

The SPEAKER pro tempore. Not invariably.

ADJOURNMENT TO THURSDAY,  
JANUARY 9, 1997

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Thursday, January 9, 1997.

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

There was no objection.

AUTHORIZING SPEAKER AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND TO MAKE APPOINTMENTS AUTHORIZED BY LAW OR BY THE HOUSE NOT WITHSTANDING ADJOURNMENT

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Tuesday, February 4, 1997, the Speaker and the Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, FEBRUARY 5, 1997

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday Rule be dispensed with on Wednesday, February 5, 1997.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE ON PROCEDURES FOR THE 105TH CONGRESS

The SPEAKER pro tempore. Policies of the Chair, January 7, 1997:

The Chair customarily takes this occasion on the opening day of a Congress to announce his policies with respect to particular aspects of the legislative process. The Chair will insert in the RECORD announcements by the Speaker concerning, first, privileges of the floor; second, the introduction of bills and resolutions; third, unanimous consent requests for the consideration of bills and resolutions; fourth, recognition for 1-minute speeches, morning hour debate and special orders; fifth, decorum in debate; sixth, the conduct of votes by electronic device and, seventh, the distribution of written material on the House floor.

These announcements where appropriate will reiterate the origins of the stated policies. The Speaker intends to continue in the 105th Congress the poli-

cies reflected in these statements. The policy announced in the 102d Congress with respect to judicial concepts related to clause 5(b) of rule XXI, tax and tariff measures, will continue to govern but need not be reiterated as it is adequately documented as precedent in the House Rules and Manual.

The announcements referred to follow:

1. PRIVILEGES OF THE FLOOR

The Speaker's instructions to the former Doorkeeper and the Sergeant-at-arms announced on January 25, 1983, and on January 21, 1986, regarding floor privileges of staff will apply during the 105th Congress. The Speaker's policy announced on August 1, 1996, regarding floor privileges of former Members will also apply during the 105th Congress.

ANNOUNCEMENT BY THE SPEAKER, JANUARY 25, 1983

The SPEAKER. Rule XXXII strictly limits those persons to whom the privileges of the floor during sessions of the House are extended, and that rule prohibits the Chair from entertaining requests for suspension or waiver of that rule. As reiterated as recently as August 22, 1974, by Speaker Albert under the principle stated in Deschler's Procedure, chapter 4, section 3.4, the rule strictly limits the number of committee staff permitted on the floor at one time during the consideration of measures reported from their committees. This permission does not extend to Members' personal staff except when a Member has an amendment actually pending during the five-minute rule. To this end, the Chair requests all Members and committee staff to cooperate to assure that not more than the proper number of staff are on the floor, and then only during the actual consideration of measures reported from their committees. The Chair will again extend this admonition to all properly admitted majority and minority staff by insisting that their presence on the floor, including the areas behind the rail, be restricted to those periods during which their supervisors have specifically requested their presence. The Chair stated this policy in the 97th Congress, and an increasing number of Members have insisted on strict enforcement of the rule. The Chair has consulted with and has the concurrence of the Minority Leader with respect to this policy and has directed [the Doorkeeper] and the Sergeant-at-arms to assure proper enforcement of the rule.

ANNOUNCEMENT BY THE SPEAKER, JANUARY 21, 1986

The SPEAKER. Rule XXXII strictly limits those persons to whom the privileges of the floor during sessions of the House are extended, and that rule prohibits the Chair from entertaining requests for suspension or waiver of that rule. As reiterated by the Chair on January 25, 1983, and January 3, 1985, and as stated in chapter 4, section 3.4 of Deschler-Brown's Procedure in the House of Representatives, the rule strictly limits the number of committee staff on the floor at one time during the consideration of measures reported from their committees. This permission does not extend to members' personal staff except when a member's amendment is actually pending during the five-minute rule. It also does not extend to personal staff of members who are sponsors of pending bills or who are engaging in special orders. The Chair requests the cooperation of all members and committee staff to assure that only the proper number of staff are on the floor, and then only during the consideration of measures reported from their committees. The Chair is making this statement

and reiterating this policy because of concerns expressed by many members about the number of committee staff on the floor during the last weeks of the first session. The Chair requests each chairman, and each ranking minority member, to submit to the [Doorkeeper] Sergeant-at-arms a list of staff who are to be allowed on the floor during the consideration of a measure reported by their committee. Each staff person should exchange his or her ID for a "committee staff" badge which is to be worn while on the floor. The Chair has consulted with the Minority Leader and will continue to consult with him. The Chair has furthermore directed the [Doorkeeper and] Sergeant-at-arms to assure proper enforcement of rule XXXII.

ANNOUNCEMENT BY THE SPEAKER, AUGUST 1, 1996

The SPEAKER. The Chair will make a statement. On May 25, 1995, the Chair took the opportunity to reiterate guidelines on the prohibition against former Members exercising floor privileges during the consideration of a matter in which they have a personal or pecuniary interest or are employed or retained as a lobbyist.

Clause 3 of House rule XXXII and the subsequent guidelines issued by previous Speakers on this matter make it clear that consideration of legislative measures is not limited solely to those pending before the House. Consideration also includes all bills and resolutions either which have been called up by a full committee or subcommittee or on which hearings have been held by a full committee or subcommittee of the House.

Former Members can be prohibited from privileges of the floor, the Speaker's lobby and respective Cloakrooms should it be ascertained they have direct interests in legislation that is before a subcommittee, full committee, or the House. Not only do those circumstances prohibit former Members but the fact that a former Member is employed or retained by a lobbying organization attempting to directly or indirectly influence pending legislation is cause for prohibiting access to the House Chamber.

First announced by Speaker O'Neill on January 6, 1977, again on June 7, 1978, and by Speaker Foley in 1994, the guidelines were intended to prohibit former Members from using their floor privileges under the restrictions laid out in this rule. This restriction extends not only to the House floor but adjacent rooms, the Cloakrooms, and the Speaker's lobby.

Members who have reason to know that a former Member is on the floor inconsistent with clause 3, rule XXXII, should notify the Sergeant-at-arms promptly.

2. INTRODUCTION OF BILLS AND RESOLUTIONS

The Speaker's policy announced on January 3, 1983, will continue to apply in the 105th Congress.

ANNOUNCEMENT BY THE SPEAKER, JANUARY 3, 1983

The SPEAKER. The Chair would like to make a statement concerning the introduction and reference of bills and resolutions. As Members are aware, they have the privilege today of introducing bills. Heretofore on the opening day of a new Congress, several hundred bills have been introduced. The Chair will do his best to refer as many bills as possible, but he will ask the indulgence of Members if he is unable to refer all the bills that may be introduced. Those bills which are not referred and do not appear in the Record as of today will be included in the next day's Record and printed with a date as of today.

The Chair has advised all officers and employees of the House that are involved in the processing of bills that every bill, resolution,

memorial, petition or other material that is placed in the hopper must bear the signature of a Member. Where a bill or resolution is jointly sponsored, the signature must be that of the Member first named thereon. The bill clerk is instructed to return to the Member any bill which appears in the hopper without an original signature. This procedure was inaugurated in the 92nd Congress. It has worked well, and the Chair thinks that it is essential to continue this practice to insure the integrity of the process by which legislation is introduced in the House.

### 3. UNANIMOUS-CONSENT REQUESTS FOR THE CONSIDERATION OF BILLS AND RESOLUTIONS

The Speaker will continue to follow the guidelines recorded in section 757 of the House Rules and Manual conferring recognition for unanimous-consent requests for the consideration of bills and resolutions only when assured that the majority and minority floor leadership and committee and subcommittee Chairmen and ranking minority members have no objection. Consistent with those guidelines, and with the Chair's inherent power of recognition under clause 2 of rule XIV, the Chair, and any occupant of the Chair appointed as Speaker pro tempore pursuant to clause 7 of rule I, will decline recognition for unanimous-consent requests for consideration of bills and resolutions without assurances that the request has been so cleared. This denial of recognition by the Chair will not reflect necessarily any personal opposition on the part of the Chair to orderly consideration of the matter in question, but will reflect the determination upon the part of the Chair that orderly procedures will be followed; that is, procedures involving consultation and agreement between floor and committee leadership on both sides of the aisle. In addition to unanimous-consent requests for the consideration of bills and resolutions, section 757 of the House Rules Manual also chronicles examples where the Speaker applied this policy on recognition to other related unanimous-consent requests, such as requests to consider a motion to suspend the rules on a nonsuspension day and requests to permit consideration of nongermane amendments to bills. Such applications of the Speaker's guidelines will continue in the 105th Congress.

As announced by the Speaker, April 26, 1984, the Chair will entertain unanimous-consent requests to dispose of Senate amendments to House bills on the Speaker's table if made by the chairman of the committee with jurisdiction, or by another committee member authorized to make the request.

### 4. RECOGNITION FOR ONE-MINUTE SPEECHES AND SPECIAL ORDERS

The Speaker's policy announced on January 25, 1984, with respect to recognition for one-minute speeches will apply during the 105th Congress with the continued understanding that the Chair reserves the authority to restrict one-minute speeches at the beginning of the legislative day. The Speaker's following policies announced in the 104th Congress will also continue through the 105th Congress: (1) the Speaker's residual policy for the recognition of special-order speeches absent an agreement between the leaderships to the contrary; and (2) the Speaker's policy for recognition for "morning hour" debate and restricted special-order speeches, announced on May 12, 1995, with the further clarification that reallocations of time within each leadership special-order period will be permitted with notice to the Chair.

ANNOUNCEMENT BY THE SPEAKER, AUGUST 8, 1984, RELATIVE TO RECOGNITION FOR ONE-MINUTE SPEECHES

The SPEAKER. After consultation with and concurrence by the Minority Leader, the

Chair announces that he will institute a new policy of recognition for "one-minute" speeches and for special order requests. The Chair will alternate recognition for one-minute speeches between majority and minority Members, in the order in which they seek recognition in the well under present practice from the Chair's right to the Chair's left, with possible exceptions for Members of the leadership and Members having business requests. The Chair, of course, reserves the right to limit one-minute speeches to a certain period of time or to a special place in the program on any given day, with notice to the leadership.

ANNOUNCEMENT BY THE SPEAKER, JANUARY 4, 1995, RELATIVE TO "RESIDUAL" POLICY FOR RECOGNITION FOR SPECIAL-ORDER SPEECHES

The SPEAKER. Absent an agreement between the leaderships regarding recognition for requests to address the House for "special-order speeches" at the end of legislative business, the Chair will decline recognition for permission to address the House for any period extending more than one week in advance of the request. In accordance with the Speaker's policy as enunciated on August 8, 1984, the Chair will first recognize Members who wish to address the House for five minutes or less, alternating between majority and minority Members in the order in which those permissions were granted by the House. Thereafter, the Chair will recognize Members who wish to address the House for longer than five minutes up to one hour, again alternating between majority and minority Members in the order in which those permissions were granted by the House. However, unlike the Speaker's policy of August 8, 1984, the Chair will alternate daily between parties recognition for the first special order longer than five minutes regardless of the order in which permissions were granted.

ANNOUNCEMENT BY THE SPEAKER JANUARY 4, 1995, RELATIVE TO SPECIAL-ORDER SPEECHES AND MORNING-HOUR DEBATE

The SPEAKER. Upon consultation with the Minority Leader, the Chair announces that the format for recognition for "morning-hour" debate and restricted special-order speeches, which began on February 23, 1994, will continue [through the 105th Congress], as outlined below:

On Tuesdays, following legislative business, the Chair may recognize Members for special-order speeches up to midnight, and such speeches may not extend beyond midnight. On all other days of the week, the Chair may recognize Members for special-order speeches up to four hours after the conclusion of five-minute special-order speeches. Such speeches may not extend beyond the four-hour limit without the permission of the Chair, which may be granted only with advance consultation between the leaderships and notification to the House. However, at no time shall the Chair recognize for any special-order speeches beyond midnight.

The Chair will first recognize Members for five-minute special-order speeches, alternating initially and subsequently between the parties regardless of the date the order was granted by the House. The Chair will then recognize longer special orders speeches. The four-hour limitation will be divided between the majority and minority parties. Each party is entitled to reserve its first hour for respective leaderships or their designees. Recognition will alternate initially and subsequently between the parties, regardless of the date the order was granted by the House.

The allocation of time within each party's two-hour period (or shorter period if prorated to end by midnight) is to be determined by a list submitted to the Chair by the respective leaderships. Members may not

sign up for any special-order speeches earlier than one week prior to the special order, and additional guidelines may be established for such sign-ups by the respective leaderships.

Pursuant to clause 9(b)(1) of rule I, the television cameras will not pan the Chamber, but a "crawl" indicating morning hour or that the House has completed its legislative business and is proceeding with special-order speeches will appear on the screen. Other television camera adaptations during this period may be announced by the Chair.

The continuation of this format for recognition by the Speaker is without prejudice to the Speaker's ultimate power of recognition under clause 2 of rule XIV should circumstances so warrant.

### 5. DECORUM IN DEBATE

The Speaker's policies with respect to decorum in debate announced on January 3, 1991, and January 4, 1995, will apply during the 105th Congress as supplemented by an announcement made by the Speaker earlier today.

ANNOUNCEMENT BY THE SPEAKER, JANUARY 3, 1991

The SPEAKER. It is essential that the dignity of the proceedings of the House be preserved, not only to assure that the House conducts its business in an orderly fashion but to permit Members to properly comprehend and participate in the business of the House. To this end, and in order to permit the Chair to understand and to correctly put the question on the numerous requests that are made by Members, the Chair requests that Members and others who have the privileges of the floor desist from audible conversation in the Chamber while the business of the House is being conducted. The Chair would encourage all Members to review rule XIV to gain a better understanding of the proper rules of decorum expected of them, and especially: First, to avoid "personalities" in debate with respect to references to other Members, the Senate, and the President; second, to address the Chair while standing and only when and not beyond the time recognized, and not to address the television or other imagined audience; third, to refrain from passing between the Chair and the Member speaking, or directly in front of a Member speaking from the well; fourth, to refrain from smoking in the Chamber; and generally to display the same degree of respect to the Chair and other Members that every Member is due.

The Speaker's announcement of January 4, 1995, will continue to apply in the 105th Congress as follows:

The Chair would like all Members to be on notice that the Chair intends to strictly enforce the limitations on debate. Furthermore, the Chair has the authority to immediately interrupt Members in debate who transgress rule XIV by failing to avoid "personalities" in debate with respect to references to the Senate, the President, and other Members, rather than wait for Members to complete their remarks.

Finally, it is not in order to speak disrespectfully of the Speaker; and under the precedents the sanctions for such violations transcend the ordinary requirements for timeliness of challenges. This separate treatment is recorded in volume 2 of Hinds' Precedents, at section 1248 and was reiterated on January 19, 1995.

### 6. CONDUCT OF VOTES BY ELECTRONIC DEVICE

The Speaker's policy announced on January 4, 1995, will continue through 105th Congress.

The SPEAKER. The Chair wishes to enunciate a clear policy with respect to the conduct of electronic votes.

As Members are aware, clause 5 of rule XV provides that Members shall have not less

than 15 minutes in which to answer an ordinary rollcall vote or quorum call. The rule obviously establishes 15 minutes as a minimum. Still, with the cooperation of the Members, a vote can easily be completed in that time. The events of October 30, 1991, stand out as proof of this point. On that occasion, the House was considering a bill in the Committee of the Whole under a special rule that placed an overall time limit on the amendment process, including the time consumed by rollcalls. The Chair announced, and then strictly enforced, a policy of closing electronic votes as soon as possible after the guaranteed period of 15 minutes. Members appreciated and cooperated with the Chair's enforcement of the policy on that occasion.

The Chair desires that the example of October 30, 1991, be made the regular practice of the House. To that end, the Chair enlists the assistance of all Members in avoiding the unnecessary loss of time in conducting the business of the House. The Chair encourages all Members to depart for the Chamber promptly upon the appropriate bell and light signal. As in recent Congresses, the cloakrooms should not forward to the Chair requests to hold a vote by electronic device, but should simply apprise inquiring Members of the time remaining on the voting clock.

Although no occupant of the Chamber would prevent a Member who is in the well of the Chamber before the announcement of the result from casting his or her vote, each occupant of the Chair will have the full support of the Speaker in striving to close each electronic vote at the earliest opportunity. Members should not rely on signals relayed from outside the Chamber to assume that votes will be held open until they arrive in the Chamber.

#### 7. USE OF HANDOUTS ON HOUSE FLOOR

The Speaker's policy announced on September 27, 1995, will continue through 105th Congress.

The SPEAKER. A recent misuse of handouts on the floor of the House has been called to the attention of the Chair and the House. At the bipartisan request of the Committee on Standards of Official Conduct, the Chair announces that all handouts distributed on or adjacent to the House floor by Members during House proceedings must bear the name of the Member authorizing their distribution. In addition, the content of those materials must comport with standards of propriety applicable to words spoken in debate or inserted in the Record. Failure to comply with this admonition may constitute a breach of decorum and may give rise to a question of privilege.

The Chair would also remind Members that pursuant to clause 4, rule XXXII, staff are prohibited from engaging in efforts in the Hall of the House or rooms leading thereto to influence Members with regard to the legislation being amended. Staff cannot distribute handouts.

In order to enhance the quality of debate in the House, the Chair would ask Members to minimize the use of handouts.

#### APPOINTMENT AS MEMBERS OF THE HOUSE OFFICE BUILDING COMMISSION

The SPEAKER pro tempore (Mr. LAHOOD). The Chair announces the Speaker's appointment, pursuant to the provisions of 40 United States Code 175 and 176, the Chair appoints the gentleman from Texas [Mr. ARMEY] and the gentleman from Missouri [Mr. GEPHARDT] as Members of the House

Office Building Commission to serve with himself.

#### APPOINTMENT OF INSPECTOR GENERAL FOR THE HOUSE OF REPRESENTATIVES FOR THE 105TH CONGRESS

The Chair announces, pursuant to the provisions of section 2 of rule VI, the Speaker, majority leader, and minority leader jointly appoint Mr. John W. Lainhart, IV, to the position of inspector general for the House of Representatives for the 105th Congress.

#### A FURTHER MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

#### BIENNIAL REPORT ON HAZARDOUS MATERIALS TRANSPORTATION FOR CALENDAR YEARS 1994-95—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Transportation and Infrastructure.

#### *To the Congress of the United States:*

In accordance with Public Law 103-272, as amended (49 U.S.C. 5121(e)), I transmit herewith the Biennial Report on Hazardous Materials Transportation for Calendar Years 1994-1995 of the Department of Transportation.

WILLIAM J. CLINTON.

THE WHITE HOUSE, January 7, 1997.

#### ANNUAL REPORT OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, 1995—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Banking and Financial Services.

#### *To the Congress of the United States:*

Pursuant to the requirements of 42 U.S.C. 3536, I transmit herewith the 31st Annual Report of the Department of Housing and Urban Development, which covers calendar year 1995.

WILLIAM J. CLINTON.

THE WHITE HOUSE, January 7, 1997.

#### ANNUAL REPORT OF THE DEPARTMENT OF ENERGY, 1994 AND 1995—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message

from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Commerce.

#### *To the Congress of the United States:*

In accordance with the requirements of section 657 of the Department of Energy Organization Act (Public Law 95-91; 42 U.S.C. 7267), I transmit herewith the Annual Report of the Department of Energy, which covers the years 1994 and 1995.

WILLIAM J. CLINTON.

THE WHITE HOUSE, January 7, 1997.

#### WAIVER FROM CERTAIN PROVISIONS RELATING TO THE APPOINTMENT OF UNITED STATES TRADE REPRESENTATIVE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. DREIER) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered printed.

#### *To the Congress of the United States:*

I am pleased to transmit herewith for your immediate consideration and enactment legislation to provide a waiver from certain provisions relating to the appointment of the United States Trade Representative.

This draft bill would authorize the President, acting by and with the advice and consent of the Senate, to appoint Charlene Barshefsky as the United States Trade Representative, notwithstanding any limitations imposed by certain provisions of law. The Lobbying Disclosure Act of 1995 amended the provisions of the Trade Act of 1974 regarding the appointment of the United States Trade Representative and the Deputy United States Trade Representatives by imposing certain limitations on their appointment. These limitations only became effective with respect to the appointment of the United States Trade Representative and Deputy United States Trade Representatives on January 1, 1996, and do not apply to individuals who were serving in one of those positions on that date and continue to serve in them. Because Charlene Barshefsky was appointed Deputy United States Trade Representative on May 28, 1993, and has continued to serve in that position since then, the limitations in the Lobbying Disclosure Act, which became effective on January 1, 1996, do not apply to her in her capacity as Deputy United States Trade Representative and it is appropriate that they not apply to her if she is appointed to be the United States Trade Representative.

I have today nominated Charlene Barshefsky to be the next United States Trade Representative. She has done an outstanding job as Deputy United States Trade Representative