONSE TO SUBPOENAS

3 “1.(a) When a Member, Delegate, Resident Commis-  
4 sioner, officer, or employee of the House is properly served  
5 with a judicial subpoena or order, such Member, Delegate,  
6 Resident Commissioner, officer, or employee shall comply,  
7 consistently with the privileges and rights of the House,  
8 with the judicial subpoena or order as hereinafter pro-  
9 vided, unless otherwise determined under this rule.

10 “(b) For purposes of this rule, ‘judicial sub-  
11 poena or order’ means a judicial subpoena or judicial  
12 order directing appearance as a witness relating to  
13 the official functions of the House or for the produc-  
14 tion or disclosure of any document relating to the of-  
15 ficial functions of the House.

16 “2.(a) Upon receipt of a properly served judicial sub-  
17 poena or order, a Member, Delegate, Resident Commis-  
18 sioner, officer, or employee of the House shall promptly  
19 notify the Speaker in writing of its receipt together with  
20 either:

21 “(1) a determination as to whether the  
22 issuance of the judicial subpoena or order is a  
23 proper exercise of jurisdiction by the court and  
24 is consistent with the privileges and rights of  
25 the House; or

1           “(2) a statement that such Member, Dele-  
2           gate, Resident Commissioner, officer, or em-  
3           ployee of the House intends to make a deter-  
4           mination with respect to the matters described  
5           in subparagraph (1).

6           “(b) The notification required by paragraph (a)  
7           shall promptly be laid before the House by the  
8           Speaker.

9           “3.(a) Except as specified in paragraph (b) or other-  
10          wise ordered by the House, upon notification to the House  
11          that a judicial subpoena or order is a proper exercise of  
12          jurisdiction by the court and is consistent with the privi-  
13          leges and rights of the House, the Member, Delegate,  
14          Resident Commissioner, officer, or employee of the House  
15          shall comply with the judicial subpoena or order by sup-  
16          plying copies.

17          “(b) Under no circumstances may minutes or  
18          transcripts of executive sessions, or evidence of wit-  
19          nesses in respect thereto, be disclosed or copied.  
20          During a period of recess or adjournment of longer  
21          than three days, the Speaker may authorize compli-  
22          ance or take such other action as the Speaker con-  
23          siders appropriate under the circumstances. Upon  
24          the reconvening of the House, all matters that tran-

1       spired under this clause shall promptly be laid before  
2       the House by the Speaker.

3       “4. Nothing in this rule shall be construed to deprive,  
4       condition, or waive the constitutional or legal privileges or  
5       rights applicable or available at any time to a Member,  
6       Delegate, Resident Commissioner, officer, or employee of  
7       the House, or of the House itself, or the right of such  
8       Member, Delegate, Resident Commissioner, officer, or em-  
9       ployee, or of the House itself, to assert such privileges or  
10      rights before a court in the United States.”.

11      (1) REQUIREMENTS FOR SUBCOMMITTEES.—Amend  
12      clause 5(d)(2) of rule X to read as follows:

13                   “(2)(A) A committee that maintains a sub-  
14                   committee on oversight may have not more than  
15                   six subcommittees.

16                   “(B) The Committee on Appropria-  
17                   tions may have not more than 13 sub-  
18                   committees.

19                   “(C) The Committee on Armed Serv-  
20                   ices may have not more than seven sub-  
21                   committees.

22                   “(D) The Committee on Foreign Af-  
23                   fairs may have not more than seven sub-  
24                   committees.

1                   “(E) The Committee on Oversight  
2                   and Government Reform may have not  
3                   more than seven subcommittees.

4                   “(F) The Committee on Transpor-  
5                   tation and Infrastructure may have not  
6                   more than six subcommittees.”.

7           (m) COMMITTEE HEARINGS.—In clause 2(g)(2)(D)  
8 of rule XI, insert “, the Committee on Homeland Secu-  
9 rity” after “Armed Services”.

10          (n) REFERRALS TO THE COURT OF CLAIMS.—

11           (1) In clause 1(a)(1) of rule XIII—

12                   (A) insert “or” before “releasing”; and

13                   (B) strike “, or referring a claim to the  
14                   Court of Claims”; and

15           (2) In clause 3 of rule XVIII—

16                   (A) insert “or” before “releasing”; and

17                   (B) strike “, or referring a claim to the  
18                   Court of Claims”.

19          (o) CONTENTS OF COMMITTEE REPORTS SHOWING  
20 CHANGES TO EXISTING LAW.—Clause 3(e)(1) of rule XIII  
21 is amended by striking “accompanying document—” and  
22 all that follows and inserting “accompanying document  
23 (showing by appropriate typographical devices the omis-  
24 sions and insertions proposed)—

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

4                   “(B) a comparative print of each  
5                   amendment to the entire text of a section  
6                   of a statute that the bill or joint resolution  
7                   proposes to make.”.

8           (p) AUTHORITY TO POSTPONE RECORD VOTES ON  
9 CERTAIN MOTIONS.—In clause 8(a)(2) of rule XX—

10           (1) Redesignate subdivisions (E) through (H)  
11           as subdivisions (G) through (J), respectively;

12           (2) Insert after subdivision (D) the following  
13           new subdivisions:

14                   “(E) The question of adopting a mo-  
15                   tion to recommit.

16                   “(F) The question of adopting a mo-  
17                   tion to concur in a Senate amendment,  
18                   with or without amendment.”; and

19           (3) In subdivision (G) (as redesignated), strike  
20           “subdivision (A), (B), (C), or (D)” and insert “sub-  
21           divisions (A) through (F)”.

22           (q) CONFORMING GUIDELINES FOR FIVE-MINUTE  
23 VOTING.—In clause 9 of rule XX—

24           (1) In paragraph (a), insert “or” after the  
25           semicolon; and

1           (2) Strike paragraphs (b) and (c) and insert the  
2 following:

3           “(b) if in the discretion of the Speaker Mem-  
4 bers would be afforded an adequate opportunity to  
5 vote—

6           “(1) on any question arising after a report  
7 from the Committee of the Whole without de-  
8 bate or intervening motion; or

9           “(2) on the question of adoption of a mo-  
10 tion to recommit (or ordering the previous ques-  
11 tion thereon) arising without intervening motion  
12 or debate other than debate on the motion.”.

13       (r) ELECTRONIC AVAILABILITY.—In clause 3 of rule  
14 XXIX, strike “in electronic form at a location designated  
15 by the Committee on House Administration” and insert  
16 “at an electronic document repository operated by the  
17 Clerk”.

18       (s) COMPARATIVE PRINTS FOR BILLS OR JOINT RES-  
19 OLUTIONS CONSIDERED ON FLOOR.—Effective December  
20 31, 2017, in rule XXI, add at the end the following new  
21 clause:

22       “12.(a)(1) Before a bill or joint resolution proposing  
23 to repeal or amend a statute or part thereof may be con-  
24 sidered, there shall be made available on a publicly avail-  
25 able website of the House an easily searchable electronic



1 comparative print that shows how the bill or joint resolu-  
2 tion proposes to change current law, showing (to the  
3 greatest extent practicable) by appropriate typographical  
4 devices the omissions and insertions proposed.

5           “(2) Before an amendment in the nature  
6 of a substitute may be considered if the amend-  
7 ment proposes to repeal or amend a statute or  
8 part thereof, there shall be made available on a  
9 publicly available website of the House an easily  
10 searchable electronic comparative print that  
11 shows (to the greatest extent practicable) how  
12 the amendment proposes to change current law,  
13 showing by appropriate typographical devices  
14 the omissions and insertions proposed.

15           “(b) If a committee reports a bill or joint reso-  
16 lution, before the bill or joint resolution may be con-  
17 sidered with text different from the text reported,  
18 there shall be made available on a publicly available  
19 website of the House a document that shows, by ap-  
20 propriate typographical devices, the differences be-  
21 tween the text of the bill or joint resolution as pro-  
22 posed to be considered and the text of the bill or  
23 joint resolution as reported.”.

1 (t) APPOINTMENT OF CHAIR.—Clause 1 of rule  
2 XVIII is amended by inserting “, Delegate, or the Resi-  
3 dent Commissioner” after “Member”.

4 **SEC. 3. SEPARATE ORDERS.**

5 (a) HOLMAN RULE.—During the first session of the  
6 One Hundred Fifteenth Congress, any reference in clause  
7 2 of rule XXI to a provision or amendment that retrenches  
8 expenditures by a reduction of amounts of money covered  
9 by the bill shall be construed as applying to any provision  
10 or amendment (offered after the bill has been read for  
11 amendment) that retrenches expenditures by—

12 (1) the reduction of amounts of money in the  
13 bill;

14 (2) the reduction of the number and salary of  
15 the officers of the United States; or

16 (3) the reduction of the compensation of any  
17 person paid out of the Treasury of the United  
18 States.

19 (b) STAFF DEPOSITION AUTHORITY.—

20 (1) During the One Hundred Fifteenth Con-  
21 gress, the chair of a standing committee (other than  
22 the Committee on House Administration or the  
23 Committee on Rules), and the chair of the Perma-  
24 nent Select Committee on Intelligence, upon con-  
25 sultation with the ranking minority member of such

1 committee, may order the taking of depositions, in-  
2 cluding pursuant to subpoena, by a member or coun-  
3 sel of such committee.

4 (2) Depositions taken under the authority pre-  
5 scribed in this subsection shall be subject to regula-  
6 tions issued by the chair of the Committee on Rules  
7 and printed in the Congressional Record.

8 (3) At least one member of the committee shall  
9 be present at each deposition taken under the au-  
10 thority prescribed in this subsection, unless—

11 (A) the witness to be deposed agrees in  
12 writing to waive this requirement; or

13 (B) the committee authorizes the taking of  
14 a specified deposition without the presence of a  
15 member during a specified period, provided that  
16 the House is not in session on the day of the  
17 deposition.

18 (c) INDEPENDENT PAYMENT ADVISORY BOARD.—  
19 Section 1899A(d) of the Social Security Act shall not  
20 apply in the One Hundred Fifteenth Congress.

21 (d) PROVIDING FOR TRANSPARENCY WITH RESPECT  
22 TO MEMORIALS SUBMITTED PURSUANT TO ARTICLE V OF  
23 THE CONSTITUTION OF THE UNITED STATES.—With re-  
24 spect to any memorial presented under clause 3 of rule  
25 XII purporting to be an application of the legislature of

1 a State calling for a convention for proposing amendments  
2 to the Constitution of the United States pursuant to Arti-  
3 cle V, or a rescission of any such prior application—

4 (1) the chair of the Committee on the Judiciary  
5 shall, in the case of such a memorial presented in  
6 the One Hundred Fourteenth Congress or the One  
7 Hundred Fifteenth Congress, and may, in the case  
8 of such a memorial presented prior to the One Hun-  
9 dred Fourteenth Congress, designate any such me-  
10 morial for public availability by the Clerk; and

11 (2) the Clerk shall make such memorials as are  
12 designated pursuant to paragraph (1) publicly avail-  
13 able in electronic form, organized by State of origin  
14 and year of receipt, and shall indicate whether the  
15 memorial was designated as an application or a re-  
16 scission.

17 (e) SPENDING REDUCTION AMENDMENTS IN APPRO-  
18 PRIATIONS BILLS.—

19 (1) During the reading of a general appropria-  
20 tion bill for amendment in the Committee of the  
21 Whole House on the state of the Union, it shall be  
22 in order to consider en bloc amendments proposing  
23 only to transfer appropriations from an object or ob-  
24 jects in the bill to a spending reduction account.

25 When considered en bloc under this paragraph, such

1 amendments may amend portions of the bill not yet  
2 read for amendment (following disposition of any  
3 points of order against such portions) and are not  
4 subject to a demand for division of the question in  
5 the House or in the Committee of the Whole.

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

11 (3) A point of order under clause 2(b) of rule  
12 XXI shall not apply to a spending reduction ac-  
13 count.

14 (4) A general appropriation bill may not be con-  
15 sidered in the Committee of the Whole House on the  
16 state of the Union unless it includes a spending re-  
17 duction account as the last section of the bill. An  
18 order to report a general appropriation bill to the  
19 House shall constitute authority for the chair of the  
20 Committee on Appropriations to add such a section  
21 to the bill or modify the figure contained therein.

22 (5) For purposes of this subsection, the term  
23 “spending reduction account” means an account in  
24 a general appropriation bill that bears that caption  
25 and contains only—

1 (A) a recitation of the amount by which an  
2 applicable allocation of new budget authority  
3 under section 302(b) of the Congressional  
4 Budget Act of 1974 exceeds the amount of new  
5 budget authority proposed by the bill; or

6 (B) if no such allocation is in effect, “\$0”.

7 (f) POINT OF ORDER AGAINST MOTION TO RISE AND  
8 REPORT.—

9 (1) During the One Hundred Fifteenth Con-  
10 gress, except as provided in paragraph (3), a motion  
11 that the Committee of the Whole rise and report a  
12 bill to the House shall not be in order if the bill, as  
13 amended, exceeds an applicable allocation of new  
14 budget authority under section 302(b) of the Con-  
15 gressional Budget Act of 1974, as estimated by the  
16 Committee on the Budget.

17 (2) If a point of order under paragraph (1) is  
18 sustained, the Chair shall put the question: “Shall  
19 the Committee of the Whole rise and report the bill  
20 to the House with such amendments as may have  
21 been adopted notwithstanding that the bill exceeds  
22 its allocation of new budget authority under section  
23 302(b) of the Congressional Budget Act of 1974?”.  
24 Such question shall be debatable for 10 minutes  
25 equally divided and controlled by a proponent of the

1 question and an opponent but shall be decided with-  
2 out intervening motion.

3 (3) Paragraph (1) shall not apply—

4 (A) to a motion offered under clause 2(d)  
5 of rule XXI; or

6 (B) after disposition of a question under  
7 paragraph (2) on a given bill.

8 (4) If a question under paragraph (2) is de-  
9 cided in the negative, no further amendment shall be  
10 in order except—

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

18 (B) pro forma amendments, if offered by  
19 the chair or ranking minority member of the  
20 Committee on Appropriations or their des-  
21 ignees, for the purpose of debate.

22 (g) LIMITATION ON ADVANCE APPROPRIATIONS.—

23 (1) Except as provided in paragraph (2), any  
24 general appropriation bill or bill or joint resolution  
25 continuing appropriations, or amendment thereto or

1 conference report thereon, may not provide an ad-  
2 vance appropriation.

3 (2) An advance appropriation may be provided  
4 for programs, projects, activities, or accounts identi-  
5 fied in a list submitted for printing in the Congres-  
6 sional Record by the chair of the Committee on the  
7 Budget (when elected) under the heading—

8 (A) “Accounts Identified for Advance Ap-  
9 propriations” in an aggregate amount not to  
10 exceed \$28,852,000,000 in new budget author-  
11 ity; and

12 (B) “Veterans Accounts Identified for Ad-  
13 vance Appropriations” in an aggregate amount  
14 not to exceed \$66,385,032,000 in new budget  
15 authority.

16 (3) DEFINITION.—The term “advance appro-  
17 priation” means any new discretionary budget au-  
18 thority provided in a general appropriation bill or  
19 bill or joint resolution continuing appropriations for  
20 fiscal year 2017, or any amendment thereto or con-  
21 ference report thereon, that first becomes available  
22 for the fiscal year following fiscal year 2017.

23 (h) POINT OF ORDER AGAINST INCREASING DIRECT  
24 SPENDING.—



1           (1) CONGRESSIONAL BUDGET OFFICE ANALYSIS  
2           OF PROPOSALS.—The Director of the Congressional  
3           Budget Office shall, to the extent practicable, pre-  
4           pare an estimate of whether a bill or joint resolution  
5           reported by a committee (other than the Committee  
6           on Appropriations), or amendment thereto or con-  
7           ference report thereon, would cause, relative to cur-  
8           rent law, a net increase in direct spending in excess  
9           of \$5,000,000,000 in any of the 4 consecutive 10-  
10          fiscal year periods beginning with the first fiscal  
11          year that is 10 fiscal years after the current fiscal  
12          year.

13          (2) POINT OF ORDER.—It shall not be in order  
14          to consider any bill or joint resolution reported by a  
15          committee, or amendment thereto or conference re-  
16          port thereon, that would cause a net increase in di-  
17          rect spending in excess of \$5,000,000,000 in any of  
18          the 4 consecutive 10-fiscal year periods described in  
19          paragraph (1).

20          (3) DETERMINATIONS OF BUDGET LEVELS.—  
21          For purposes of this subsection, the levels of net in-  
22          creases in direct spending shall be determined on the  
23          basis of estimates provided by the chair of the Com-  
24          mittee on the Budget.

1           (4) LIMITATION.—This subsection shall not  
2 apply to any bill or joint resolution, or amendment  
3 thereto or conference report thereon—

4           (A) repealing the Patient Protection and  
5 Affordable Care Act and title I and subtitle B  
6 of title II of the Health Care and Education Af-  
7 fordability Reconciliation Act of 2010;

8           (B) reforming the Patient Protection and  
9 Affordable Care Act and the Health Care and  
10 Education Affordability Reconciliation Act of  
11 2010; or

12           (C) for which the chair of the Committee  
13 on the Budget has made an adjustment to the  
14 allocations, levels, or limits contained in the  
15 most recently adopted concurrent resolution on  
16 the budget.

17 (i) DISCLOSURE OF DIRECTED RULE MAKINGS.—

18           (1) The report of a committee on a bill or joint  
19 resolution shall include a list of directed rule mak-  
20 ings required by the measure or a statement that  
21 the proposition contains no directed rule makings.

22           (2) For purposes of this subsection, the term  
23 “directed rule making” means a specific rule making  
24 within the meaning of section 551 of title 5, United  
25 States Code, specifically directed to be completed by

1 a provision in the measure, but does not include a  
2 grant of discretionary rule making authority.

3 (j) EXERCISE FACILITIES FOR FORMER MEMBERS.—

4 During the One Hundred Fifteenth Congress—

5 (1) The House of Representatives may not pro-  
6 vide access to any exercise facility which is made  
7 available exclusively to Members and former Mem-  
8 bers, officers and former officers of the House of  
9 Representatives, and their spouses to any former  
10 Member, former officer, or spouse who is a lobbyist  
11 registered under the Lobbying Disclosure Act of  
12 1995 or any successor statute or agent of a foreign  
13 principal as defined in clause 5 of rule XXV. For  
14 purposes of this subsection, the term “Member” in-  
15 cludes a Delegate or Resident Commissioner to the  
16 Congress.

17 (2) The Committee on House Administration  
18 shall promulgate regulations to carry out this sub-  
19 section.

20 (k) NUMBERING OF BILLS.—In the One Hundred  
21 Fifteenth Congress, the first 10 numbers for bills (H.R.  
22 1 through H.R. 10) shall be reserved for assignment by  
23 the Speaker and the second 10 numbers for bills (H.R.  
24 11 through H.R. 20) shall be reserved for assignment by  
25 the Minority Leader.

1           (l) INCLUSION OF CITATIONS FOR PROPOSED RE-  
2 PEALS AND AMENDMENTS.—To the maximum extent  
3 practicable and consistent with established drafting con-  
4 ventions, an instruction in a bill or joint resolution pro-  
5 posing to repeal or amend any law or part thereof not con-  
6 tained in a codified title of the United States Code shall  
7 include, in parentheses immediately following the designa-  
8 tion of the matter proposed to be repealed or amended,  
9 the applicable United States Code citation (which may be  
10 a note in the United States Code), or, if no such citation  
11 is available, an appropriate alternative citation to the ap-  
12 plicable law or part.

13           (m) BROADENING AVAILABILITY OF LEGISLATIVE  
14 DOCUMENTS IN MACHINE-READABLE FORMATS.—The  
15 Committee on House Administration, the Clerk, and other  
16 officers and officials of the House shall continue efforts  
17 to broaden the availability of legislative documents in ma-  
18 chine readable formats in the One Hundred Fifteenth  
19 Congress in furtherance of the institutional priority of im-  
20 proving public availability and use of legislative informa-  
21 tion produced by the House and its committees.

22           (n) CONGRESSIONAL MEMBER ORGANIZATION  
23 TRANSPARENCY REFORM.—

24                   (1) PAYMENT OF SALARIES AND EXPENSES  
25 THROUGH ACCOUNT OF ORGANIZATION.—A Member

1 of the House of Representatives and an eligible Con-  
2 gressional Member Organization may enter into an  
3 agreement under which—

4 (A) an employee of the Member's office  
5 may carry out official and representational du-  
6 ties of the Member by assignment to the Orga-  
7 nization; and

8 (B) to the extent that the employee carries  
9 out such duties under the agreement, the Mem-  
10 ber shall transfer the portion of the Members'  
11 Representation Allowance of the Member which  
12 would otherwise be used for the salary and re-  
13 lated expenses of the employee to a dedicated  
14 account in the House of Representatives which  
15 is administered by the Organization, in accord-  
16 ance with the regulations promulgated by the  
17 Committee on House Administration under  
18 paragraph (2).

19 (2) REGULATIONS.—The Committee on House  
20 Administration (hereafter referred to in this sub-  
21 section as the “Committee”) shall promulgate regu-  
22 lations as follows:

23 (A) USE OF MRA.—Pursuant to the au-  
24 thority of section 101(d) of the House of Rep-  
25 resentatives Administrative Reform Technical

1            Corrections Act (2 U.S.C. 5341(d)), the Com-  
2            mittee shall prescribe regulations to provide  
3            that an eligible Congressional Member Organi-  
4            zation may use the amounts transferred to the  
5            Organization's dedicated account under para-  
6            graph (1)(B) for the same purposes for which  
7            a Member of the House of Representatives may  
8            use the Members' Representational Allowance,  
9            except that the Organization may not use such  
10           amounts for franked mail, official travel, or  
11           leases of space or vehicles.

12                    (B) MAINTENANCE OF LIMITATIONS ON  
13                    NUMBER OF SHARED EMPLOYEES.—Pursuant  
14                    to the authority of section 104(d) of the House  
15                    of Representatives Administrative Reform Tech-  
16                    nical Corrections Act (2 U.S.C. 5321(d)), the  
17                    Committee shall prescribe regulations to provide  
18                    that an employee of the office of a Member of  
19                    the House of Representatives who is covered by  
20                    an agreement entered into under paragraph (1)  
21                    between the Member and an eligible Congres-  
22                    sional Member Organization shall be considered  
23                    a shared employee of the Member's office and  
24                    the Organization for purposes of such section,  
25                    and shall include in such regulations appro-

1           appropriate accounting standards to ensure that a  
2           Member of the House of Representatives who  
3           enters into an agreement with such an Organi-  
4           zation under paragraph (1) does not employ  
5           more employees than the Member is authorized  
6           to employ under such section.

7                   (C) PARTICIPATION IN STUDENT LOAN RE-  
8           PAYMENT PROGRAM.—Pursuant to the author-  
9           ity of section 105(b) of the Legislative Branch  
10          Appropriations Act, 2003 (2 U.S.C. 4536(b)),  
11          relating to the student loan repayment program  
12          for employees of the House, the Committee  
13          shall promulgate regulations to provide that, in  
14          the case of an employee who is covered by an  
15          agreement entered into under paragraph (1) be-  
16          tween a Member of the House of Representa-  
17          tives and an eligible Congressional Member Or-  
18          ganization and who participates in such pro-  
19          gram while carrying out duties under the agree-  
20          ment—

21                   (i) any funds made available for mak-  
22                   ing payments under the program with re-  
23                   spect to the employee shall be transferred  
24                   to the Organization's dedicated account  
25                   under paragraph (1)(B); and

1                   (ii) the Organization shall use the  
2                   funds to repay a student loan taken out by  
3                   the employee, under the same terms and  
4                   conditions which would apply under the  
5                   program if the Organization were the em-  
6                   ploying office of the employee.

7                   (D) ACCESS TO HOUSE SERVICES.—The  
8                   Committee shall prescribe regulations to ensure  
9                   that an eligible Congressional Member Organi-  
10                  zation has appropriate access to services of the  
11                  House.

12                  (E) OTHER REGULATIONS.—The Com-  
13                  mittee shall promulgate such other regulations  
14                  as may be appropriate to carry out this sub-  
15                  section.

16                  (3) ELIGIBLE CONGRESSIONAL MEMBER ORGA-  
17                  NIZATION DEFINED.—In this subsection, the term  
18                  “eligible Congressional Member Organization”  
19                  means, with respect to the One Hundred Fifteenth  
20                  Congress, an organization meeting each of the fol-  
21                  lowing requirements:

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



1           (B) The organization designates a single  
2 Member of the House of Representatives to be  
3 responsible for the administration of the organi-  
4 zation, including the administration of the ac-  
5 count administered under paragraph (1)(B),  
6 and includes the identification of such Member  
7 with the statement of organization that the or-  
8 ganization files and maintains with the Com-  
9 mittee on House Administration.

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

12           (D) During the One Hundred Fourteenth  
13 Congress, at least 30 Members of the House of  
14 Representatives used a portion of the Members'  
15 Representational Allowance of the Member for  
16 the salary and related expenses of an employee  
17 who was a shared employee of the Member's of-  
18 fice and the organization.

19           (E) The organization files a statement  
20 with the Committee on House Administration  
21 and the Chief Administrative Officer of the  
22 House of Representatives certifying that it will  
23 administer an account in accordance with para-  
24 graph (1)(B).

25           (o) SOCIAL SECURITY SOLVENCY.—

1           (1) POINT OF ORDER.—During the One Hun-  
2           dred Fifteenth Congress, it shall not be in order to  
3           consider a bill or joint resolution, or an amendment  
4           thereto or conference report thereon, that reduces  
5           the actuarial balance by at least .01 percent of the  
6           present value of future taxable payroll of the Federal  
7           Old-Age and Survivors Insurance Trust Fund estab-  
8           lished under section 201(a) of the Social Security  
9           Act for the 75-year period utilized in the most re-  
10          cent annual report of the Board of Trustees pro-  
11          vided pursuant to section 201(c)(2) of the Social Se-  
12          curity Act.

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

21          (p) SUBCOMMITTEES.—Notwithstanding clause 5(d)  
22          of rule X, during the One Hundred Fifteenth Congress  
23          the Committee on Agriculture may have not more than  
24          six subcommittees.

1 (q) TREATMENT OF CONVEYANCES OF FEDERAL  
2 LAND.—

3 (1) IN GENERAL.—In the One Hundred Fif-  
4 teenth Congress, for all purposes in the House, a  
5 provision in a bill or joint resolution, or in an  
6 amendment thereto or a conference report thereon,  
7 requiring or authorizing a conveyance of Federal  
8 land to a State, local government, or tribal entity  
9 shall not be considered as providing new budget au-  
10 thority, decreasing revenues, increasing mandatory  
11 spending, or increasing outlays.

12 (2) DEFINITIONS.—In this subsection:

13 (A) The term “conveyance” means any  
14 method, including sale, donation, or exchange,  
15 by which all or any portion of the right, title,  
16 and interest of the United States in and to  
17 Federal land is transferred to another entity.

18 (B) The term “Federal land” means any  
19 land owned by the United States, including the  
20 surface estate, the subsurface estate, or any im-  
21 provements thereon.

22 (C) The term “State” means any of the  
23 several States, the District of Columbia, or a  
24 territory (including a possession) of the United  
25 States.

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

2 (a) HOUSE DEMOCRACY PARTNERSHIP.—House Res-  
3 olution 24, One Hundred Tenth Congress, shall apply in  
4 the One Hundred Fifteenth Congress in the same manner  
5 as such resolution applied in the One Hundred Tenth Con-  
6 gress except that the commission concerned shall be  
7 known as the House Democracy Partnership.

8 (b) TOM LANTOS HUMAN RIGHTS COMMISSION.—  
9 Sections 1 through 7 of House Resolution 1451, One Hun-  
10 dred Tenth Congress, shall apply in the One Hundred Fif-  
11 teenth Congress in the same manner as such provisions  
12 applied in the One Hundred Tenth Congress, except  
13 that—

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

19 (2) the resources of the Committee on Foreign  
20 Affairs which the Commission may use shall include  
21 all resources which the Committee is authorized to  
22 obtain from other offices of the House of Represent-  
23 atives.

24 (c) OFFICE OF CONGRESSIONAL ETHICS.—

25 (1) IN GENERAL.—Section 1 of House Resolu-  
26 tion 895, One Hundred Tenth Congress, shall apply

1 in the One Hundred Fifteenth Congress in the same  
2 manner as such provision applied in the One Hun-  
3 dred Tenth Congress, except as follows:

4 (A) The Office of Congressional Ethics  
5 (hereafter referred to as the “Office”) shall be  
6 designated the “Office of Congressional Com-  
7 plaint Review”, and each reference to the Office  
8 of Congressional Ethics in such Resolution shall  
9 be deemed to be a reference to the Office of  
10 Congressional Complaint Review.

11 (B) The Office shall be subject to oversight  
12 by the Committee on Ethics.

13 (C) The Office shall be treated as a stand-  
14 ing committee of the House for purposes of sec-  
15 tion 202(i) of the Legislative Reorganization  
16 Act of 1946 (2 U.S.C. 4301(i)).

17 (D) References to the Committee on  
18 Standards of Official Conduct shall be con-  
19 strued as references to the Committee on Eth-  
20 ics.

21 (E) Any requirement for concurrence in  
22 paragraph (1) of section 1(b) shall be construed  
23 as a requirement for consultation.

24 (F) The second sentence of subparagraph  
25 (A) of section 1(b)(6) shall not apply.

1 (G) Members subject to subparagraph (B)  
2 of section 1(b)(6) may be reappointed for a  
3 third additional term.

4 (H) The board of the Office may not take  
5 any steps to undertake a preliminary review  
6 under section subparagraph (A) of section  
7 1(e)(1) with respect to an alleged violation, in-  
8 cluding requesting information or other mate-  
9 rials or interviewing witnesses (other than re-  
10 viewing publicly available information), until the  
11 board has received a joint written request de-  
12 scribed in such section with respect to the al-  
13 leged violation.

14 (I) Subparagraph (B) of section 1(e)(1)  
15 shall apply as if the reference to “30 calendar  
16 days” were a reference to “60 calendar days”.

17 (J) Subparagraph (C) of section 1(e)(1)  
18 shall apply as if the last sentence read as fol-  
19 lows: “If the board votes to terminate the pre-  
20 liminary review, it shall send a termination re-  
21 port to the Committee on Ethics and to the in-  
22 dividual who was the subject of the review.”.

23 (K) Clause (i) of section 1(e)(2)(A) shall  
24 apply as if the reference to “45 calendar days”

1           were a reference to “60 calendar days”, and  
2           clause (ii) of section 1(c)(2)(A) shall not apply.

3           (L) If the board of the Office votes to  
4           make a recommendation under subparagraph  
5           (B) of section 1(c)(2) that a matter which is  
6           the subject of a second-phase review requires  
7           further review by the Committee on Ethics, the  
8           board shall transmit its recommendation to the  
9           Committee under such subparagraph not later  
10          than 7 calendar days after the vote.

11          (M) Subclause (III) of section 1(c)(2)(C)(i)  
12          shall apply as if the reference to “any sup-  
13          porting documentation” were a reference to “all  
14          materials related to any matter referred to the  
15          Committee on Ethics by the Board in carrying  
16          out the second-phase review, including, but not  
17          limited to, requests for information, transcripts,  
18          documentation and other materials, and any  
19          other relevant material”.

20          (N) Pursuant to its authority under sec-  
21          tion 1(c)(2)(F), the board of the Office shall  
22          adopt a rule that prohibits the board from ac-  
23          cepting or considering any anonymous allega-  
24          tion.

1           (O) Paragraph (1) of section 1(d) shall  
2           apply as if the first sentence read as follows:  
3           “Notwithstanding any other provision of this  
4           section, upon receipt of a written request from  
5           the Committee on Standards of Official Con-  
6           duct that the board cease its review of any mat-  
7           ter and refer such matter to the Committee, the  
8           board shall refer such matter immediately to  
9           the Committee and cease its preliminary or sec-  
10          ond-phase review, as applicable, of that matter,  
11          and so notify any individual who is the subject  
12          of the review.”.

13          (P) Paragraph (2) of section 1(d) shall  
14          apply as if the reference to “the board shall im-  
15          mediately begin or continue, as the case may  
16          be, a second-phase review of the matter” were  
17          a reference to “the board shall immediately  
18          cease any investigation of the matter, and shall  
19          notify the individual who is the subject of the  
20          review accordingly”.

21          (Q) In addition to the limitations on review  
22          described in section 1(e), the board of the Of-  
23          fice may not undertake a review of any alleged  
24          violation that occurred before the One Hundred  
25          Twelfth Congress.



1           (R) Nothing in section 1(f) may be con-  
2           strued to authorize the board of the Office to  
3           make any public statement, or release any in-  
4           formation or other material to the public or any  
5           other entity, unless such statement or informa-  
6           tion has already been released by the Com-  
7           mittee on Ethics or the release of such state-  
8           ment or information has been authorized by the  
9           Committee on Ethics.

10           (S) The board of the Office is not author-  
11           ized to employ any person for a position involv-  
12           ing communications with the public, including a  
13           communications director or press spokesperson.

14           (T) If at any time the board of the Office  
15           discovers information indicating that a matter  
16           which is the subject of a review by the board  
17           may involve a violation of a criminal law, the  
18           Board will immediately refer the matter to the  
19           Committee on Ethics for further review or (if  
20           determined appropriate by the Committee on  
21           Ethics) referral to an appropriate law enforce-  
22           ment agency. Nothing in the previous sentence  
23           may be construed to authorize the Board to  
24           refer any matter directly to any law enforce-  
25           ment agency.

1           (U) The board of the Office shall include  
2           in its rules provisions to protect the due process  
3           rights of individuals who are the subject of a  
4           preliminary review or second-phase review by  
5           the board, and of witnesses, including informing  
6           such individuals and witnesses of the right to be  
7           represented by counsel and ensuring that the  
8           invocation of that right will not be held nega-  
9           tively against them.

10           (V) The Office may not take any action  
11           that would deny any person any right or protec-  
12           tion provided under the Constitution of the  
13           United States.

14           (2) CONFORMING REFERENCES IN RULES.—  
15           During the One Hundred Fifteenth Congress, any  
16           reference in the Rules of the House of Representa-  
17           tives to the Office of Congressional Ethics shall be  
18           deemed to be a reference to the Office of Congres-  
19           sional Complaint Review.

20 **SEC. 5. ORDERS OF BUSINESS.**

21           (a) The Speaker may recognize a Member for the  
22           reading of the Constitution on any legislative day through  
23           January 13, 2017.

24           (b) Upon adoption of this resolution it shall be in  
25           order to consider in the House the bill (H.R. 21) to amend

1 chapter 8 of title 5, United States Code, to provide for  
2 en bloc consideration in resolutions of disapproval for  
3 “midnight rules”, and for other purposes. All points of  
4 order against consideration of the bill are waived. The bill  
5 shall be considered as read. All points of order against  
6 provisions in the bill are waived. The previous question  
7 shall be considered as ordered on the bill and on any  
8 amendment thereto to final passage without intervening  
9 motion except: (1) one hour of debate equally divided and  
10 controlled by the Majority Leader and the Minority Lead-  
11 er or their respective designees; and (2) one motion to re-  
12 commit.