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(Original Signature of Member)

116TH CONGRESS  
1ST SESSION

# H. RES.

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Adopting the Rules of the House of Representatives for the One Hundred Sixteenth Congress, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. HOYER submitted the following resolution

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# RESOLUTION

Adopting the Rules of the House of Representatives for the One Hundred Sixteenth Congress, and for other purposes.

1 *Resolved,*

2 **TITLE I—RULES OF THE ONE**  
3 **HUNDRED SIXTEENTH CON-**  
4 **GRESS**

5 **SEC. 101. ADOPTION OF THE RULES OF THE ONE HUNDRED**  
6 **FIFTEENTH CONGRESS.**

7 The Rules of the House of Representatives of the One  
8 Hundred Fifteenth Congress, including applicable provi-  
9 sions of law or concurrent resolution that constituted rules

1 of the House at the end of the One Hundred Fifteenth  
2 Congress, are adopted as the Rules of the House of Rep-  
3 resentatives of the One Hundred Sixteenth Congress, with  
4 amendments to the standing rules as provided in section  
5 102, and with other orders as provided in this resolution.

6 **SEC. 102. CHANGES TO THE STANDING RULES.**

7 (a) NOTIFICATION OF CONVENING OF THE HOUSE.—  
8 In clause 12 of rule I, insert “, Delegates, and the Resi-  
9 dent Commissioner” after “Members” each place it ap-  
10 pears.

11 (b) VOTING BY DELEGATES AND THE RESIDENT  
12 COMMISSIONER IN THE COMMITTEE OF THE WHOLE.—

13 (1) In clause 3(a) of rule III, insert “In a Com-  
14 mittee of the Whole House on the State of the  
15 Union, each Delegate and the Resident Commis-  
16 sioner shall possess the same powers and privileges  
17 as Members of the House.” before “Each Delegate”.

18 (2) In clause 6 of rule XVIII, add at the end  
19 the following new paragraph:

20 “(h) Whenever a recorded vote on any question has  
21 been decided by a margin within which the votes cast by  
22 the Delegates and the Resident Commissioner have been  
23 decisive, the Committee of the Whole shall rise and the  
24 Speaker shall put such question de novo without inter-  
25 vening motion. Upon the announcement of the vote on

1 that question, the Committee of the Whole shall resume  
2 its sitting without intervening motion.”.

3 (c) ALLOWING DELEGATES AND THE RESIDENT  
4 COMMISSIONER TO SERVE ON JOINT COMMITTEES.—In  
5 clause 3(b) of rule III, strike “and to any” and insert “,  
6 joint committee, or”.

7 (d) ADMITTANCE TO THE HALL OF THE HOUSE.—  
8 In clause 2(a) of rule IV—

9 (1) strike subparagraphs (1) and (2) and insert  
10 the following:

11 “(1) Members of Congress, Members-elect, Del-  
12 egates, Delegates-elect, the Resident Commissioner,  
13 and the Resident Commissioner-elect.

14 “(2) Contestants in election cases during the  
15 pendency of their cases on the floor.”; and

16 (2) in subparagraph (14), insert “and of the  
17 Territories” after “States”.

18 (e) OFFICE OF SPEAKER.—In clause 2(a) of rule IX,  
19 add the following new subparagraph:

20 “(3) A resolution causing a vacancy in the Office of  
21 Speaker shall not be privileged except if offered by direc-  
22 tion of a party caucus or conference.”.

23 (f) DESIGNATING COMMITTEE ON OVERSIGHT AND  
24 REFORM.—In the standing rules, strike “Committee on  
25 Oversight and Government Reform” each place it appears

1 and insert (in each instance) “Committee on Oversight  
2 and Reform”.

3 (g) DESIGNATING COMMITTEE ON EDUCATION AND  
4 LABOR.—

5 (1) In clause 1(e) of rule X, strike “the Work-  
6 force” and insert “Labor”.

7 (2) In clause 3(d) of rule X, strike “the Work-  
8 force” and insert “Labor”.

9 (h) EDUCATION AND LABOR JURISDICTION CLARI-  
10 FICATION.—In clause 1(e) of rule X, add the following new  
11 subparagraphs:

12 “(14) Organization, administration, and general  
13 management of the Department of Education.

14 “(15) Organization, administration, and general  
15 management of the Department of Labor.”.

16 (i) COMMITTEE OVERSIGHT PLANS.—Amend clause  
17 2(d) of rule X to read as follows:

18 “(d)(1) Not later than March 1 of the first session  
19 of a Congress, the chair of each standing committee (other  
20 than the Committee on Appropriations, the Committee on  
21 Ethics, and the Committee on Rules) shall—

22 “(A) prepare, in consultation with the ranking  
23 minority member, an oversight plan for that Con-  
24 gress;

1           “(B) provide a copy of that plan to each mem-  
2           ber of the committee for at least seven calendar days  
3           before its submission; and

4           “(C) submit that plan (including any supple-  
5           mental, minority, additional, or dissenting views sub-  
6           mitted by a member of the committee) simulta-  
7           neously to the Committee on Oversight and Reform  
8           and the Committee on House Administration.

9           “(2) In developing the plan, the chair of each com-  
10          mittee shall, to the maximum extent feasible—

11           “(A) consult with other committees that have  
12           jurisdiction over the same or related laws, programs,  
13           or agencies with the objective of ensuring maximum  
14           coordination and cooperation among committees  
15           when conducting reviews of such laws, programs, or  
16           agencies and include in the plan an explanation of  
17           steps that have been or will be taken to ensure such  
18           coordination and cooperation;

19           “(B) review specific problems with Federal  
20           rules, regulations, statutes, and court decisions that  
21           are ambiguous, arbitrary, or nonsensical, or that im-  
22           pose severe financial burdens on individuals;

23           “(C) give priority consideration to including in  
24           the plan the review of those laws, programs, or

1 agencies operating under permanent budget author-  
2 ity or permanent statutory authority;

3 “(D) have a view toward ensuring that all sig-  
4 nificant laws, programs, or agencies within the com-  
5 mittee’s jurisdiction are subject to review every 10  
6 years; and

7 “(E) have a view toward insuring against dupli-  
8 cation of Federal programs.

9 “(3) Not later than April 15 in the first session of  
10 a Congress, after consultation with the Speaker, the Ma-  
11 jority Leader, and the Minority Leader, the Committee on  
12 Oversight and Reform shall report to the House the over-  
13 sight plans submitted under subparagraph (1) together  
14 with any recommendations that it, or the House leadership  
15 group described above, may make to ensure the most ef-  
16 fective coordination of oversight plans and otherwise to  
17 achieve the objectives of this clause.”.

18 (j) ACTIVITY REPORTS.—

19 (1) In clause 1(d)(2)(B) of rule XI, strike “au-  
20 thorization and”.

21 (2) In clause 1(d)(2)(C) of rule XI, strike “au-  
22 thorization and”.

23 (k) OVERSIGHT OVER THE EXECUTIVE OFFICE OF  
24 THE PRESIDENT.—In clause 3(i) of rule X, strike “with

1 a view to determining their economy and efficiency” and  
2 insert “, including the Executive Office of the President”.

3 (l) OVERSIGHT AND REFORM COMMITTEE DEPOSI-  
4 TIONS.—In clause 4(c)(3)(B) of rule X—

5 (1) in item (i), insert “and” after the semi-  
6 colon;

7 (2) in item (ii), strike “; and” and insert “.”;  
8 and

9 (3) strike item (iii).

10 (m) REMOVING CERTAIN COMMITTEE TERM LIM-  
11 ITS.—

12 (1) In clause 5(a)(2) of rule X—

13 (A) strike subdivisions (B) and (C); and

14 (B) in subdivision (A), strike “(A)” and  
15 redesignate items (i), (ii), and (iii) as subdivi-  
16 sions (A), (B), and (C).

17 (2) In clause 5(c) of rule X—

18 (A) strike the designation of subparagraph

19 (1); and

20 (B) strike subparagraph (2).

21 (n) RULES OF COMMITTEES.—In clause 2(a)(2) of  
22 rule XI, strike “30” and insert “60”.

23 (o) COMMITTEE MARKUP NOTICE.—In clause  
24 2(g)(3)(A)(ii) of rule XI, strike “third day” and insert  
25 “third calendar day (excluding Saturdays, Sundays, or

1 legal holidays except when the House is in session on such  
2 a day)".

3 (p) ANNUAL ETHICS TRAINING.—In clause  
4 3(a)(6)(B)(ii) of rule XI—

5 (1) strike "officer and employee" and insert  
6 "Member, Delegate, Resident Commissioner, officer,  
7 and employee"; and

8 (2) strike "officer or employee" and insert  
9 "Member, Delegate, Resident Commissioner, officer,  
10 or employee".

11 (q) CONSIDERING CRIMINAL TRIAL EVIDENCE IN  
12 ETHICS INVESTIGATION.—In clause 3(p) of rule XI—

13 (1) in subparagraph (5)(C), strike "first; or"  
14 and insert "first;"

15 (2) in subparagraph (5)(D), strike "investiga-  
16 tion;" and insert "investigation; or";

17 (3) in subparagraph (5), add at the end the fol-  
18 lowing new subdivision:

19 " (E) the committee or an investigative  
20 subcommittee determines to take into evi-  
21 dence the trial transcript or exhibits admit-  
22 ted into evidence at a criminal trial pursu-  
23 ant to subparagraph (9);";

24 (4) in subparagraph (7), strike "; and" and in-  
25 sert a semicolon;

1           (5) in subparagraph (8), strike the period and  
2           insert “; and”; and

3           (6) add at the end the following new subpara-  
4           graph:

5                   “(9) in any investigation permitted by  
6           House or committee rules, in addition to any  
7           other evidence which the committee or an inves-  
8           tigative subcommittee may consider, if the re-  
9           spondent has been convicted by a court of  
10          record for a crime which is related to the sub-  
11          ject of the investigation, the committee or inves-  
12          tigative subcommittee may take into evidence  
13          the trial transcript and all exhibits admitted  
14          into evidence at the trial.”.

15          (r) CONSENSUS CALENDAR.—

16           (1) In clause 1 of rule XIII, add at the end the  
17          following new paragraph:

18                   “(c) There is established a Consensus Calendar as  
19          provided in clause 7 of rule XV.”.

20           (2) In rule XV, add at the end the following  
21          new clause:

22          **“Consensus Calendar**

23                   “7.(a)(1) At least once during any week in which the  
24          House convenes, the House shall consider a measure on  
25          the Consensus Calendar as designated by the Speaker.

1           “(2) This paragraph does not apply before March 1  
2 of an odd-numbered year or after September 30 of an  
3 even-numbered year.

4           “(b)(1) The sponsor of a measure that has accumu-  
5 lated 290 cosponsors and has not been reported by the  
6 committee of primary jurisdiction may present to the  
7 Clerk a motion in writing to place that measure on the  
8 Consensus Calendar.

9           “(2) A proper motion presented under subparagraph  
10 (1) shall be placed in the custody of the Clerk, and shall  
11 appear in a portion of the Congressional Record des-  
12 ignated for that purpose. The Clerk shall maintain a cu-  
13 mulative list of such motions, and shall make such list  
14 publicly available in electronic form.

15           “(3) A motion presented under subparagraph (1)  
16 shall be considered as withdrawn if the measure is re-  
17 ported by the committee of primary jurisdiction prior to  
18 its placement on the Consensus Calendar.

19           “(c) After a measure has maintained at least 290 co-  
20 sponsors for a cumulative period of 25 legislative days  
21 after the presentation of a motion under paragraph (b)(1),  
22 the measure shall be placed on the Consensus Calendar.  
23 Such measure shall remain on the Consensus Calendar  
24 until it is—

25           “(1) considered in the House; or

1           “(2) reported by the committee of primary ju-  
2           risdiction.”.

3           (s) RECORDED VOTES IN RULES COMMITTEE RE-  
4           PORTS.—In clause 3(b) of rule XIII, insert “, and applies  
5           only to the maximum extent practicable to a report by the  
6           Committee on Rules on a rule, joint rule, or the order of  
7           business” after “Ethics”.

8           (t) 72-HOUR TEXT AVAILABILITY.—

9           (1) In clause 4(a)(1) of rule XIII—

10           (A) strike “the third calendar day (exclud-  
11           ing Saturdays, Sundays, or legal holidays ex-  
12           cept when the House is in session on such a  
13           day) on which each report” and insert “the pro-  
14           posed text of each report (except views referred  
15           to in clause 2(l) of rule XI)”;

16           (B) insert “for 72 hours” after “Resident  
17           Commissioner”.

18           (2) In clause 11 of rule XXI—

19           (A) strike “the third calendar day (exclud-  
20           ing Saturdays, Sundays, or legal holidays ex-  
21           cept when the House is in session on such a  
22           day) on which”;

23           (B) insert “for 72 hours” after “Resident  
24           Commissioner”.

25           (3) In clause 8(a)(1)(A) of rule XXII—

1 (A) strike “the third calendar day (exclud-  
2 ing Saturdays, Sundays, or legal holidays ex-  
3 cept when the House is in session on such a  
4 day) on which”; and

5 (B) insert “for 72 hours” after “Resident  
6 Commissioner”.

7 (4) In clause 8(b)(1)(A) of rule XXII—

8 (A) strike “the third calendar day (exclud-  
9 ing Saturdays, Sundays, or legal holidays ex-  
10 cept when the House is in session on such a  
11 day) on which”; and

12 (B) insert “for 72 hours” after “Resident  
13 Commissioner”.

14 (u) MACROECONOMIC ANALYSIS.—In rule XIII,  
15 strike clause 8.

16 (v) DISCHARGE PETITIONS.—

17 (1) In clause 2 of rule XV—

18 (A) strike “Discharge motions, second and  
19 fourth Mondays” and insert “Discharge mo-  
20 tions”;

21 (B) strike paragraph (a) and redesignate  
22 the subsequent paragraphs accordingly;

23 (C) in paragraph (b) (as so redesignated),  
24 strike “paragraph (b)” and insert “paragraph  
25 (a)”; and

1 (D) in paragraph (c)(1) (as so redesignated), strike the first sentence and insert the  
2 following: “A motion to discharge that has been  
3 on the calendar for at least seven legislative  
4 days (except during the last six days of a session of Congress) shall be privileged only at a  
5 time or place, designated by the Speaker, in the  
6 legislative schedule within two legislative days  
7 after the day on which a Member whose signature appears thereon announces to the House  
8 an intention to offer the motion.”.

9 (2) In clause 6(e) of rule XIII, strike “on a day  
10 when it is in order to consider a motion to discharge  
11 committees under clause 2 of rule XV” and insert  
12 “on the second and fourth Mondays of a month”.

13 (3) In clause 3 of rule XV, strike “on a day  
14 when it is in order to consider a motion to discharge  
15 committees under clause 2” and insert “on the second and fourth Mondays of a month”.

16 (4) In clause 4 of rule XV, strike “after the disposition of motions to discharge committees and”.

17 (w) PRIVATE CALENDAR.—In clause 5 of rule XV—

18 (1) in the caption, strike “, first and third  
19 Tuesdays”; and  
20  
21  
22  
23  
24

1           (2) in paragraph (b)(1), amend the first sen-  
2           tence to read as follows: “On any day, after the dis-  
3           posal of such business on the Speaker’s table as re-  
4           quires reference only, the Speaker may direct the  
5           Clerk to call any bill or resolution that has been on  
6           the Private Calendar for at least seven days, but  
7           only on the second legislative day after the legisla-  
8           tive day on which the Speaker or a designee an-  
9           nounces to the House an intention to do so.”.

10          (x) RELIGIOUS HEADDRESS.—In clause 5 of rule  
11 XVII, insert “non-religious headdress or” before “a hat”.

12          (y) QUORUM IN THE COMMITTEE OF THE WHOLE.—  
13 In clause 6 of rule XVIII—

14           (1) in paragraph (a), insert “, Delegates, and  
15           the Resident Commissioner” after “Members”;

16           (2) in paragraph (e), insert “, Delegates, and  
17           the Resident Commissioner” after “Members”; and

18           (3) in paragraph (g)(2), insert “, Delegates,  
19           and the Resident Commissioner” after “Members”.

20          (z) TWO-MINUTE VOTING IN THE COMMITTEE OF  
21 THE WHOLE.—In clause 6 of rule XVIII—

22           (1) in paragraph (f)—

23           (A) strike “without any intervening busi-  
24           ness or debate”; and

1 (B) after “first pending amendment” in-  
2 sert the following: “, if in the discretion of the  
3 Chair Members, Delegates, and the Resident  
4 Commissioner would be afforded an adequate  
5 opportunity to vote”; and

6 (2) in paragraph (g)—

7 (A) in subparagraph (1), strike “without  
8 intervening business”; and

9 (B) in subparagraph (2), strike “without  
10 intervening debate or motion”.

11 (aa) POSTPONABILITY OF CERTAIN VOTES.—In  
12 clause 8(a)(2) of rule XX—

13 (1) redesignate subdivisions (G) through (J) as  
14 subdivisions (H) through (K), respectively;

15 (2) insert after subdivision (F) the following  
16 new subdivision:

17 “(G) The question of agreeing to an  
18 amendment.”;

19 (3) in subdivision (H) (as redesignated), strike  
20 “(F)” and insert “(G)”; and

21 (4) strike subdivision (K) (as redesignated).

22 (bb) DISCRETION FOR FIVE-MINUTE VOTES.—

23 (1) Strike clause 8(c) of rule XX (and redesign-  
24 nate the succeeding paragraph accordingly).

1           (2) Amend clause 9 of rule XX to read as fol-  
2       lows:

3       “9.(a) The Speaker may reduce to five minutes the  
4       minimum time for electronic voting on any question that  
5       follows another electronic vote or a report from the Com-  
6       mittee of the Whole, if in the discretion of the Speaker  
7       Members would be afforded an adequate opportunity to  
8       vote.

9       “(b) To the maximum extent practicable, notice of  
10      possible five-minute voting for a given series of votes shall  
11      be issued prior to the first electronic vote in the series.”.

12      (cc) NET INCREASE IN BUDGET AUTHORITY.—In  
13      clause 2 of rule XXI, strike paragraph (g).

14      (dd) REMOVING SUPERMAJORITY VOTE.—

15           (1) In clause 5 of rule XXI, strike paragraph  
16      (b) and redesignate the subsequent paragraph ac-  
17      cordingly.

18           (2) In clause 10 of rule XX, strike “, or in-  
19      creasing Federal income tax rates (within the mean-  
20      ing of clause 5 of rule XXI)”.

21           (3) In clause 5(a) of rule XXI, strike “para-  
22      graph (1)” and insert “subparagraph (1)”.

23      (ee) PAY-AS-YOU-GO POINT OF ORDER.—In rule  
24      XXI, amend clause 10 to read as follows:

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

7           “(A) the current fiscal year, the budget year,  
8           and the four fiscal years following that budget year;  
9           or

10           “(B) the current fiscal year, the budget year,  
11           and the nine fiscal years following that budget year.

12           “(2) The effect of such measure on the deficit or sur-  
13 plus shall be determined on the basis of estimates made  
14 by the Committee on the Budget relative to baseline esti-  
15 mates supplied by the Congressional Budget Office con-  
16 sistent with section 257 of the Balanced Budget and  
17 Emergency Deficit Control Act of 1985.

18           “(b) If a bill, joint resolution, or amendment is con-  
19 sidered pursuant to a special order of the House directing  
20 the Clerk to add as new matter at the end of such measure  
21 the provisions of a separate measure as passed by the  
22 House, the provisions of such separate measure as passed  
23 by the House shall be included in the evaluation under  
24 paragraph (a) of the bill, joint resolution, or amendment.

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

6                   “(A) a bill or joint resolution;

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

9                   “(C) a conference report; or

10                  “(D) an amendment between the Houses.

11           “(2) In the case of an amendment (other than one  
12 specified in subparagraph (1)) to a bill or joint resolution,  
13 the evaluation under paragraph (a) shall give no cog-  
14 nizance to any designation of emergency.

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

21           “(d) For the purpose of this clause, the terms ‘budget  
22 year’ and ‘current year’ have the meanings specified in  
23 section 250 of the Balanced Budget and Emergency Def-  
24 icit Control Act of 1985, and the term ‘direct spending’  
25 has the meaning specified in such section 250 except that

1 such term shall also include provisions in appropriations  
2 Acts that make outyear modifications to substantive law  
3 as described in section 3(4)(C) of the Statutory Pay-As-  
4 You-Go Act of 2010.”.

5 (ff) BANNING DISCRIMINATION ON THE BASIS OF  
6 SEXUAL ORIENTATION OR GENDER IDENTITY.—In clause  
7 9 of rule XXIII, insert “sexual orientation, gender iden-  
8 tity,” before “disability”.

9 (gg) BANNING SEXUAL RELATIONSHIPS BETWEEN  
10 MEMBERS AND COMMITTEE STAFF.—In clause 18(a) of  
11 rule XXIII, strike “Resident Commissioner.” and insert  
12 “Resident Commissioner, or who is an employee of a com-  
13 mittee on which the Member, Delegate, or Resident Com-  
14 missioner serves.”.

15 (hh) SERVICE OF INDICTED MEMBERS IN LEADER-  
16 SHIP AND ON COMMITTEES.—In clause 10 of rule  
17 XXIII—

18 (1) designate the existing sentence as para-  
19 graph (a); and

20 (2) insert at the end the following new para-  
21 graph:

22 “(b) A Member, Delegate, or Resident Commissioner  
23 who has been indicted for or otherwise formally charged  
24 with criminal conduct in any Federal, State, or local court  
25 punishable as a felony for which a sentence of two or more

1 years' imprisonment may be imposed should submit his  
2 or her resignation from any standing, select, joint or ad  
3 hoc committee, and any subcommittee thereof, on which  
4 he or she serves, and should step aside from any party  
5 caucus or conference leadership position he or she holds,  
6 unless or until judicial or executive proceedings result in  
7 acquittal or the charges are dismissed or reduced to less  
8 than a felony as described in this paragraph.”.

9 (ii) BANNING MEMBERS, OFFICERS, AND EMPLOY-  
10 EES FROM SITTING ON CORPORATE BOARDS.—Effective  
11 January 1, 2020, in rule XXIII—

12 (1) redesignate clause 19 as clause 20; and

13 (2) insert after clause 18 the following new  
14 clause:

15 “19.(a) A Member, Delegate, Resident Commis-  
16 sioner, officer, or employee of the House may not serve  
17 as an officer or director of any public company.

18 “(b) In paragraph (a), the term ‘public company’  
19 means an issuer as defined in section 3 of the Securities  
20 Exchange Act of 1934 (15 U.S.C. 78c)—

21 “(1) the securities of which are required to be  
22 registered under section 12 of such Act (15 U.S.C.  
23 78l); or

24 “(2) that is required to file reports under sec-  
25 tion 15(d) of such Act (15 U.S.C. 78o(d)).

1 “(c) Not later than December 31, 2019, the Com-  
2 mittee on Ethics shall develop regulations addressing  
3 other types of prohibited service or positions that could  
4 lead to conflicts of interest.”.

5 (jj) SUSPENSION OF THE DEBT LIMIT.—Rule  
6 XXVIII is amended to read as follows:

7 “RULE XXVIII

8 “STATUTORY LIMIT ON THE PUBLIC DEBT

9 “1. Upon adoption by the House of a concurrent reso-  
10 lution on the budget under section 301 or 304 of the Con-  
11 gressional Budget Act of 1974, the Clerk shall prepare  
12 an engrossment of a joint resolution suspending the statu-  
13 tory limit on the public debt in the form prescribed in  
14 clause 2. Upon engrossment of the joint resolution, the  
15 vote by which the concurrent resolution on the budget was  
16 adopted by the House shall also be considered as a vote  
17 on passage of the joint resolution in the House, and the  
18 joint resolution shall be considered as passed by the House  
19 and duly certified and examined. The engrossed copy shall  
20 be signed by the Clerk and transmitted to the Senate for  
21 further legislative action.

22 “2. The matter after the resolving clause in a joint  
23 resolution described in clause 1 shall be as follows: ‘Sec-  
24 tion 3101(b) of title 31, United States Code, shall not  
25 apply for the period beginning on the date of enactment

1 and ending on September 30, \_\_\_\_\_.’ with the blank  
2 being filled with the budget year for the concurrent resolu-  
3 tion.

4 “3. Nothing in this rule shall be construed as limiting  
5 or otherwise affecting—

6 “(a) the power of the House or the Senate to consider  
7 and pass bills or joint resolutions, without regard to the  
8 procedures under clause 1, that would change the statu-  
9 tory limit on the public debt; or

10 “(b) the rights of Members, Delegates, the Resident  
11 Commissioner, or committees with respect to the introduc-  
12 tion, consideration, and reporting of such bills or joint res-  
13 olutions.

14 “4. In this rule the term ‘statutory limit on the public  
15 debt’ means the maximum face amount of obligations  
16 issued under authority of chapter 31 of title 31, United  
17 States Code, and obligations guaranteed as to principal  
18 and interest by the United States (except such guaranteed  
19 obligations as may be held by the Secretary of the Treas-  
20 ury), as determined under section 3101(b) of such title  
21 after the application of section 3101(a) of such title, that  
22 may be outstanding at any one time.”.

23 **SEC. 103. SEPARATE ORDERS.**

24 (a) DEPOSITION AUTHORITY.—

1           (1) During the One Hundred Sixteenth Con-  
2           gress, the chair of a standing committee (other than  
3           the Committee on Rules), and the chair of the Per-  
4           manent Select Committee on Intelligence, upon con-  
5           sultation with the ranking minority member of such  
6           committee, may order the taking of depositions, in-  
7           cluding pursuant to subpoena, by a member or coun-  
8           sel of such committee.

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

13          (b) PROVIDING FOR TRANSPARENCY WITH RESPECT  
14 TO MEMORIALS SUBMITTED PURSUANT TO ARTICLE V OF  
15 THE CONSTITUTION OF THE UNITED STATES.—With re-  
16 spect to any memorial presented under clause 3 of rule  
17 XII purporting to be an application of the legislature of  
18 a State calling for a convention for proposing amendments  
19 to the Constitution of the United States pursuant to Arti-  
20 cle V, or a rescission of any such prior application—

21           (1) the chair of the Committee on the Judiciary  
22           shall, in the case of a memorial presented in the One  
23           Hundred Fourteenth Congress or succeeding Con-  
24           gresses, and may, in the case of such a memorial  
25           presented prior to the One Hundred Fourteenth

1 Congress, designate any such memorial for public  
2 availability by the Clerk; and

3 (2) the Clerk shall make such memorials as are  
4 designated pursuant to paragraph (1) publicly avail-  
5 able in electronic form, organized by State of origin  
6 and year of receipt, and shall indicate whether the  
7 memorial was designated as an application or a re-  
8 scission.

9 (c) LIMITATION ON ADVANCE APPROPRIATIONS.—

10 (1) Except as provided in paragraph (2), any  
11 general appropriation bill or bill or joint resolution  
12 continuing appropriations, or amendment thereto or  
13 conference report thereon, may not provide an ad-  
14 vance appropriation.

15 (2) An advance appropriation may be provided  
16 for programs, activities or accounts identified in lists  
17 submitted for printing in the Congressional Record  
18 by the chair of the Committee on the Budget (when  
19 elected)—

20 (A) for fiscal year 2020, under the heading  
21 “Accounts Identified for Advance Appropria-  
22 tions” in an aggregate amount not to exceed  
23 \$28,852,000,000 in new budget authority, and  
24 for 2021, accounts separately identified under  
25 the same heading; and

1 (B) for fiscal year 2020, under the heading  
2 “Veterans Accounts Identified for Advance Ap-  
3 propriations” in an aggregate amount not to  
4 exceed \$75,550,600,000 in new budget author-  
5 ity.

6 (3) DEFINITION.—The term “advance appro-  
7 priation” means any new discretionary budget au-  
8 thority provided in a general appropriation bill or  
9 bill or joint resolution continuing appropriations for  
10 fiscal year 2019, or any amendment thereto or con-  
11 ference report thereon, that first becomes available  
12 following fiscal year 2019.

13 (d) EXERCISE FACILITIES FOR FORMER MEM-  
14 BERS.—During the One Hundred Sixteenth Congress—

15 (1) The House of Representatives may not pro-  
16 vide access to any exercise facility which is made  
17 available exclusively to Members and former Mem-  
18 bers, officers and former officers of the House of  
19 Representatives, and their spouses to any former  
20 Member, former officer, or spouse who is a lobbyist  
21 registered under the Lobbying Disclosure Act of  
22 1995 or any successor statute or who is an agent of  
23 a foreign principal as defined in clause 5 of rule  
24 XXV. For purposes of this subsection, the term

1 “Member” includes a Delegate or Resident Commis-  
2 sioner to the Congress.

3 (2) The Committee on House Administration  
4 shall promulgate regulations to carry out this sub-  
5 section.

6 (e) NUMBERING OF BILLS.—In the One Hundred  
7 Sixteenth Congress, the first 10 numbers for bills (H.R.  
8 1 through H.R. 10) shall be reserved for assignment by  
9 the Speaker and the second 10 numbers for bills (H.R.  
10 11 through H.R. 20) shall be reserved for assignment by  
11 the Minority Leader.

12 (f) INCLUSION OF CITATIONS FOR PROPOSED RE-  
13 PEALS AND AMENDMENTS.—To the maximum extent  
14 practicable and consistent with established drafting con-  
15 ventions, an instruction in a bill or joint resolution pro-  
16 posing to repeal or amend any law or part thereof not con-  
17 tained in a codified title of the United States Code shall  
18 include, in parentheses immediately following the designa-  
19 tion of the matter proposed to be repealed or amended,  
20 the applicable United States Code citation (which may be  
21 a note in the United States Code), or, if no such citation  
22 is available, an appropriate alternative citation to the ap-  
23 plicable law or part.

24 (g) BROADENING AVAILABILITY OF LEGISLATIVE  
25 DOCUMENTS IN MACHINE-READABLE FORMATS.—The

1 Committee on House Administration, the Clerk, and other  
2 officers and officials of the House shall continue efforts  
3 to broaden the availability of legislative documents in ma-  
4 chine readable formats in the One Hundred Sixteenth  
5 Congress in furtherance of the institutional priority of im-  
6 proving public availability and use of legislative informa-  
7 tion produced by the House and its committees.

8 (h) SUBCOMMITTEES.—Notwithstanding clause 5(d)  
9 of rule X, during the One Hundred Sixteenth Congress—

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

12 (2) the Committee on Financial Services may  
13 have not more than seven subcommittees.

14 (i) REQUIRING COMMITTEE HEARING AND MARKUP  
15 ON BILLS AND JOINT RESOLUTIONS.—

16 (1) Effective March 1, 2019, during the One  
17 Hundred Sixteenth Congress, it shall not be in order  
18 to consider a bill or joint resolution pursuant to a  
19 special order of business reported by the Committee  
20 on Rules that—

21 (A) has not been reported by a committee;

22 or

23 (B) has been reported by a committee un-  
24 less the report includes a list of related com-  
25 mittee and subcommittee hearings and a des-

1           ignation of at least one committee or sub-  
2           committee hearing that was used to develop or  
3           consider such bill or joint resolution.

4           (2) This subsection shall not apply to a bill or  
5           joint resolution—

6                   (A) continuing appropriations for a fiscal  
7           year;

8                   (B) containing an emergency designation  
9           under section 251(b)(2) or section 252(e) of the  
10          Balanced Budget and Emergency Deficit Con-  
11          trol Act; or

12                   (C) designated pursuant to clause 7(a) of  
13          rule XV.

14          (j) MEMBER DAY HEARING REQUIREMENT.—During  
15          the first session of the One Hundred Sixteenth Congress,  
16          each standing committee (other than the Committee on  
17          Ethics) shall hold a hearing at which it receives testimony  
18          from Members, Delegates, and the Resident Commissioner  
19          on proposed legislation within its jurisdiction, except that  
20          the Committee on Rules may hold such hearing during the  
21          second session of the One Hundred Sixteenth Congress.

22          (k) EMPANELING INVESTIGATIVE SUBCOMMITTEE OF  
23          THE COMMITTEE ON ETHICS.—The text of House Resolu-  
24          tion 451, One Hundred Tenth Congress, shall apply in the  
25          One Hundred Sixteenth Congress in the same manner as

1 such provision applied in the One Hundred Tenth Con-  
2 gress, except that references to the Committee on Stand-  
3 ards of Official Conduct shall be construed as references  
4 to the Committee on Ethics.

5 (l) WAR POWERS RESOLUTION.—During the One  
6 Hundred Sixteenth Congress, a motion to discharge a  
7 measure introduced pursuant to section 6 or section 7 of  
8 the War Powers Resolution (50 U.S.C. 1545–46) shall not  
9 be subject to a motion to table.

10 (m) BUDGET MATTERS.—During the first session of  
11 the One Hundred Sixteenth Congress, pending the adop-  
12 tion of a concurrent resolution on the budget for fiscal  
13 year 2019—

14 (1) the allocations, aggregates, and other ap-  
15 propriate levels as contained in the statement of the  
16 chair of the Committee on the Budget of the House  
17 of Representatives in the Congressional Record of  
18 May 10, 2018, as adjusted in the One Hundred Fif-  
19 teenth Congress, shall be considered for all purposes  
20 in the House to be the allocations, aggregates, and  
21 other appropriate levels under titles III and IV of  
22 the Congressional Budget Act of 1974; and

23 (2) the provisions of House Concurrent Resolu-  
24 tion 71, One Hundred Fifteenth Congress, specified  
25 in section 30104(f)(1) of the Bipartisan Budget Act

1 of 2018 shall have no force or effect except for sec-  
2 tions 5201, 5202, 5203, and 5401 of such concur-  
3 rent resolution.

4 (n) LEGAL ISSUES RELATED TO THE PATIENT PRO-  
5 TECTION AND AFFORDABLE CARE ACT.—To protect the  
6 institutional interests of the House of Representatives, the  
7 Speaker, on behalf of the House, is authorized to inter-  
8 vene, otherwise appear, or take any other steps, in the case  
9 of *Texas v. United States*, No. 4:18-cv-00167–O (N.D.  
10 Tex.) and in any appellate proceedings arising from such  
11 case. The Speaker, in consultation with the Bipartisan  
12 Legal Advisory Group, is also authorized to intervene, oth-  
13 erwise appear, or take any other steps in any other cases  
14 involving the Patient Protection and Affordable Care Act  
15 to protect the institutional interests of the House and to  
16 defend such Act, the amendments made by such Act to  
17 other provisions of law, and any amendments to such pro-  
18 visions, including the provisions ensuring affordable health  
19 coverage for those with preexisting conditions. The House  
20 authorizes the Office of General Counsel of the House of  
21 Representatives, at the direction of the Speaker, to rep-  
22 resent the House in any such litigation, and to take such  
23 steps as may be appropriate, including the supervision and  
24 employment of services of outside counsel, including pro  
25 bono counsel, or other experts.

1           (o) LEGAL ISSUES RELATED TO THE SUPPLE-  
2 MENTAL NUTRITION ASSISTANCE PROGRAM.—The Office  
3 of General Counsel is directed to immediately explore all  
4 possible legal options for responding to any rulemaking  
5 by the United States Department of Agriculture, an-  
6 nounced on or after December 20, 2018, to the Supple-  
7 mental Nutrition Assistance Program involving require-  
8 ments for able-bodied adults without dependents.

9           (p) CONGRESSIONAL MEMBER ORGANIZATION  
10 TRANSPARENCY REFORM.—

11           (1) PAYMENT OF SALARIES AND EXPENSES  
12 THROUGH ACCOUNT OF ORGANIZATION.—A Member  
13 of the House of Representatives and an eligible Con-  
14 gressional Member Organization may enter into an  
15 agreement under which—

16                   (A) an employee of the Member’s office  
17 may carry out official and representational du-  
18 ties of the Member by assignment to the Orga-  
19 nization; and

20                   (B) to the extent that the employee carries  
21 out such duties under the agreement, the Mem-  
22 ber shall transfer the portion of the Members’  
23 Representational Allowance (MRA) of the Mem-  
24 ber which would otherwise be used for the sal-  
25 ary and related expenses of the employee to a

1 dedicated account in the House of Representa-  
2 tives which is administered by the Organization,  
3 in accordance with the regulations promulgated  
4 by the Committee on House Administration  
5 under paragraph (2).

6 (2) REGULATIONS.—The Committee on House  
7 Administration (hereafter referred to in this sub-  
8 section as the “Committee”) shall promulgate regu-  
9 lations as follows:

10 (A) USE OF MRA.—Pursuant to the au-  
11 thority of section 101(d) of the House of Rep-  
12 resentatives Administrative Reform Technical  
13 Corrections Act (2 U.S.C. 5341(d)), the Com-  
14 mittee shall prescribe regulations to provide  
15 that an eligible Congressional Member Organi-  
16 zation may use the amounts transferred to the  
17 Organization’s dedicated account under para-  
18 graph (1)(B) for the same purposes for which  
19 a Member of the House of Representatives may  
20 use the Members’ Representational Allowance,  
21 except that the Organization may not use such  
22 amounts for franked mail, official travel, or  
23 leases of space or vehicles.

24 (B) MAINTENANCE OF LIMITATIONS ON  
25 NUMBER OF SHARED EMPLOYEES.—Pursuant

1 to the authority of section 104(d) of the House  
2 of Representatives Administrative Reform Tech-  
3 nical Corrections Act (2 U.S.C. 5321(d)), the  
4 Committee shall prescribe regulations to provide  
5 that an employee of the office of a Member of  
6 the House of Representatives who is covered by  
7 an agreement entered into under paragraph (1)  
8 between the Member and an eligible Congres-  
9 sional Member Organization shall be considered  
10 a shared employee of the Member's office and  
11 the Organization for purposes of such section,  
12 and shall include in such regulations appro-  
13 priate accounting standards to ensure that a  
14 Member of the House of Representatives who  
15 enters into an agreement with such an Organi-  
16 zation under paragraph (1) does not employ  
17 more employees than the Member is authorized  
18 to employ under such section.

19 (C) PARTICIPATION IN STUDENT LOAN RE-  
20 PAYMENT PROGRAM.—Pursuant to the author-  
21 ity of section 105(b) of the Legislative Branch  
22 Appropriations Act, 2003 (2 U.S.C. 4536(b)),  
23 relating to the student loan repayment program  
24 for employees of the House, the Committee  
25 shall promulgate regulations to provide that, in

1 the case of an employee who is covered by an  
2 agreement entered into under paragraph (1) be-  
3 tween a Member of the House of Representa-  
4 tives and an eligible Congressional Member Or-  
5 ganization and who participates in such pro-  
6 gram while carrying out duties under the agree-  
7 ment—

8 (i) any funds made available for mak-  
9 ing payments under the program with re-  
10 spect to the employee shall be transferred  
11 to the Organization's dedicated account  
12 under paragraph (1)(B); and

13 (ii) the Organization shall use the  
14 funds to repay a student loan taken out by  
15 the employee, under the same terms and  
16 conditions which would apply under the  
17 program if the Organization were the em-  
18 ploying office of the employee.

19 (D) ACCESS TO HOUSE SERVICES.—The  
20 Committee shall prescribe regulations to ensure  
21 that an eligible Congressional Member Organi-  
22 zation has appropriate access to services of the  
23 House.

24 (E) OTHER REGULATIONS.—The Com-  
25 mittee shall promulgate such other regulations

1 as may be appropriate to carry out this sub-  
2 section.

3 (3) ELIGIBLE CONGRESSIONAL MEMBER ORGA-  
4 NIZATION DEFINED.—In this subsection, the term  
5 “eligible Congressional Member Organization”  
6 means, with respect to the One Hundred Sixteenth  
7 Congress, an organization meeting each of the fol-  
8 lowing requirements:

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

12 (B) The organization designates a single  
13 Member of the House of Representatives to be  
14 responsible for the administration of the organi-  
15 zation, including the administration of the ac-  
16 count administered under paragraph (1)(B),  
17 and includes the identification of such Member  
18 with the statement of organization that the or-  
19 ganization files and maintains with the Com-  
20 mittee on House Administration.

21 (C) At least 3 employees of the House are  
22 assigned to perform some work for the organi-  
23 zation.

24 (D) During the One Hundred Fifteenth  
25 Congress, at least 15 Members of the House of

1           Representatives used a portion of the Members'  
2           Representational Allowance of the Member for  
3           the salary and related expenses of an employee  
4           who was a shared employee of the Member's of-  
5           fice and the organization.

6           (E) The organization files a statement  
7           with the Committee on House Administration  
8           and the Chief Administrative Officer of the  
9           House of Representatives certifying that it will  
10          administer an account in accordance with para-  
11          graph (1)(B).

12          (q) NON-DISCLOSURE AGREEMENTS.—Any non-dis-  
13          closure agreement imposed by any employing or con-  
14          tracting authority in the House of Representatives to  
15          which a paid or unpaid employee or contractor is or was  
16          required to agree as a term of employment shall—

17                 (1) provide clear guidance that the employee or  
18                 contractor may communicate concerning any matter  
19                 with the Committee on Ethics, the Office of Con-  
20                 gressional Workplace Rights, or any other office or  
21                 entity designated by the Committee on House Ad-  
22                 ministration without prior, concurrent, or subse-  
23                 quent notice or approval; and

24                 (2) not be binding and shall have no legal effect  
25                 to the extent to which it requires prior, concurrent,

1 or subsequent notice or approval from anyone on  
2 any matter with respect to communications from an  
3 employee or contractor to any of the committees, of-  
4 fices, or entities described in paragraph (1).

5 (r) REQUIRING MEMBERS TO PAY FOR DISCRIMINA-  
6 TION SETTLEMENTS.—

7 (1) IN GENERAL.—In the case of a settlement  
8 of a complaint under the Congressional Account-  
9 ability Act of 1995 in connection with a claim alleg-  
10 ing a violation described in paragraph (2) which is  
11 committed personally by a Member, Delegate, or  
12 Resident Commissioner, if the Member, Delegate, or  
13 Resident Commissioner is not required under law to  
14 reimburse the Treasury for the amount of the settle-  
15 ment, the chair and ranking minority member of the  
16 Committee on House Administration may not ap-  
17 prove the settlement pursuant to clause 4(d)(2) of  
18 rule X unless, under the terms and conditions of the  
19 settlement, the Member, Delegate, or Resident Com-  
20 missioner is required to reimburse the Treasury for  
21 the amount of the settlement.

22 (2) VIOLATIONS DESCRIBED.—A violation de-  
23 scribed in this paragraph is—

1 (A) a violation of section 201(a) or section  
2 206(a) of the Congressional Accountability Act  
3 of 1995; or

4 (B) a violation of section 207 of such Act  
5 which consists of intimidating, taking reprisal  
6 against, or otherwise discriminating against any  
7 covered employee under such Act because of a  
8 claim alleging a violation described in subpara-  
9 graph (A).

10 (s) MANDATORY ANTI-HARASSMENT AND ANTI-DIS-  
11 CRIMINATION POLICIES FOR HOUSE OFFICES.—

12 (1) REQUIRING OFFICES TO ADOPT POLICY.—  
13 Each employing office of the House of Representa-  
14 tives under the Congressional Accountability Act of  
15 1995 shall adopt an anti-harassment and anti-dis-  
16 crimination policy for the office's workplace.

17 (2) REGULATIONS.—Not later than April 1,  
18 2019, the Committee on House Administration shall  
19 promulgate regulations to carry out this section, and  
20 shall ensure that such regulations are consistent  
21 with the requirements of the Congressional Account-  
22 ability Act of 1995, rule XXIII, and other relevant  
23 laws, rules, and regulations.

24 (t) DISPLAYING STATEMENT OF RIGHTS AND PRO-  
25 TECTIONS PROVIDED TO HOUSE EMPLOYEES.—The Com-

1 mittee on House Administration shall issue regulations to  
2 provide that each employing office of the House of Rep-  
3 resentatives shall post in a prominent location in the office  
4 (including, in the case of the office of a Member, Delegate,  
5 or the Resident Commissioner, a prominent location in  
6 each district office) a statement of the rights and protec-  
7 tions provided to employees of the House of Representa-  
8 tives under the Congressional Accountability Act of 1995,  
9 including the procedures available to employees of the  
10 House under such Act for responding to and adjudicating  
11 allegations of violations of such rights and protections.

12 **SEC. 104. COMMITTEES, COMMISSIONS, AND HOUSE OF-**  
13 **FICES.**

14 (a) **HOUSE DEMOCRACY PARTNERSHIP.**—House Res-  
15 olution 24, One Hundred Tenth Congress, shall apply in  
16 the One Hundred Sixteenth Congress in the same manner  
17 as such resolution applied in the One Hundred Tenth Con-  
18 gress except that the commission concerned shall be  
19 known as the House Democracy Partnership.

20 (b) **TOM LANTOS HUMAN RIGHTS COMMISSION.**—

21 (1) **IN GENERAL.**—Sections 1 through 7 of  
22 House Resolution 1451, One Hundred Tenth Con-  
23 gress, shall apply in the One Hundred Sixteenth  
24 Congress in the same manner as such provisions ap-

1       plied in the One Hundred Tenth Congress, except  
2       that—

3               (A) the Tom Lantos Human Rights Com-  
4               mission may, in addition to collaborating closely  
5               with other professional staff members of the  
6               Committee on Foreign Affairs, collaborate  
7               closely with professional staff members of other  
8               relevant committees;

9               (B) the resources of the Committee on  
10              Foreign Affairs which the Commission may use  
11              shall include all resources which the Committee  
12              is authorized to obtain from other offices of the  
13              House of Representatives; and

14             (C) any amounts authorized to provide  
15             full-time professional staff and resources to the  
16             Tom Lantos Human Rights Commission shall  
17             be in addition to and separate from the overall  
18             budget authorization for the Committee on For-  
19             eign Affairs as provided by resolution of the  
20             House, shall be administered by the Committee  
21             on Foreign Affairs, and shall be distributed  
22             equally between the co-chairs of the Commis-  
23             sion.

24             (2) FUNDING.—For the expenses of the Com-  
25             mission, including the expenses of full-time profes-

1 sional staff and other resources, there shall be paid,  
2 out of the applicable accounts of the House of Rep-  
3 resentatives, not more than \$52,000, to be available  
4 during the period beginning at noon on January 3,  
5 2019, and ending on March 31, 2019. The amounts  
6 provided under this paragraph shall be administered  
7 by the Committee on Foreign Affairs in the same  
8 manner as amounts provided for the expenses of  
9 such Committee by resolution of the House, and  
10 shall be distributed equally between the co-chairs of  
11 the Commission.

12 (c) OFFICE OF CONGRESSIONAL ETHICS.—Section 1  
13 of House Resolution 895, One Hundred Tenth Congress,  
14 shall apply in the One Hundred Sixteenth Congress in the  
15 same manner as such provision applied in the One Hun-  
16 dred Tenth Congress, except that—

17 (1) the Office of Congressional Ethics shall be  
18 treated as a standing committee of the House for  
19 purposes of section 202(i) of the Legislative Reorga-  
20 nization Act of 1946 (2 U.S.C. 4301(i));

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

1           (3) any requirement for concurrence in section  
2           1(b)(1) shall be construed as a requirement for con-  
3           sultation;

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

6           (5) members subject to section 1(b)(6)(B) may  
7           be reappointed for a third additional term;

8           (6) any individual who is the subject of a pre-  
9           liminary review or second-phase review by the board  
10          shall be informed of the right to be represented by  
11          counsel and invoking that right should not be held  
12          negatively against such individual; and

13          (7) the Office may not take any action that  
14          would deny any person any right or protection pro-  
15          vided under the Constitution of the United States.

16          (d) OFFICE OF DIVERSITY AND INCLUSION.—

17           (1) ESTABLISHMENT.—There is established an  
18           Office of Diversity and Inclusion of the House of  
19           Representatives (hereafter in this clause referred to  
20           as the “Office”).

21           (2) DIRECTOR.—The Speaker, in consultation  
22           with the Minority Leader, shall appoint a Director  
23           of the Office from recommendations provided by the  
24           chair of the Committee on House Administration in

1       consultation with the ranking minority member of  
2       such committee.

3           (3) OPERATIONAL PLAN.—Not later than 60  
4       days after the appointment of the Director of the  
5       Office, the Office shall submit to the Committee on  
6       House Administration an operational plan for the  
7       Office that shall include, consistent with applicable  
8       House rules, regulations, and law, a plan for ap-  
9       pointing and establishing duties for staff of the Of-  
10      fice which shall set forth a proposed maximum num-  
11      ber of staff.

12          (4) DIVERSITY PLAN.—Not later than 90 days  
13      after submitting the operational plan under para-  
14      graph (3), the Office shall submit a diversity plan to  
15      the Committee on House Administration for the  
16      committee's review and approval, and shall include  
17      in the plan the following:

18           (A) Policies to direct and guide House em-  
19      ploying offices to recruit, hire, train, develop,  
20      advance, promote, and retain a diverse work-  
21      force, consistent with applicable House rules,  
22      regulations, and law.

23           (B) The development of a survey, in con-  
24      sultation with the Committee on House Admin-

1           istration, to evaluate diversity in House employ-  
2           ing offices.

3           (C) A framework for the House of Rep-  
4           resentatives diversity report required by para-  
5           graph (5).

6           (D) A proposal for the composition of an  
7           Advisory Council that shall, as necessary, in-  
8           form the work of the Office.

9           (E) Any additional components as deter-  
10          mined by the Committee on House Administra-  
11          tion.

12          (5) DIVERSITY REPORT.—At the end of each  
13          session of Congress, the Office shall submit a House  
14          of Representatives diversity report to the Speaker,  
15          the Majority Leader and Minority Leader, the chair  
16          and ranking minority member of the Committee on  
17          House Administration, and the chair and ranking  
18          minority member of the Subcommittee on the Legis-  
19          lative Branch of the Committee on Appropriations.

20          (6) REGULATIONS.—The Office shall carry out  
21          its duties pursuant to regulations issued by the  
22          Committee on House Administration.

23          (7) DEFINITION.—In this subsection, the term  
24          “House employing office” means—

1 (A) the official office of a Member, Dele-  
2 gate, or the Resident Commissioner;

3 (B) each committee of the House and each  
4 joint committee; and

5 (C) any other office of the House.

6 (e) OFFICE OF THE WHISTLEBLOWER OMBUDS-  
7 MAN.—

8 (1) ESTABLISHMENT.—There is established an  
9 Office of the Whistleblower Ombudsman, to be head-  
10 ed by the Whistleblower Ombudsman.

11 (2) APPOINTMENT.—The Whistleblower Om-  
12 budsman shall be appointed by the Speaker in con-  
13 sultation with the chairs and ranking minority mem-  
14 bers of the Committee on House Administration and  
15 the Committee on Oversight and Reform.

16 (3) DUTIES.— The Whistleblower Ombudsman,  
17 under the direction of the Committee on House Ad-  
18 ministration, and in consultation with any other  
19 standing committee and the Permanent Select Com-  
20 mittee on Intelligence (at the request of the chair or  
21 ranking minority member of such other committee),  
22 shall—

23 (A) promulgate best practices for whistle-  
24 blower intake for offices of the House; and

1           (B) provide training for offices of the  
2 House on whistleblower intake, including estab-  
3 lishing an effective reporting system for whistle-  
4 blowers, maintaining whistleblower confiden-  
5 tiality, advising staff of relevant laws and poli-  
6 cies, and protecting information provided by  
7 whistleblowers.

8 (f) SELECT COMMITTEE ON THE CLIMATE CRISIS.—

9           (1) ESTABLISHMENT; COMPOSITION.—

10           (A) ESTABLISHMENT.—There is hereby es-  
11 tablished a Select Committee on the Climate  
12 Crisis (hereinafter in this subsection referred to  
13 as the “Select Committee”).

14           (B) COMPOSITION.—The Select Committee  
15 shall be composed of 15 Members, Delegates, or  
16 the Resident Commissioner appointed by the  
17 Speaker, of whom 6 shall be appointed on the  
18 recommendation of the Minority Leader. The  
19 Speaker shall designate one member of the Se-  
20 lect Committee as its chair. A vacancy in the  
21 membership of the Select Committee shall be  
22 filled in the same manner as the original ap-  
23 pointment.

24           (2) JURISDICTION; FUNCTIONS.—

1           (A) LEGISLATIVE JURISDICTION.—The Se-  
2           lect Committee shall not have legislative juris-  
3           diction and shall have no authority to take leg-  
4           islative action on any bill or resolution.

5           (B) INVESTIGATIVE JURISDICTION.—The  
6           sole authority of the Select Committee shall be  
7           to investigate, study, make findings, and de-  
8           velop recommendations on policies, strategies,  
9           and innovations to achieve substantial and per-  
10          manent reductions in pollution and other activi-  
11          ties that contribute to the climate crisis which  
12          will honor our responsibility to be good stew-  
13          ards of the planet for future generations. The  
14          Select Committee may, at its discretion, hold  
15          public hearings in connection with any aspect of  
16          its investigative functions.

17          (3) PROCEDURE.—(A) Except as specified in  
18          subparagraph (B), the Select Committee shall have  
19          the authorities and responsibilities of, and shall be  
20          subject to the same limitations and restrictions as,  
21          a standing committee of the House, and shall be  
22          deemed a committee of the House for all purposes  
23          of law or rule.

1 (B)(i) Rules X and XI shall apply to the Select  
2 Committee where not inconsistent with this sub-  
3 section.

4 (ii) Service on the Select Committee shall not  
5 count against the limitations in clause 5(b)(2) of  
6 rule X.

7 (iii) Clause 2(m)(1)(B) of rule XI, clause  
8 2(m)(3) of rule XI, and section 103(a) of this reso-  
9 lution shall not apply to the Select Committee, but  
10 the Select Committee may recommend subpoenas  
11 and depositions and submit such recommendations  
12 to the relevant standing committee.

13 (iv) Clause 2(d) of rule X shall not apply to the  
14 Select Committee.

15 (4) FUNDING.—To enable the Select Committee  
16 to carry out the purposes of this section—

17 (A) the Select Committee may use the  
18 services of staff of the House; and

19 (B) the Select Committee shall be eligible  
20 for interim funding pursuant to clause 7 of rule  
21 X.

22 (5) REPORTING.—The Select Committee may  
23 report to the House or any committee of the House  
24 from time to time the results of its investigations  
25 and studies, together with such detailed findings and

1 policy recommendations as it may deem advisable.  
2 All such reports shall be submitted to the House by  
3 December 31, 2020. All policy recommendations  
4 shall be submitted to the relevant standing commit-  
5 tees not later than March 31, 2020.

6 (6) PUBLICATION.—The Select Committee shall  
7 ensure that reports and proposals prepared in ac-  
8 cordance with this subsection shall, upon completion,  
9 be made available to the general public in widely ac-  
10 cessible formats not later than 30 calendar days fol-  
11 lowing the respective dates for completion set forth  
12 in paragraph (5).

13 **SEC. 105. ORDERS OF BUSINESS.**

14 (a) The Speaker may recognize a Member, Delegate,  
15 and the Resident Commissioner for the reading of the  
16 Constitution on any legislative day during the first session  
17 of the One Hundred Sixteenth Congress.

18 (b) It shall be in order at any time through the legis-  
19 lative day of January 17, 2019, for the Speaker to enter-  
20 tain motions that the House suspend the rules as though  
21 under clause 1 of rule XV. The Speaker or her designee  
22 shall consult with the Minority Leader or his designee on  
23 the designation of any matter for consideration pursuant  
24 to this section.

1 (c) The requirement of clause 6(a) of rule XIII for  
2 a two-thirds vote to consider a report from the Committee  
3 on Rules on the same day it is presented to the House  
4 is waived with respect to any resolution reported through  
5 the legislative day of January 8, 2019, relating to a meas-  
6 ure making or continuing appropriations for the fiscal  
7 year ending September 30, 2019.

8 **TITLE II—SELECT COMMITTEE**  
9 **ON THE MODERNIZATION OF**  
10 **CONGRESS**

11 **SEC. 201. SELECT COMMITTEE ON THE MODERNIZATION OF**  
12 **CONGRESS.**

13 (a) ESTABLISHMENT.—There is hereby established a  
14 Select Committee on the Modernization of Congress (here-  
15 inafter in this section referred to as the “Select Com-  
16 mittee”).

17 (b) COMPOSITION.—

18 (1) The Select Committee shall be composed of  
19 12 Members, Delegates, or the Resident Commis-  
20 sioner appointed by the Speaker.

21 (2) The Speaker shall appoint members of the  
22 Select Committee as follows:

23 (A) At least 2 members from among Mem-  
24 bers, Delegates, or the Resident Commissioner  
25 serving in their first term.

1           (B) At least 2 members from the Com-  
2           mittee on Rules.

3           (C) At least 2 members from the Com-  
4           mittee on House Administration.

5           (3) Of the members of the Select Committee  
6           appointed pursuant to paragraph (1), 6 shall be ap-  
7           pointed on the recommendation of the Minority  
8           Leader, including 1 member each as described in  
9           subparagraphs (A) through (C) of paragraph (2).

10          (4) The Speaker shall designate one member of  
11          the Select Committee as chair, and, upon rec-  
12          ommendation of the Minority Leader, shall designate  
13          one member of the Select Committee as vice chair.

14          (5) A vacancy in the membership of the Select  
15          Committee shall be filled in the same manner as the  
16          original appointment.

17          (c) JURISDICTION; FUNCTIONS.—

18           (1) LEGISLATIVE JURISDICTION.—The Select  
19           Committee shall not have legislative jurisdiction and  
20           shall have no authority to take legislative action on  
21           any bill or resolution.

22           (2) INVESTIGATIVE JURISDICTION.—The sole  
23           authority of the Select Committee shall be to inves-  
24           tigate, study, make findings, hold public hearings,

1 and develop recommendations on modernizing Con-  
2 gress, including recommendations on—

3 (A) rules to promote a more modern and  
4 efficient Congress;

5 (B) procedures, including the schedule and  
6 calendar;

7 (C) policies to develop the next generation  
8 of leaders;

9 (D) staff recruitment, diversity, retention,  
10 and compensation and benefits;

11 (E) administrative efficiencies, including  
12 purchasing, travel, outside services, and shared  
13 administrative staff;

14 (F) technology and innovation; and

15 (G) the work of the House Commission on  
16 Congressional Mailing Standards.

17 (d) PROCEDURES.—

18 (1)(A) Except as specified in subparagraph (B),  
19 the Select Committee shall have the authorities and  
20 responsibilities of, and shall be subject to the same  
21 limitations and restrictions as, a standing committee  
22 of the House, and shall be deemed a committee of  
23 the House for all purposes of law or rule.

24 (B)(i) Rules X and XI shall apply to the Select  
25 Committee where not inconsistent with this section.

1           (ii) Service on the Select Committee shall not  
2           count against the limitations in clause 5(b)(2) of  
3           rule X.

4           (iii) Clause 2(m)(1)(B) of rule XI, clause  
5           2(m)(3) of rule XI, and section 103(a) of this reso-  
6           lution shall not apply to the Select Committee, but  
7           the Select Committee may recommend subpoenas  
8           and depositions and submit such recommendations  
9           to the relevant standing committee.

10          (iv) Clause 2(d) of rule X shall not apply to the  
11          Select Committee.

12          (2) During the first session of the One Hun-  
13          dred Sixteenth Congress, the Select Committee shall  
14          hold a hearing at which it receives testimony from  
15          Members, Delegates, and the Resident Commissioner  
16          on matters described in subsection (c).

17          (e) FUNDING.—To enable the Select Committee to  
18          carry out the purposes of this section—

19               (1) the Select Committee may use the services  
20               of staff of the House; and

21               (2) the Select Committee shall be eligible for in-  
22               terim funding pursuant to clause 7 of rule X.

23          (f) REPORTS.—

24               (1) INTERIM STATUS REPORT.—Every 90 days,  
25               the Select Committee shall provide an interim status

1 report on its activities to the Committee on House  
2 Administration and the Committee on Rules. Each  
3 interim status report must include transcripts of the  
4 Select Committee's proceedings, itemized reporting  
5 of its expenditures, and a proposed plan for the next  
6 90 days.

7 (2) FINDINGS AND RECOMMENDATIONS.—The  
8 Select Committee may report to the House or any  
9 committee from time to time the results of its inves-  
10 tigation and studies, together with such detailed  
11 findings and policy recommendations as it may deem  
12 advisable. The Select Committee may only submit  
13 any such report if the report receives the votes of  
14 not fewer than 2/3 of its members.

15 (3) FINAL REPORT.—At the conclusion of the  
16 first session of the One Hundred Sixteenth Con-  
17 gress, the Select Committee shall submit a final re-  
18 port to the House. The final report shall include the  
19 results of the Select Committee's studies, detailed  
20 findings, and any policy recommendations as the se-  
21 lect committee may deem advisable. The Select Com-  
22 mittee may only submit the report if the report re-  
23 ceives the votes of not fewer than 2/3 of its mem-  
24 bers. The Select Committee shall submit all policy

1 recommendations included in the report to relevant  
2 standing committees.

3 (4) PUBLICATION.—The Select Committee shall  
4 ensure that reports prepared in accordance with  
5 paragraphs (2) and (3) shall, upon completion, be  
6 made available to the general public in widely acces-  
7 sible formats not later than 30 calendar days fol-  
8 lowing the date any such report is made available to  
9 the House or a committee, as applicable.

10 (g) TERMINATION; DISPOSITION OF RECORDS.—

11 (1) TERMINATION.—The Select Committee  
12 shall terminate on February 1, 2020.

13 (2) DISPOSITION OF RECORDS.—Upon its ter-  
14 mination, the records of the Select Committee shall  
15 be transferred to, and shall become part of, the  
16 records of such standing committees as the Speaker  
17 may designate.

18 **TITLE III—INTERVENTION IN**  
19 **LITIGATION INVOLVING PA-**  
20 **TIENT PROTECTION AND AF-**  
21 **FORDABLE CARE ACT**

22 **SEC. 301. FINDINGS.**

23 The House of Representatives finds the following:

24 (1) Texas, Wisconsin, Alabama, Arkansas, Ari-  
25 zona, Florida, Georgia, Indiana, Kansas, Louisiana,

1 Governor Paul LePage of Maine, Mississippi (by and  
2 through Governor Phil Bryant), Missouri, Nebraska,  
3 North Dakota, South Carolina, South Dakota, Ten-  
4 nessee, Utah, and West Virginia have filed suit in  
5 the United States District Court for the Northern  
6 District of Texas, arguing that the Patient Protec-  
7 tion and Affordable Care Act (Public Law 111–148;  
8 124 Stat. 119) is unconstitutional and should be en-  
9 joined by asserting that the Act’s requirement to  
10 maintain minimum essential coverage (commonly  
11 known as the “individual responsibility provision”) in  
12 section 5000A(a) of the Internal Revenue Code of  
13 1986, is unconstitutional following the amendment  
14 of that provision by the Act to provide for reconcili-  
15 ation pursuant to titles II and V of the concurrent  
16 resolution on the budget for fiscal year 2018 (Public  
17 Law 115–97) (commonly known as the “Tax Cuts  
18 and Jobs Act”).

19 (2) These State and individual plaintiffs also  
20 seek to strike down the entire Patient Protection  
21 and Affordable Care Act as not severable from the  
22 individual responsibility provision.

23 (3) On June 7, 2018, the Department of Jus-  
24 tice refused to defend the constitutionality of the  
25 amended individual responsibility provision, despite

1 the well-established duty of the Department to de-  
2 fend Federal statutes where reasonable arguments  
3 can be made in their defense.

4 (4) The Department of Justice not only refused  
5 to defend the amended individual responsibility pro-  
6 vision, but affirmatively argued that this provision is  
7 unconstitutional and that the provisions of the Pa-  
8 tient Protection and Affordable Care Act guaran-  
9 teeing issuance of health insurance coverage regard-  
10 less of health status or preexisting conditions (com-  
11 monly known as the “guaranteed issue provision”)   
12 found in sections 2702, 2704, and 2705(a) of the  
13 Public Health Service Act (42 U.S.C. 300gg-1,  
14 300gg-3, 300gg-4(a)) and prohibitions on discrimi-  
15 natory premium rates (commonly known as the  
16 “community rating provision”) found in sections  
17 2701 and 2705(b) of the Public Health Service Act  
18 (42 U.S.C. 300gg(a)(1), 300gg-4(b)) must now be  
19 struck down as not severable from the individual re-  
20 sponsibility provision.

21 (5) The district court recently held that the in-  
22 dividual responsibility provision is unconstitutional  
23 and that all of the remaining provisions of the Pa-  
24 tient Protection and Affordable Care act are  
25 inseverable and therefore invalid.

1           (6) Up to 133 million nonelderly Americans  
2           have some type of preexisting health condition, such  
3           as, but not limited to, diabetes, high cholesterol,  
4           cancer, arthritis, and asthma, that could affect their  
5           insurance.

6           (7) Prior to the Patient Protection and Afford-  
7           able Care Act and the enactment of protections such  
8           as guaranteed issue and community rating, millions  
9           of Americans were denied health insurance coverage,  
10          were unable to obtain coverage of necessary medical  
11          services, or were priced out of the individual market  
12          due to preexisting conditions.

13          (8) Without such protections for preexisting  
14          conditions, millions of Americans could once again  
15          lose access to affordable, comprehensive health in-  
16          surance.

17          (9) More than 13 million Americans who gained  
18          coverage in States that expanded Medicaid eligibility  
19          under the Patient Protection and Affordable Care  
20          Act could lose coverage if the Act were struck down  
21          in its entirety.

22          (10) More than 2 million young adults who  
23          gained coverage under a provision of the Patient  
24          Protection and Affordable Care Act allowing individ-  
25          uals under the age of 26 to stay on their parents'

1 insurance could lose coverage if the Act were struck  
2 down in its entirety.

3 (11) More than 8.9 million low and middle-in-  
4 come Americans who received tax credits averaging  
5 \$520 per month to help pay for health insurance in  
6 the individual market under the Patient Protection  
7 and Affordable Care Act could lose coverage if the  
8 Act were struck down in its entirety.

9 (12) An estimated 105 million Americans who  
10 now enjoy coverage without lifetime limits due to the  
11 Patient Protection and Affordable Care Act could  
12 once again face lifetime limits on their benefits if the  
13 Act were struck down in its entirety.

14 (13) Nearly 12 million Medicare beneficiaries  
15 who received an average of \$2,200 in savings on pre-  
16 scription drugs due to the closing of the Medicare  
17 prescription drug donut hole under the Patient Pro-  
18 tection and Affordable Care Act would face rising  
19 drug costs if the Act were struck down in its en-  
20 tirety.

21 **SEC. 302. AUTHORIZING LEGAL ACTION BY HOUSE.**

22 (a) AUTHORIZATION.—The Speaker, on behalf of the  
23 House of Representatives, is authorized to intervene, oth-  
24 erwise appear, or take any other steps in the case of *Texas*  
25 v. *United States*, No. 4:18-cv-00167-O (N.D. Tex.) and

1 in any appellate proceedings arising from such case. The  
2 Speaker, in consultation with the Bipartisan Legal Advi-  
3 sory Group, is also authorized to intervene, otherwise ap-  
4 pear, or take any other steps in any other cases involving  
5 the Patient Protection and Affordable Care Act to protect  
6 the institutional interests of the House and to defend such  
7 Act, the amendments made by such Act to other provisions  
8 of law, and any amendments to such provisions, including  
9 the provisions ensuring affordable health coverage for  
10 those with preexisting conditions.

11 (b) **ROLE OF GENERAL COUNSEL.**—The Office of  
12 General Counsel of the House of Representatives, at the  
13 direction of the Speaker, shall represent the House in any  
14 litigation pursuant to this title. The Office of General  
15 Counsel may employ the services of outside counsel, in-  
16 cluding pro bono counsel, or other experts for this pur-  
17 pose.

18 (c) **REPORTS ON AMOUNTS EXPENDED.**—The chair  
19 of the Committee on House Administration shall cause to  
20 be printed in the Congressional Record a statement setting  
21 forth the aggregate amounts expended by the Office of  
22 General Counsel on outside counsel and other experts pur-  
23 suant to this title on a quarterly basis, and such statement  
24 shall be submitted for printing not more than 30 days  
25 after the expiration of each such quarter.