

**SECTION-BY-SECTION SUMMARY OF SUBSTANTIVE CHANGES  
CONTAINED IN H.RES. 5  
ADOPTING HOUSE RULES FOR THE 106TH CONGRESS**

- 1. Redesignation of Committee on Government Reform and Oversight.** The Committee on Government Reform and Oversight is redesignated as the Committee on Government Reform in each place it appears in the rules.
- 2. Redesignation of Committee on House Oversight.** The Committee on House Oversight is redesignated as the Committee on House Administration in each place it appears in the rules.
- 3. Redesignation of Committee on National Security.** The Committee on National Security is redesignated as the Committee on Armed Services in each place it appears in the rules.
- 4. Office of the Historian.** Clarifies that the Speaker appoints and sets the annual rate of pay for employees of the Office of the Historian. [Rule II, clause 7]
- 5. Notice of form of question of privilege.** The requirement that the full text of a resolution proposing a question of the privilege of the House be read could be dispensed with by unanimous consent at the point of its initial announcement to the House. [Rule IX, clause 2(a)(1)]
- 6. Budget Process.** These provisions are necessary to conform certain rules of the House with the amendments made to the Budget Act by the Balanced Budget Enforcement Act of 1997. These changes relate to the oversight requirements of the Budget Committee, the consideration of bills providing new entitlement authority, and the submission of views and estimates on the President's budget. [Rule X: clause 1(b)(4); clause 2(b)(1); clause 4(f); clause 4(g)]
- 7. Committee oversight plans.** The prohibition against the consideration of any committee expense resolution when a committee has not adopted and submitted its oversight plans to the Committee on House Administration and the Committee on Government Reform by February 15 of the first session of a Congress would be repealed. [Rule X, clause 2(d)(2)]
- 8. Service on the Committee on Standards of Official Conduct.** The House rule requiring four members to rotate off the Standards Committee every Congress would be eliminated. The House rule prohibiting Members from serving more than two

Congresses in any period of three successive Congresses on the Standards Committee would be amended to prohibit Members from serving more than three Congresses in any period of five successive Congresses. [Rule X, clause 5]

**9. Oversight Subcommittees.** The restriction on committees maintaining more than five subcommittees would be maintained in the rule, while committees that maintain a subcommittee on oversight would be restricted to not more than six subcommittees. [Rule X, clause 5(d)]

**10. Exceptions to five-minute rule in hearings.** The rule, adopted at the beginning of the 105th Congress, to permit committees to adopt a rule or motion to extend questioning for selected majority and minority members and to permit the questioning of witnesses by staff is clarified to address ambiguities in the rule. [Rule XI, clause 2(j)]

**11. Subpoenas.** The House rule granting committees authority to issue subpoenas is clarified to state the common practice that a subpoena may specify the terms of return other than at a meeting or hearing of a committee or subcommittee. [Rule XI, clause 2(m)]

**12. Abolishment of pairs other than "live pairs."** The practice of pairing, which involves absent Members arranging with other absent Members on opposite sides of a specified question the ability to stipulate how they would have voted, would no longer be permitted. However, "live pairs," which involve an agreement between one Member who is present and voting and another on the opposite side of the question, who is absent, would continue to be permitted. [Rule XX, clause 8]

**13. Postponement of vote on original motion to instruct conferees.** The Speaker's current authority to postpone votes would be extended to any vote on an original motion to instruct conferees. [Rule XX, clause 8]

**14. Five-minute voting.** The Speaker's authority to reduce to five minutes the voting time on postponed votes would be extended to all postponed questions, and on questions incidental thereto, so long as the first vote on a question in a series of questions is no less than 15 minutes. [Rule XX, clause 10]

**15. Elimination of Specific Road Point of Order.** The obsolete point of order against consideration of a general roads bill containing provisions relating to specific roads is deleted. [Rule XXI, clause 3]

**16. Technical amendments.** The requirement that a House employee must perform duties commensurate with the compensation received "in the offices of the employing

authority" is modified to conform with other statutory changes which permit telecommuting by federal employees. [Rule XXIV, clause 8(a)] To conform with administrative changes put in place at the beginning of the 104th Congress, "Chief Administrative Officer" is substituted for "Clerk" with respect to the entity responsible for dispersing the pay of officers and employees of the House. [Rule XXIV, clause 1]

**17. Consultants.** Consultants would be required to abide by the key provisions of House rule XXIV, the Code of Official Conduct, including the requirement that they conduct themselves in a manner that reflects creditably on the House, the conflict-of-interest provision, and the gift rule. [Rule XXIV, clause 14(b)]

**18. Honoraria.** Certain lower-level House employees would be permitted to receive honoraria (i.e., compensation for an article, speech, or appearance) for activities not related to official duties. [Rule XXVI, clause 2]

## **Section 2. Separate Orders.**

**1. Budget Enforcement.** This provision authorizes the chairman of the Committee on the Budget to publish budget allocations contemplated by section 302(a) of the Congressional Budget Act in the Congressional Record pending the adoption by the Congress of a concurrent resolution on the budget for fiscal year 1999. Once published, those budget levels shall be effective in the House as though established by passage of a concurrent resolution on the budget. This provision also clarifies the application of section 315 of the Congressional Budget Act with respect to points of order raised under section 303 of the Budget Act (relating to consideration of spending or revenue measures prior to the adoption of a concurrent resolution on the budget.)

**2. Tenure on the Budget Committee.** Clause 5(a)(2) of House rule X prohibits Members from serving on the Budget Committee for more than 4 congresses (8 years) in any period of six successive congresses (12 years). The applicability of this rule would be waived for the duration of the 106<sup>th</sup> Congress.

**3. Standards Committee rules.** The free-standing directives of H.Res. 168 of the 105<sup>th</sup> Congress (sections 3, 4, 5, 7, 10, 11, 12, 13, 14, 15, 16, 17, 20, and 21) regarding ethics reform would be carried forward in the 106<sup>th</sup> Congress.

**4. Census Subcommittee.** Clause 5(d) of House rule X restricts House committees from establishing more than 5 subcommittees, with an exception for the Committee on Government Reform, which is permitted to have seven. For the purpose of effective oversight of the census, this provision provides a waiver for the Committee on Government Reform to have eight subcommittees in the 106<sup>th</sup> Congress.

**5. Explanatory Material Relating to Recodification of Rules.** This provision gives the Majority Leader and the Minority Leader or their designees the ability to submit certain extraneous and tabular information in the Congressional Record for the purpose of legislative history relating to the recodification of the standing rules of the House.

**6. Continuance of Select Committee.** This provision establishes in the 106<sup>th</sup> Congress a Select Committee on U.S. National Security and Military/Commercial Concerns With the People's Republic of China solely for the purpose of completing the declassification and public release of its report prepared by the Select Committee of the 105<sup>th</sup> Congress. [The Select Committee was established by the House agreeing to H.Res. 463 on June 18, 1998 by a vote of 409-10.] The procedural authorities of the Select Committee contained in sections 8 and 9 of H.Res. 463, relating to transfers of information and information gathering, shall be limited in the 106<sup>th</sup> Congress to enforcing requests for information issued before January 3, 1999 and to issue and enforce requests directly related to the declassification and public release of the Select Committee's report. Also, the provisions of section 10 of H.Res. 463, relating to tax information, shall not apply in the 106<sup>th</sup> Congress. Expenses of the Select Committee may be paid from applicable accounts of the House which may not exceed those available as unexpended balances of the Select Committee from the 105<sup>th</sup> Congress. The Select Committee shall cease to exist on March 31, 1999.

**7. Numbering of Bills.** The first ten numbers for bills (H.R. 1 through H.R. 10) shall be reserved for assignment by the Speaker when introduced on or before March 1, 1999.

### **Section 3. Special Order of Business.**

This provision provides that upon the adoption of H.Res. 5, it shall be in order to separately consider a resolution introduced by the Majority Leader or his designee, amending clause 5 of rule XXVI, the House gift rule. The resolution shall be debatable for one hour equally divided and controlled by the Majority Leader and the Minority Leader or their designees.

Description of Resolution to be Offered by the Majority Leader or his designee:

The House gift rule would be amended to incorporate verbatim the text of a provision of the Senate gift rule which would allow a Member, officer, or employee to accept a gift (other than cash or cash equivalent) that he or she reasonably and in good faith believes to have a value of less than \$50, and a cumulative value from one source in a calendar year of less than \$100. No gift with a value below \$10 would count toward the annual limit.