

Committee on Rules Legislative Process Program

Section 3 – *The Committee System and the Federal Budget Process*

110TH CONGRESS

LOUISE M. SLAUGHTER, *Chairwoman*

The Rules Committee

Section 3, chapter 4 of 5

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The Rules Committee

Section 3 chapter 4 of 5

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I. Procedures for Considering Legislation

There are **5 methods** for considering Legislation on the floor of the House: as a **Privileged Matter**; under a **Special Rule**; under the limited privilege of a **Special Calendar or Day**; under **Suspension of the Rules**; or by **Unanimous Consent**.

A. Privileged Measures

Except from CRS Report: RS20067 (pages 2-3)¹
Updated December 6, 2006

“How Measures Are Brought to the House Floor: A Brief Introduction”

James V. Saturno

Specialist on the Congress

Government and Finance Division

House Rule XIV, clause 1, specifies a daily order of business for the House to follow. In practice, that order is not usually observed because House rules also specify several types of measures that are privileged, and therefore may *interrupt* the order of business. These types of measures may be called up on the floor whenever another matter is not already pending... In this way the House gives precedence to important classes of business without losing its power to decide (by majority vote) to consider any measure it chooses. Currently, privileged measures include:

- bills and resolutions reported under the right of a committee to report at any time (Rule XIII, clause 5(a)); this category currently includes:
 - general appropriations bills,
 - continuing resolutions after September 15,
 - concurrent resolutions on the budget,
 - reconciliation bills,
 - resolutions from the Committee on Rules concerning the rules of the House, joint rules, or the order of business (known as "special rules"),²
 - resolutions from the Committee on Standards of Official Conduct recommending action as a result of an investigation, and
 - measures reported from the Committee on House Administration concerning enrolled bills, contested elections, printing for the use of the House, expenditures from the contingent fund (including committee funding resolutions), or noncurrent records of the House;
- conference reports after three days (Rule XXII, clause 7(a));
- motions to discharge or instruct conferees (Rule XXII, clause 7(c));
- questions of the privileges of the House or questions of personal privilege (Rule IX, clause 2);
- resolutions of inquiry (Rule XIII, clause 7); and
- measures vetoed by the President (Article I, Section 7 of the U.S. Constitution).³

¹ <http://www.congress.gov/erp/rs/html/RS20067.html>

² Privileged reports by the Committee on Rules are further specified in Rule XIII, clause 6.

³ The constitution mandates that the House "shall proceed to reconsider" a vetoed bill. It is the usual, but not invariable, rule that a bill returned with the objections of the President shall be read and considered at once [Hinds, Asher C., *Precedents of the House of Representatives of the United States, including references to the Constitution, the laws, and decisions of the United States Senate*, vol. IV, sections 3534-3536

B. Special Rules

Prepared by Rules Committee Staff
January 5, 2008

A common practice for calling up major or controversial legislation is through the use of a Special Rule. Special Rules (also called “Rules” or “Special Orders of Business”) always come in the form of House Resolutions. These resolutions set the terms of debate for specific legislation and, when adopted by the House, supersede the standing rules of the House. The authority for the Rules Committee to report such Special Orders of Business comes from Rule XII, clause 5(a)(4) of the Rules of the House:

“Privileged Reports Generally

5. (a) The following committees shall have leave to report at any time on the following matters, respectively:

...
(4) The Committee on Rules, on rules, joint rules, and the order of business.”

Adoption of a Rule takes only a simple majority in the House (unlike the two-thirds requirement for Suspension of the Rules and the complete concurrence of Unanimous Consent Agreements) giving the Leadership in the House greater ability to move legislation. Special Rules specifically do two things: **provide for consideration** and **set the terms of debate**. They give the privilege of consideration to legislation that is not otherwise privileged, and they structure the debate and amendment process by explicitly setting some or all of the following terms:

- How much debate time will be allowed on the floor;
- Whether the bill will be debated in the House or the Committee of the Whole;
- Who will manage the bill on the floor;
- Setting the amendment process (Open, Structured, or Closed);
- Deciding whether to waive specific Points of Order against the bill or its consideration;
- Deciding whether to waive specific Points of Order against amendments;
- Providing for a Motion to Recommit; or
- Setting any other special procedures (for example, allowing the Chair to postpone further consideration of the bill).

There are several characteristics and nuances to Rules. For a detailed description of Special Rules, see the [“Reporting Special Orders of Business”](#) section below in this report.

(Washington: GPO, 1907).] However, it has also been interpreted as complied with by laying the bill on the table, referring it to a committee, postponing consideration to a day certain, or immediately voting on reconsideration [Cannon, Clarence, *Precedents of the House of Representatives of the United States, including references to provisions of the Constitution, the laws, and decisions of the United States Senate*, vol. VII, section 1105 (Washington: GPO, 1935).]

C. Special Calendars or Days

Excerpt from CRS Report: RS20067 (pages 3-4)⁴
Updated December 6, 2006

"How Measures Are Brought to the House Floor: A Brief Introduction"

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Other measures may be accorded a more limited form of privilege. These measures may interrupt the order of business, but only in certain specified circumstances. This limited privilege can apply to special calendars (i.e., lists of legislation), such as the Discharge or Private Calendars. It can also apply to special types of legislation regardless of which calendar they appear on, such as the special days on which District of Columbia business is privileged, or even to committees, such as with Calendar Wednesday. These special procedures allow the House to set aside predictable periods of time when it may consider various categories of proposed legislation.

1. Discharge Calendar⁵

Under House Rule XV, clause 2, if a committee fails to report a measure, a motion to discharge the committee from further consideration of the measure may be made on the second or fourth Monday of a month if 218 Members have signed a petition for that purpose and certain waiting periods are met. If the motion is agreed to, a further motion is in order to consider the measure discharged. If the measure coming up by discharge is a special rule for considering another measure, the special rule is automatically considered. A measure called up from the Discharge Calendar is considered in the House or in the Committee of the Whole, as appropriate.

2. District Days

Article I, Section 8 of the Constitution grants Congress the power to "exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States" Because of this special responsibility over the District of Columbia, House rules provide that measures from either the House or Union Calendar dealing with District business are privileged for consideration on the second and fourth Mondays of each month (Rule XV, clause 4). A measure called up by this method is considered in the House or in the Committee of the Whole, as appropriate.

3. Private Calendar⁶

Private legislation concerns measures of a private, rather than a public, nature (i.e., those that apply only to specified individuals, corporations, institutions, etc.), and typically involve such things as claims against the government and immigration problems. Such measures are privileged for consideration on the first and third Tuesdays of each month (Rule XV, clause 5). The Speaker is required to direct the clerk to call measures on the Private Calendar on the first Tuesday, but consideration on the third Tuesday is discretionary. Consideration of measures on the Private Calendar may also be dispensed with on either the first or third Tuesday by two-thirds vote.

On days when the Private Calendar is privileged the Speaker directs the clerk to call each bill on the Private Calendar. The measures are then passed by unanimous consent with little or no debate if no Member objects. If one Member objects the measure is "passed over

⁴ <http://www.congress.gov/erp/rs/html/RS20067.html>.

⁵ For more detail see [CRS Report 97-552\(pdf\)](#), *The Discharge Rule in the House: Principal Features and Uses*, by Richard S. Beth.

⁶ For more detail, see [CRS Report 98-628\(pdf\)](#), *Private Bills: Procedure in the House*, by Richard S. Beth.

without prejudice" for later consideration. If two or more Members object, the measure is automatically recommitted to the committee that reported it. The rule also allows that on the third Tuesday omnibus measures, embodying those private bills that have been previously rejected, may have preference (although this procedure is now rarely used). Each party appoints Members (currently three) as "official objectors" to act as watchdogs over private legislation.

4. Calendar Wednesday

The Calendar Wednesday procedure is rarely used by the House today. Also known as the "Call of Committees," this rule allows a committee to overcome what it feels is inaction or indifference by the majority leadership or the Rules Committee, or both, if the House wishes to consider a measure (Rule XV, clause 7). The rule allows each committee in turn to call up bills not otherwise privileged that have been reported but that have not reached the House floor through a more conventional route. Under modern practice the call of committees is routinely dispensed with by unanimous consent.

D. Suspension of the Rules in the House: Principal Features

CRS Report: 98-314⁷
Updated December 8, 2006

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"Suspension of the rules" is a procedure that the House of Representatives often uses on the floor to act expeditiously on relatively noncontroversial legislation.⁸ This procedure is governed primarily by clause 1 of House Rule XV. When a bill or some other matter is considered "under suspension," floor debate is limited, all floor amendments are prohibited, and a two-thirds vote is required for final passage. For more information on the legislative process, see:

<http://www.crs.gov/products/guides/guidehome.shtml>.

Typically, a Member whom the Speaker has recognized will say, for example, "Mr. Speaker, I move to suspend the rules and pass the bill, H.R. 1234." By making that motion, the Member triggers the use of the suspension procedure under Rule XV. However, this same procedure can be used for other legislative purposes. For example, a Member can move to suspend the rules and agree to a conference report, or concur in a Senate amendment to a House bill, or take some other action.

There are nine principal features of the suspension procedure.

- **First, the Speaker controls the use of this procedure.** No Member has a right to make a suspension motion. The Speaker decides who to recognize for suspension motions.
- **Second, suspension motions are in order only on Mondays, Tuesdays, and Wednesdays, and during the final days of the annual congressional session.** The House sometimes agrees to consider suspension motions on other days, by agreeing to either a unanimous consent request or a special rule for that purpose.
- **Third, there are only 40 minutes of debate on a suspension motion and the bill (or other action) to which it relates.** Time control is usually divided between the chairman and the ranking minority member of the committee or subcommittee with jurisdiction over the bill. However, if the ranking minority member supports the bill, another Member who opposes it can claim control of half the time for debate.
- **Fourth, when a bill is considered under suspension, no floor amendments are in order.** The Member making the motion, however, can include amendments as part of his or her motion. In that case, the Member moves to suspend the rules and pass the bill as *amended*.
- **Fifth, after the 40 minutes of debate, there is a single vote on suspending the rules and passing the bill.** The House does not vote first on whether to suspend the rules and then on whether to pass the bill. Both questions are decided by one vote.
- **Sixth, a two-thirds vote of the House is required to pass a bill under suspension of the rules.** This is a two-thirds vote of the Members present and voting, a quorum being present. If a suspension motion fails to receive the required two-thirds vote, the House

⁷ <http://www.congress.gov/erp/rs/html/98-314.html>

⁸ This report was written by Stanley Bach, a former Senior Specialist in the Legislative Process at CRS. The listed author updated the report and can respond to inquiries on the subject.

can consider the bill in question again, often under procedures that require only a simple majority vote to pass it.

- **Seventh, the Speaker can postpone rollcall votes on suspension motions until later on the same day or the following day, and cluster them to occur one after the other.** When there is a series of such rollcall votes, Members have 15 minutes to vote on the first motion but they usually have only five minutes to vote on each of the other motions.
- **Eighth, there is no requirement that a bill must be reported from committee before the House can consider it under suspension.** One advantage of the suspension procedure is that the committee to which a bill was referred does not have to meet formally to vote on reporting it or to prepare a written report on the bill.
- **Ninth, the suspension procedure automatically waives all points of order against the bill (or other action) and against its consideration.** The procedure suspends all rules of the House except those that govern the suspension procedure itself.

There is no suspension calendar. Instead, during the last floor session of each week, a member of the majority party leadership usually makes a public announcement on the floor about the bills that have been scheduled tentatively for consideration under suspension during the following week.

For additional information, see the Parliamentarian's notes following clause 1 of Rule XV in the *House Rules and Manual*; pp. 871-879 of *House Practice*; and vol. 6, chap. 21, sec. 9-15 of *Deschler's Precedents*.

E. Unanimous Consent

Excerpt from “House Practice: A guide to the Rules, Precedents, and Procedures of the House”⁹
Wm. Holmes Brown and Charles W. Johnson
108th Congress, 2003, (pages 885-886)

Unanimous consent may be used to provide for the consideration of a measure in the House, to vary the consideration of a measure in the House that is being considered under the general rules of the House or under an existing special order of business, or to adopt or pass a measure. For example, unanimous-consent requests may be used as follows:

- To call up for consideration a nonprivileged measure. Deschler Ch 23 Sec. 47.4.
- To consider a bill under the general rules of the House. Deschler-Brown Ch 29 Sec. 3.4.
 - Note: If on the Union Calendar, the bill will then normally be considered in the Committee of the Whole. However, the bill may be called up pursuant to the agreement and then by unanimous consent considered in the House as in the Committee of the Whole. 4 Hinds Sec. 4923.
- To provide a special order for the consideration of certain business (such as motions to suspend the rules on a day not set aside for suspensions). 4 Hinds Sec.. 3165, 3166; 7 Cannon Sec.. 758-760.
- To alter the terms of a special order. 7 Cannon Sec. 763.
- To transact other business on a day set apart for a special purpose. 5 Hinds Sec. 7246.
- To agree to transact no business during a stated period. 7 Cannon Sec. 760, 761.
- To take from the Speaker's table a House bill with Senate amendments and to consider those amendments in the House. Manual Sec. 528a.
- To permit the House to recede from its own amendment to a
- Senate amendment before the stage of disagreement. 89-2, Apr. 18, 1966, p 8207.
- To permit consideration in the House on any subsequent day of a bill to be introduced by the Chairman of the Committee on Appropriations. 97-2, June 23, 1982, p 14989.
- To waive all points of order against consideration in the House of an unreported joint resolution providing further continuing appropriations for the current fiscal year, consider it as read for amendment, close it to amendment by ordering the previous question to passage without intervening motion except debate and one motion to recommit. 107-2, Sept. 26, 2002, p ____.
- To discharge the Committee of the Whole from further consideration of a bill being read for amendment under a special order, and provide that certain amendments be considered as agreed to. 98-1, Nov. 18, 1983, p 34160.
- To consider a measure on the Union Calendar in the House by waiving all points of order against consideration, self-execute a compromise substitute in lieu of the committee amendments, and close the measure to amendment by ordering the previous question on the bill, as amended, to passage without intervening motion except debate and one motion to recommit with or without instructions. 106-2, Apr. 13, 2000, p ____.
- To consider a measure on the Union Calendar in the Committee of the Whole under the five-minute rule, waive points of order against the committee substitute as original text. 106-2, Apr. 13, 2000, p ____.
- To adopt or pass, in a single request, several measures, including any amendments thereto. See, e.g., 107-2, Nov. 14, 2002, p ____.
- To enlarge the time for debate on a motion to suspend the rules. 8 Cannon Sec. 3414.
- To specify the time at which a measure is to be called up--either immediately or on a subsequent day. 106-1, July 22, 1999, p ____.

⁹ http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=108_house_practice&docid=hp-54

II. The Role of the Rules Committee

Prepared by Rules Committee Staff
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The Committee on Rules has three main functions: **Reporting Special Rules**, **Exercising Original Jurisdiction**, and **Oversight**. Most of the Committee's activities are centered on reporting Special Rules.

A. Rules Committee's Jurisdiction¹⁰

Rule X, clause 1(n) Committee on Rules

(1) Rules and joint rules (other than those relating to the Code of Official Conduct) and the order of business of the House.

(2) Recesses and final adjournments of Congress.

The Rules Committee has a long and storied history. It began as a select committee in 1789, the first committee created by the House, and became a standing committee of the House almost one hundred years later in 1880. The jurisdiction defined in the House Rules became effective on January 2, 1947, as a part of the Legislative Reorganization Act of 1946.

Throughout its history, the Committee has undergone major shifts in the nature and size of its membership. For example, the Speaker was a member of the committee from 1858 until 1910. The speaker's membership ended as a result of a major revolt by other members of the House against the speaker's power. In addition, over time, the size of the committee has increased and decreased. The membership has been as small as twelve members and as large as sixteen. In the 110th Congress, the Committee consists of thirteen members, nine from the majority party and four from the minority party.

The Committee generally is charged with overseeing and amending the House Rules, establishing and guiding the functions of House committees, and overseeing the Congressional Budget Act. This jurisdiction has not been static, however, like the Committee's membership it also has expanded and contracted over time. For instance, responsibility for congressional recesses and adjournments originally had been within the jurisdiction of the Committee on Ways and Means. While the Committee has jurisdiction over rules relating to financial disclosures by Members, officers, and employees of the House, the Committee on Standards of Official Conduct is responsible for the House's Code of Official Conduct. The Committee shares jurisdiction with the Committee on the Budget over the Congressional Budget Act. That Act details Congress's responsibilities toward establishing the federal budget.

The primary role of the Committee since 1883, however, has been to report special orders of business (more commonly known as special rules) governing consideration of individual bills. Special rules govern the length of debate for bills, which members will control debate on the bill, whether and which amendments to the bill will be debated on the House floor, and whether bills will be subject to various House Rules or be exempt from them. Special rules are drafted in the form of simple House resolutions that require only a majority vote of the House to pass; upon passage of the rule, the underlying bill is considered pursuant to the terms set forth in the rule.

B. Rules Committee's Special Oversight Functions

The Committee monitors compliance with House rules in all of these areas as part of its oversight duties. Its oversight includes strict observance of the actual rules as well as the intent and spirit of the rules. The House rules (rule X, clause 3(j)) also grant special oversight responsibility to the Rules Committee over the congressional budget process.

In addition to the jurisdictional areas contained in the Rules of the House of Representatives, the Rules Committee plays a major role in the changes to the House rules in the

¹⁰ Information derived from House Rules and Manual, 110th Congress, Section 733, pages 464-466.

beginning of each new Congress. These changes typically are considered each Congress pursuant to House Resolution 5, a resolution number that is set aside for this purpose.

Below are the relevant House rules relating to the Committee's oversight functions:

Clause 2, Rule X - General Oversight Responsibilities

2. (a) *The various standing committees shall have general oversight responsibilities as provided in paragraph (b) in order to assist the House in:*

(1) its analysis, appraisal, and evaluation of (A) the application, administration, execution, and effectiveness of Federal laws; and (B) conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and

(2) its formulation, consideration, and enactment of such changes in Federal laws, and of such additional legislation, as may be necessary or appropriate.

(b)(1) In order to determine whether laws and programs addressing subjects within the jurisdiction of a committee are being implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated, each standing committee (other than the Committee on Appropriations) shall review and study on a continuing basis--

(A) the application, administration, execution, and effectiveness of laws and programs addressing subjects within its jurisdiction;

(B) the organization and operation of Federal agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within its jurisdiction;

(C) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation addressing subjects within its jurisdiction (whether or not a bill or resolution has been introduced with respect thereto); and

(D) future research and forecasting on subjects within its jurisdiction.

Clause 3, Rule X - Special Oversight Functions

3. (j) *The Committee on Rules shall review and study on a continuing basis the congressional budget process, and the committee shall report its findings and recommendations to the House from time to time.*

C. Reporting Special Orders of Business (Special Rules)

Special rules, or Special Orders of Business, provide for consideration of and set the terms of debate for specific legislation.

1. The Need for Special Rules

Rules provide several tools for those responsible for the daily operation of the House including:

- **Assisting in floor scheduling** (allowing measures to be called up regardless of the order they are listed in the House or Union calendar);
- **Resolving the House into the Committee of the Whole** (simplifying the amendment process);
- **Facilitating the orderly consideration of legislation** (by setting the debate time and amendment structure, and waiving points of order when necessary, or and allowing for other special procedures);
- **Arbitrating disputes among legislative committees** (allowing for compromises between different or competing committee products).

2. Privileged Status of Rules

Special Rules are privileged in the House. This "privileged" status means that the House can consider a special rule at any time it is not engaged in other business giving the Majority Leadership the ability to control the Floor schedule with a great deal of flexibility.

Clause 5(a) of Rule XIII grants Special Rules this privileged status. The rule states in part:

Privileged reports, generally

5. (a) *The following committees shall have leave to report at any time on the following matters, respectively:*

...

(4) *The Committee on Rules, on rules, joint rules, and the order of business.*

3. Rule Types: structuring the amendment process

There are three basic categories of Rule Types: **Open**, **Structured**, and **Closed**.

(1) **Open Rules**: Under an open rule, Members are not restricted from offering amendments that comply with the Rules of the House and the Congressional Budget Act. Special rules referred to as “Open with a Preprinting Requirement,” “Open with a Time Cap,” or “Open Plus” also are included in this category.

- “Open with a Preprinting Requirement”: Requires first degree amendments to be printed in the Congressional Record prior to consideration of a bill (or by a specific date), giving members an opportunity to review amendments ahead of their consideration. Second degree amendments do not need to be preprinted in most cases. Any amendment in compliance with House rules and the Congressional Budget Act, and printed on time, may be debated on the floor.
- “Open with a Time Cap”: Places a time cap on amendment debate. Any amendment in compliance with House rules and the Congressional Budget Act may be debated within the time constraints.
- “Open Plus”: Allows the offering of any amendment normally in order under an open rule plus the consideration of any amendments for which waivers of points of order have been granted by the special rule.

(2) **Structured Rules**: Structured rules allow for amendments designated in the rule or in the Rules Committee report accompanying the rule, to be offered on the floor. Usually, the chairwoman of the Rules Committee will announce the process for a structured rule by a “Dear Colleague” letter and on the committee’s website. These announcements will state the intended time for the Rules Committee to meet on the legislation, the deadline, and process for submission to the Rules Committee of amendments to the legislation.

(3) **Closed Rules**: Closed rules allow no amendments to be offered on the floor.

4. Rules Related to Senate Action

(1) **Conference Report Rules**¹¹: Under the standing rules of the House, conference reports are privileged matters. Unless the requirement is waived, House rules require that a conference report be available for at least three calendar days (excluding Saturdays, Sundays, and legal holidays) before it can be called up for consideration. After that time, because it is privileged, it can be called up at any time without a rule from the Rules Committee. However, if a conference report is in violation of a rule of the House, a special rule waiving points of order may be necessary for the conference report to be considered. Consequently, conference report rules generally provide waivers of all points of order against consideration of the conference report and provide that the conference report be considered as read, which effectively waives the three day availability requirement.

It should be noted that points of order against a conference report lie against its consideration, not against individual provisions contained within the report. A conference report represents the collective agreement of the House and the Senate. Changing individual components of the agreement violates the sanctity of the agreement itself. Consequently, agreeing to a conference report is an all-or-nothing question. This is also the reason why, even as privileged matters, conference reports are not amendable on the floor of the House.

¹¹ House Rules Committee, “Survey of Activities”, 109th Congress, p. 27-28.

(2) **Disposition of Senate Amendments**¹²: This type of rule generally provides for the consideration of a Senate amendment or amendments in the House and for a motion to concur in the Senate amendment with or without an amendment. These rules also usually specify a period of time for debate on the motion equally divided and controlled by the chairman and ranking minority member of the committee of jurisdiction, as well as any necessary waivers against consideration of either the Senate amendment or against the motion to concur.

(3) **Senate Hook-up**¹³: The rules of the House provide for three methods of getting to conference with the Senate: (1) agreeing to a motion to go to conference by unanimous consent; (2) obtaining a special rule from the Rules Committee; or (3) receiving specific authorization from each committee that received an initial referral of and reported the bill (clause 1 of Rule XX)... Most special rules allowing for a Senate hook-up provide that after passage of a House bill, it shall be in order to take a specific Senate bill from the Speaker's table, consider it in the House, and to move to strike all after the enacting clause and insert the text of the House bill as passed by the House. These special rules further provide that if the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendment and request a conference with the Senate. These hook-up provisions can either be included in the original rule providing for consideration of the House bill or in a separate special rule only providing for the motion to go to conference.

(4) **Motions to go to Conference**¹⁴: These special rules are those separate rules, or sections of a rule, that only provide for the motion to go to conference with the Senate.

(5) **Providing for the Engrossment of Multiple Measures**¹⁵: These types of special rules generally provide for separate consideration and final passage votes on multiple bills, generally relating to a similar issue. The rule then instructs the House enrolling clerk to enroll the individually-passed bills into one bill before transmitting them to the Senate for consideration.

5. Rules Containing Floor Management Tools

(1) **Same Day Rules**: Under clause 6(a) of rule XIII, special rules reported by the Committee on Rules may not be considered on the House floor on the same day they are reported from the Committee unless the House, by a vote of two-thirds of the members voting, agrees otherwise. A same day rule would permit a special rule to be considered on the same day it is reported from the Committee notwithstanding clause 6(a) of rule XIII. The same day rule would have to be reported by the Rules Committee and, pursuant to clause 6(a), would be considered on the House floor no sooner than the next legislative day. Once the same day rule passes the House (by the typical majority vote), any special rule it provides for consideration of can be considered on the House floor the same day that special rule is reported by the Rules Committee.

(2) **Suspension Day Rules**¹⁶: Under clause 1(a) of rule XV, it is in order on Monday, Tuesday and Wednesday of each week, and during the last six days of a session, for the Speaker to entertain motions to suspend the rules and pass legislation. A suspension day rule authorizes the Speaker to entertain motions to suspend the rules on days other than Mondays, Tuesdays and Wednesdays.

(3) **Chairman's En Bloc Authority**: Special rules that provide for consideration of bills also indicate whether amendments may be offered to the legislation. When amendments are permitted, such as through structured rules, the special rules typically provide that the amendments printed in the Rules Committee report must be considered in the order they are printed, debated for the time specified in the report, etc. Some special rules,

¹² Ibid p. 27.

¹³ Ibid p. 27.

¹⁴ Ibid p. 27.

¹⁵ Ibid p. 28.

¹⁶ Ibid p. 25-26.

however, make in order a very high number of amendments. In such cases, the special rule may permit the chairman of the committee overseeing the underlying bill to consolidate amendment consideration via “en bloc authority.” If a rule allows for en bloc authority, the chairman can call up several amendments at the same time:

H. Res. 403 (providing for consideration of H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008): *Sec. 3. It shall be in order at any time for the chairman of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.*

6. Rule Resolving Differences Between and Responding to Legislative Committees¹⁷

As the nexus of the legislative process in the House, the Rules Committee is often the institutional mechanism used to reconcile differences in legislative recommendations among multiple committees. Two often used, and often misunderstood, special rule features utilized to achieve these goals are (1) self-executing rules and (2) original text rules.

(1) Self Executing Rules: This type of rule provides that, upon the adoption of the special rule, the text of a reported or introduced bill, as the case may be, is modified or amended in some specified manner. Therefore, the House’s adoption of the rule itself has the effect of amending the underlying bill. Occasionally, a self-executing rule may also provide for the adoption of other unrelated measures or actions, such as adopting another simple resolution. Self-executing rules may be utilized by the Rules Committee for a variety of reasons, including but not limited to: the correction of rule or Budget Act violations, the reconciling of multiple committee legislative recommendations, the elimination of procedural votes, the separation of policy issues or the complete redrafting of the legislation.

(2) Original Text Rules: When a committee reports a measure, it often will favorably report the measure with a recommendation that an amendment or amendments be adopted by the full House. These amendments reflect the collegial action of the committee on that measure. This type of rule generally provides that the committee recommended amendment be adopted by the House and become the base text for the purpose of further amendment to the bill. This is often done to acknowledge the actions of the committee at the beginning of the consideration of a bill, and also to simplify the amendment process.

7. Rules Providing for Consideration

(1) General Debate Rule: Occasionally, but rarely, the Rules Committee will report a rule providing for debate only with the anticipation of later reporting a rule providing for the amendment process.

(2) Waiving Points of Order: It is a common practice for special rules to waive points of order in order to allow the legislation to move forward. When the rule passes (by a simple majority vote) then the waivers are in place in effect protecting the legislation. Waivers are commonly granted for the consideration of a bill or resolution, against a bill itself or specific portions of it, for original text, amendments, motions and conference reports.

¹⁷ Ibid p. 26-27.

8. Providing for Motion to Recommit

The motion to recommit is a right of the minority party pursuant to clause 2 of rule XIX. After the third reading of a bill (which occurs after general debate on the bill and after votes on any amendments to the bill), a Member, usually of the minority party, can offer one of two different types of motions to recommit: a simple (or straight) motion to recommit and a motion to recommit with instructions.

A straight motion to recommit, if adopted, sends the bill back to committee, normally the original committee of primary referral. As a result, the bill is no longer before the House for final passage. Such a straight motion to recommit is not debatable.

A motion to recommit with instructions can take several forms. The two most commonly used instructions in the 110th Congress require the committee to report “forthwith” or to report “promptly.” Any motion to recommit that includes instructions is debatable for 10 minutes. A motion to recommit with instructions that the committee report the bill back to the House “forthwith” with a certain amendment, if adopted, would compel the chairman of the appropriate committee to immediately report the bill to the House with the amendment as specified in the motion. After adoption of the amendment, the House would vote on final passage of the bill. In essence, the minority is offering one last amendment to the bill. A motion to recommit a bill with instructions that the committee report the bill back to the House “promptly” with certain instructions, if adopted, would send the bill to a committee with instructions to amend the bill as specified in the motion. In the latter case, as with a straight motion to recommit, the House would not be able to proceed to final passage of the bill.

D. Original Jurisdiction Measures

While the majority of the Committee’s resources are focused on reporting special rules, the Rules Committee also has original jurisdiction responsibilities. As discussed earlier, the Committee has jurisdiction over rules, joint rules, the order of business of the House, recesses and final adjournments of Congress, as well as the Congressional Budget Act. Any bill or resolution that raises such questions would be referred to the Committee.

For example, bills or resolutions seeking to amend a House rule or change the budget process are referred to the Rules Committee, at which time the chair may schedule one or more hearings on the measure (though the chair is empowered to hold hearings on general topics and not just specific legislation). Following the hearing, legislation is usually “marked up” in committee, where the Rules Committee meets and members are permitted to offer amendments to the legislation. At the end of the meeting, the measure is reported favorably or unfavorably to the House.

Note:

- Legislation marked up by the Rules Committee often will still need a special rule for consideration on the floor (although the measure could potentially be brought up under a different procedure such as Suspension of the Rules or Unanimous Consent). Some Rules Committee measures are privileged and can be considered on the House floor immediately after they are reported by the Committee (after a one day layover of the rule).
- While only Members of Congress testify before the Rules Committee during special rule hearings, people other than members may testify during an original jurisdiction Hearing. For example, officials from the Congressional Research Service or other, non-governmental experts may be invited to speak on selected topics.

III. Submitting an Amendment to the Rules Committee

Amendments may be offered to the Rules Committee when the Committee has scheduled a meeting to grant a special rule for consideration. Even if the Majority does not send out a call for amendments, the following instructions should be followed:

Hard Copy Instructions:

Complete the [amendment submission form](#) (see form on the following page) and submit to H-312 the Capitol the following:

1. The completed form (*see the Log-in form on the following page*);
2. One brief factual summary of the amendment; and
3. Thirty copies of the amendment (*stapled if multiple pages*).

Electronic Submission Instructions:

The Committee also requires submission of amendments electronically via the Amendment E-log-in Form. The following information must be provided:

1. Bill Number
2. Member Name
3. Office Phone Number or Direct Staff Contact Number¹⁸
4. Staff Contact email
5. Legislative Counsel Caption Number (*appearing in the upper left and corner of the draft, i.e. NAME_001*)¹⁹
6. Whether the Member wishes to testify before the Committee
7. A brief description that matches the hard copy description
8. The text of the amendment (in PDF form)

PLEASE NOTE: - The Committee does not consider an amendment as "filed" until all above requirements are met. Submission of an amendment electronically DOES NOT relieve one of the requirement to physically file the amendment with the Committee in its office.

To submit an amendment electronically via the Amendment E-log-in Form, use the following link: http://www.rules.house.gov/amendment_form.asp

If there are any problems with submitting an amendment, contact the Committee at 5-9091 before the announced amendment deadline has passed.

¹⁸ Include a cell phone number in case the committee needs to contact you after regular business hours.

¹⁹ This number can be found in the upper left-hand corner of a Legislative Counsel document.

**U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON RULES**

Amendment Log-In Sheet

BILL NUMBER: _____

MEMBER: _____

OFFICE PHONE: _____

CONTACT PERSON: _____

LEG. COUNSEL CAPTION # (i.e.NAME.001): _____

NUMBER OF COPIES (30 Required): _____

DESCRIPTION INCLUDED? _____

DOES MEMBER WISH TO TESTIFY? _____

IV. Reading a Special Rule

IV

House Calendar No. 144

110TH CONGRESS
1ST SESSION

H. RES. 793

[Report No. 110-422]

Providing for consideration of the bill (H.R. 3685) to prohibit employment discrimination on the basis of sexual orientation.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 5, 2007

Ms. CASTOR, from the Committee on Rules, reported the following resolution, which was referred to the House Calendar and ordered to be printed

RESOLUTION

Providing for consideration of the bill (H.R. 3685) to prohibit employment discrimination on the basis of sexual orientation.

1 *Resolved*, That at any time after the adoption of this

2

2 order against consideration of the bill are waived except

3 those arising under clause 9 or 10 of rule XXI. General

4 debate shall be confined to the bill and shall not exceed

5 one hour equally divided and controlled by the chairman

6 and ranking minority member of the Committee on Edu-

7 cation and Labor. After general debate the bill shall be

8 considered for amendment under the five-minute rule. The

9 bill shall be considered as read. All points of order against

10 provisions of the bill are waived. Notwithstanding clause

11 11 of rule XVIII, no amendment to the bill shall be in

12 order except those printed in the report of the Committee

13 on Rules accompanying this resolution. Each such amend-

14 ment may be offered only in the order printed in the re-

15 port, may be offered only by a Member designated in the

16 report, shall be considered as read, shall be debatable for

17 the time specified in the report equally divided and con-

18 trolled by the proponent and an opponent, shall not be

19 subject to amendment, and shall not be subject to a de-

20 mand for division of the question in the House or in the

21 Committee of the Whole. All points of order against such

22 amendments are waived except those arising under clause

23 9 or 10 of rule XXI. Amendment number 3 in the report

24 of the Committee on Rules may be withdrawn by its pro-

25 ponent before the question is put thereon. At the conclu-

sion of consideration of the bill for amendment the Com-

Surrounding this box is a 4 page "special rule" (after being printed by the Government Printing Office). The Rules Committee posts on its website a copy of the rule as filed on the House floor immediately after filing that rule. It is later replaced with this "clean" printed version.

A rule is a simple House Resolution. There may be several sections to a rule but the document itself is quite simple. To fully understand a rule however, one must review the web version of the rule along with roadmap or the report that accompanies the resolution (these documents are explained in detail on the following pages).

3

1 mittee shall rise and report the bill to the House with such

2 amendments as may have been adopted. The previous

3 question shall be considered as ordered on the bill and

4 amendments thereto to final passage without intervening

5 motion except one motion to recommit with or without in-

6 structions.

7 **SEC. 2.** During consideration in the House of H.R.

8 3685 pursuant to this resolution, notwithstanding the op-

9 eration of the previous question, the Chair may postpone

10 further consideration of the bill to such time as may be

11 designated by the Speaker.

House Calendar No. 144

110TH CONGRESS
1ST SESSION
H. RES. 793
[Report No. 110-422]

RESOLUTION

Providing for consideration of the bill (H.R. 3685) to prohibit employment discrimination on the basis of sexual orientation.

NOVEMBER 5, 2007

Referred to the House Calendar and ordered to be printed

Rule with Roadmap and Text of Amendments Made in Order

This can be accessed on the Rules Committee Website at www.rules.house.gov

HEADER

Committee Action: The date the rule was reported and the manner in which it was reported (by record or voice vote).
Floor Action: The date the rule was adopted or rejected on the floor and links to any record votes on the Clerk's website.
Managers: Each rule has a majority and a minority manager. This is helpful for Members who want to speak on the rule on the floor of the House.
Rule and Report #s: These numbers are also hyperlinks. The rule will link to the Library of Congress' THOMAS web page for the rule as soon as it is available and the report links to the full report accompanying the rule.

ROADMAP

This section is known informally as the "roadmap". Reading the roadmap is the quickest way to know what the rule does. The Rule Type is always listed first (Open, Structured, Conference Report etc.) usually followed by the amount of debate time. Other details of the rule are broken into easy to read bullets.

The **roadmap** is really just a simplified version of the "Resolved Clause" directly below it.

RESOLVED CLAUSE

The "resolved clause" is the actual text of the rule. This clause, as filed on the House Floor in the form of a simple resolution, is the official rule.

SUMMARY OF AMENDMENTS SECTION

If the rule is structured, a summary of the amendments made in order will be provided at the bottom. Sometimes there are multiple parts to a rule (in this example there is only one set of amendments made in order). Look at the section heading to see if the amendments are "made in order" for debate or "to be considered as adopted" with the passage of the rule.

TEXT OF AMENDMENTS MADE IN ORDER

The amendment sponsor's name is a hyperlink to the text of the amendment.

COMMITTEE ON RULES - H.R. 3685 - The Employment Non-Discrimination Act of 2007

COMMITTEE ACTION: REPORTED BY A RECORD VOTE OF 9 - 1 on Monday November 5, 2007.
FLOOR ACTION: ADOPTED BY A RECORD VOTE OF 214 - 202 AFTER AGREESING TO THE PREVIOUS QUESTION BY THE YEAS AND NAYS 224 - 192 on Wednesday November 7, 2007.

MANAGERS-CASTOR;HASTINGS(WA)

110th Congress
1st Session
H.RES. 793
(Report No. 418-027)

H.R. 3685 - Employment Non-Discrimination Act of 2007

- Structured rule.
- Provides one hour of general debate equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Education and Labor.
- Waives all points of order against consideration of the bill except for classes 9 and 10 of rule XXI.
- Provides that the bill shall be considered as read.
- All points of order against the provisions of the bill are waived. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).
- No amendments shall be in order except those amendments printed in the Rules Committee report.
- Provides that the amendments made in order in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.
- Waives all points of order against the amendments printed in the report except for classes 9 and 10 of rule XXI.
- Provides one motion to recommit with or without instructions.
- Provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

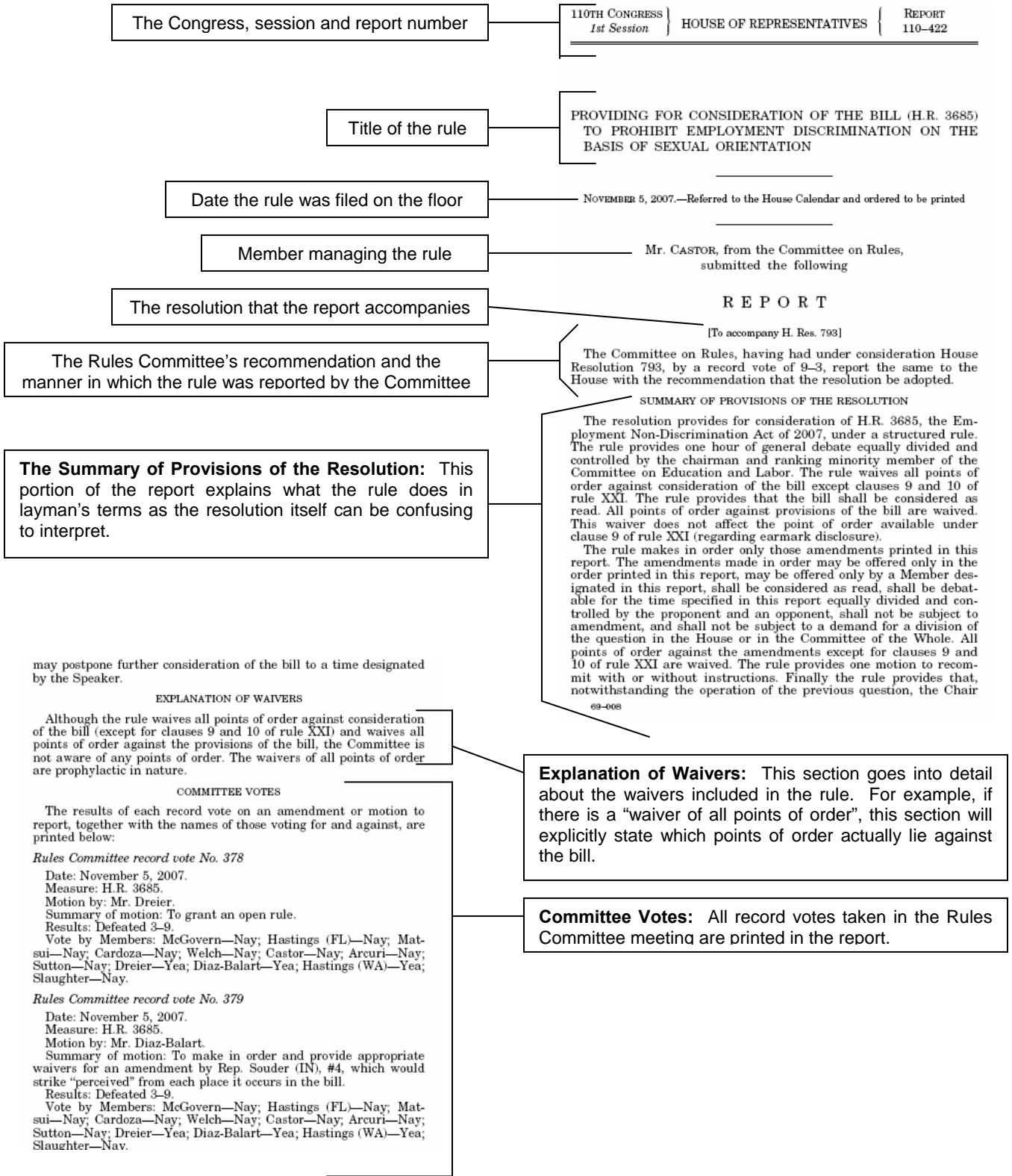
Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3685) to prohibit employment discrimination on the basis of sexual orientation. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions of the bill are waived. Notwithstanding clause 11 of rule XVII, no amendments to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. Amendment number 3 in the report of the Committee on Rules may be withdrawn by its proponent before the question is put thereon. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Sec. 2. During consideration in the House of H.R. 3685 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

SUMMARY OF AMENDMENTS PROPOSED TO BE MADE IN ORDER
(summaries derived from information provided by sponsors)

| | | |
|-------------------------|---|--------------|
| 1. Miller, George (CA): | #7 (REVISED) The amendment 1) provides explicitly that any religious corporation, school, association or society that is exempt under either Section 702(a) or 703(e)(2) of Title VII's religious exemptions is exempt under ENDA. It clarifies that the scope of Title VII's exemption is exactly the scope of ENDA's exemption (if a school is exempt from Title VII's religious discrimination prohibitions, it will also be exempt from ENDA), and 2) it clarifies that ENDA does not alter the Defense of Marriage Act (DOMA) in any way. It strikes language referencing "a same-sex couple who are not married" in the Employee Benefits section of ENDA. It also inserts language clarifying that the term "married" has the meaning given such term in DOMA. | (20 minutes) |
| 2. Souder (IN): | #5 The amendment would strike paragraph (3) of section 8 (a), which prohibits employers from conditioning employment on a person being married or being eligible to be married. | (10 minutes) |
| 3. Baldwin (WI): | #1 The amendment would expand ENDA's protections to persons discriminated against based on gender identity, defined as the gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, with or without regard to the individual's designated sex at birth. The amendment includes language concerning shared facilities, dress, and grooming standards, as well as a paragraph stating that the construction of additional facilities are not required. | (10 minutes) |

V. Understanding a Rules Committee Report



Date: November 5, 2007.
Measure: H.R. 3685.
Motion by: Mr. McGovern.
Summary of motion: To report the rule.
Results: Adopted 9-3.
Vote by Members: McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Cardoza—Yea; Welch—Yea; Castor—Yea; Arcuri—Yea; Sutton—Yea; Dreier—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Slaughter—Yea.

Summary of Amendments Made in Order: If the rule is structured, the amendments “made in order” for debate on the Floor will be listed and summarized in the report.

SUMMARY OF AMENDMENTS MADE IN ORDER

1. Miller, George (CA)/Stupak (MI): The amendment (1) provides explicitly that any religious corporation, school, association or society that is exempt under either Section 702(a) or 703(e)(2) of Title VII’s religious exemptions is exempt under ENDA. It clarifies that the scope of Title VII’s exemption is exactly the scope of ENDA’s exemption (if a school is exempt from Title VII’s religious discrimination prohibitions, it will also be exempt from ENDA); and (2) it clarifies that ENDA does not alter the Defense of Marriage Act (DOMA) in any way. It strikes language referencing “a same-sex couple who are not married” in the Employee Benefits section of ENDA. It also inserts language clarifying that the term “married” has the meaning given such term in DOMA, directly incorporating DOMA’s definition of marriage. (20 minutes)
2. Souder (IN): The amendment would strike paragraph (3) of section 8(a), which prohibits employers from conditioning employment on a person being married or being eligible to be married. (10 minutes)
3. Baldwin (WI): The amendment would expand ENDA’s protections to persons discriminated against based on gender identity, defined as the gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, with or without regard to the individual’s designated sex at birth. The amendment includes language concerning shared facilities, dress, and grooming standards, as well as a paragraph stating that the construction of additional facilities are not required. (10 minutes)

Text of Amendments Made in Order under the Rule: Again, if the rule is structured, the actual text of the amendments will be printed in the report. Sometimes there will be a “Part A” and a “Part B” with the Part A consisting of amendments self-executed by the rule and Part B amendments made in order for debate. It is important to read the headings of the various sections to determine what adoption of the rule will mean for the amendment(s).

TEXT OF AMENDMENTS MADE IN ORDER UNDER THE RULE

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GEORGE MILLER OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 20 MINUTES

Strike paragraph (8) of section 3(a) (and redesignate paragraphs (9) and (10) of such section as paragraphs (8) and (9), respectively).
Strike section 6 and insert the following:
SEC. 6. EXEMPTION FOR RELIGIOUS ORGANIZATIONS.
This Act shall not apply to a corporation, association, educational institution, or society that is exempt from the religious discrimination provisions of title VII of the Civil Rights Acts of 1964 pursuant to section 702(a) or 703(e)(2) of such Act (42 U.S.C. 2000e-1(a); 2000e-2(e)(2)).
In section 8(b), strike “, including a same-sex couple who are not married.”

At the end of section 8, insert the following:
(c) DEFINITION OF MARRIAGE.—As used in this Act, the term “married” or “marry” refer to marriage as such term is defined in section 7 of title I, United States Code (referred to as the Defense of Marriage Act).

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SOUDER OF INDIANA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES
Strike paragraph (3) of section 8(a).

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BALDWIN OF WISCONSIN, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Throughout the Act, insert “or gender identity” after “sexual orientation” each place it appears.

In section 3(a), after paragraph (5) insert the following (and redesignate succeeding paragraphs accordingly):

(6) GENDER IDENTITY.—The term “gender identity” means the gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, with or without regard to the individual’s designated sex at birth.

In section 8(a), insert after paragraph (2) the following (and redesignate succeeding paragraph accordingly):

(3) CERTAIN SHARED FACILITIES.—Nothing in this Act shall be construed to establish an unlawful employment practice based on actual or perceived gender identity due to the denial of access to shared shower or dressing facilities in which being seen unclothed is unavoidable, provided that the employer provides reasonable access to adequate facilities that are not inconsistent with the employee’s gender identity as established with the employer at the time of employment or upon notification to the employer that the employee has undergone or is undergoing gender transition, whichever is later.

(4) ADDITIONAL FACILITIES NOT REQUIRED.—Nothing in this Act shall be construed to require the construction of new or additional facilities.

(5) DRESS AND GROOMING STANDARDS.—Nothing in this Act shall prohibit an employer from requiring an employee, during the employee’s hours at work, to adhere to reasonable dress or grooming standards not prohibited by other provisions of Federal, State, or local law, provided that the employer permits any employee who has undergone gender transition prior to the time of employment, and any employee who has notified the employer that the employee has undergone or is undergoing gender transition after the time of employment, to adhere to the same dress or grooming standards for the gender to which the employee has transitioned or is transitioning.

Notice there are 3 amendments made in order in this example.

VI. Adoption of a Special Rule

Prepared by Rules Committee Staff
January 5, 2008

A. Previous Question Motion

Special Rules are debated in the House under the one-hour rule²⁰. Under this rule, one Member controls one hour at a time. The Member controlling the hour is the only one allowed to offer amendments to the resolution itself²¹. The person calling up the rule (the Majority manager) customarily yields half of the hour to a minority party Member of the Rules Committee “for the purposes of debate only”. Yielding “for the purpose of debate only” precludes the minority manager from offering motions to amend the rule, motions to postpone consideration, etc. After the hour expires, the majority manager – in practical terms – always moves the previous question. A vote then occurs on whether to vote on the rule.

If the previous question is moved, which it nearly always is, the question on adoption of the rule is put to the House. If the Majority manager did not move the previous question, or the previous question failed, the Member who led the opposition to the rule (usually the Minority manager) would then control one hour and would be the only Member allowed to offer amendments to the rule. Simply put, the previous question motion allows the Majority manager to end debate and put the question of adoption of the rule to the House.

B. Tabling

Occasionally, rules are reported from the Rules Committee but not brought up on the floor. In this case, it is common practice for the Committee to “table” these rules. This is usually done in a section of a subsequent, unrelated rule. For example, a rule providing for consideration of a transportation bill may have a Section 2 or a Section 3 that simply says: “Section 2. House Resolution 849 is laid upon the table.” If the rule passes, then H. Res. 849 would be laid on the table.

C. Rejection of Rules on the Floor

There is always the possibility of a rule being rejected by the House; however, this very rarely happens. If a rule does fail, there is nothing to preclude the Majority from reporting another rule for the same bill.

²⁰ Clause 2 of Rule XVII of the Rules of the House states in part “...A Member, Delegate, or Resident Commissioner may not occupy more than one hour in debate on a question in the House or in the Committee of the Whole House on the state of the Union except as otherwise provided in this rule.”

²¹ Note: the idea of amending a rule is different than amending the underlying bill. For example, the Minority manager will often say before the vote on the previous question that if the previous question is defeated, he “will amend the rule to ___” (usually to “make in order” a specific amendment or to allow any germane amendment on a specific topic to be offered).

VII. The Rules Committee Website

Prepared by Rules Committee Staff
January 4, 2008

<http://www.rules.house.gov/>

The Rules Committee website provides up-to-date information on the legislation the Committee intends to act on. Most importantly, this includes legislation that will be brought to the floor under a Special Rule. The site is often the first and only place to get text of a bill, conference report, or amendments.

In order to make information on “hot” legislation easily accessible, the website contains the following resources under the **“Recent Actions” billboard on the homepage.**²²

Amendment Process Announcements:

Amendment process announcements are sent through the mail via Dear Colleagues which are then posted here on the website.

Read these notices for:

- the meeting time or expected week of a hearing;
- the type of amendment process;
- any deadline announcements;
- special instructions; and
- the staff contact.



Committee Schedule/Meeting Time:

Within the billboard, meeting times are posted next to each bill as the meetings are announced. All past, present, and future meetings are also posted on the site. This information is updated seconds after the Rules committee announces a meeting and changes to the schedule are noted.

Special Rules:

Within the billboard, for each bill that has had one or more rules reported, there is a link to a simple breakdown of the rule or rules. The committee vote, rule managers, resolution number, and the committee report are available along with a rule roadmap. The Roadmap is a simple bullet point summary of the rule, listing the type of rule granted, length of debate, waivers, and any other special attributes of the rule. The actual resolution and the summary and text of any amendments made in order are also included. See the section above on [“Reading a Special Rule”](#) for more detailed information on how to read a rule on the website.

Legislative Text:

The following documents are often posted on the billboard:

- Recently filed Bills or Resolutions: Once Rules obtains a copy of a “hot” bill it is immediately posted on the website.
- Amendment Texts or Summaries: These are posted if an amendment deadline was announced.
- Conference Reports and Joint Explanatory Statements: Often Rules is the first place to find electronic copies.

²² All of this information is immediately archived and can be accessed through the links to the left of the billboard.

The site also provides the following general resources:

Educational Information:

The site provides resources about House rules, precedents, and procedures and the Legislative Process Program's portion of the site contains all packets used in the programs seminars. The educational portion of the site is continually updated.

Useful Committee and House Publications Available on the Site:

- Rules of the House
- Rules of the Committees of the House
- House Rules and Manual
- House Practice Manual
- Deschler's Precedents
- Cannon's Precedents
- Hinds' Precedents
- Detailed information on original jurisdiction measures reported from the Rules Committee

Submitting an Amendment:

There are detailed instructions on the site for submitting an amendment to the committee. Staff can use the "Submit Your Amendment" link on the left of the homepage (http://www.rules.house.gov/amendment_form.asp) to complete the electronic requirement for submitting an amendment to the Rules Committee. Instructions for submitting the hard copies of the amendment are also on that page.