

Stockman  
Stokes  
Studds  
Stump  
Stupak  
Talent  
Tanner  
Tate  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Tejeda  
Thomas  
Thompson  
Thornberry  
Thornton  
Thurman  
Tiahrt  
Torkildsen

Torres  
Torrice  
Towns  
Traficant  
Tucker  
Upton  
Velazquez  
Vento  
Visclosky  
Volkmer  
Vucanovich  
Waldholtz  
Walker  
Walsh  
Wamp  
Ward  
Waters  
Watt (NC)  
Waxman

Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Williams  
Wilson  
Wise  
Wolf  
Woolsey  
Wyden  
Wynn  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

Kelly  
Kim  
King  
Kingston  
Klug  
Knollenberg  
Kolbe  
LaHood  
Laughlin  
Lambert-Lincoln  
Largent  
Latham  
LaTourette  
Lazio  
Leach  
Lewis (CA)  
Lewis (KY)  
Lightfoot  
Linder  
Livingston  
LoBiondo  
Longley  
Lucas  
Manzullo  
Martini  
McColum  
McCrery  
McDade  
McHugh  
McInnis  
McIntosh  
McKeon  
Metcalf  
Meyers  
Mica  
Miller (FL)  
Molinari  
Montgomery  
Moorhead  
Morella  
Myers

Myrick  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Oxley  
Packard  
Parker  
Paxon  
Peterson (MN)  
Petri  
Pickett  
Pombo  
Porter  
Portman  
Pryce  
Quillen  
Quinn  
Radanovich  
Ramstad  
Regula  
Riggs  
Roberts  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rose  
Roth  
Roukema  
Royce  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer  
Schiff  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw

Shays  
Shuster  
Sisisky  
Skeem  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Souder  
Spence  
Stearns  
Stockman  
Stump  
Talent  
Tanner  
Tate  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thornberry  
Tiahrt  
Torkildsen  
Torrice  
Upton  
Waldholtz  
Walker  
Walsh  
Wamp  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wolf  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

Waxman  
Williams  
Wilson

Wise  
Woolsey  
Wyden

Wynn  
Vucanovich  
Yates

NOT VOTING—6

NAYS—1  
Fattah

NOT VOTING—2  
Yates

Brown (FL)

So section 107 was agreed to.  
A motion to reconsider the vote whereby said section was agreed to was, by unanimous consent, laid on the table.  
When section 108 of said resolution was considered.  
After debate,  
The question being put, *viva voce*,  
Will the House agree to section 108?  
The SPEAKER pro tempore, Mr. TORKILDSEN, announced that the yeas had it.

Mrs. KENNELLY objected to the vote on the ground that a quorum was not present and not voting.  
A quorum not being present,  
The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared

Yeas	.....	249
Nays	.....	178

1.29 [Roll No. 13]  
YEAS—249

Allard  
Archer  
Armey  
Bachus  
Baesler  
Baker (CA)  
Baker (LA)  
Ballenger  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bateman  
Bereuter  
Bevill  
Bilbray  
Bilirakis  
Bishop  
Bliley  
Blute  
Boehlert  
Boehner  
Bonilla  
Bono  
Brewster  
Brownback  
Bryant (TN)  
Bunn  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen

Chrysler  
Clinger  
Coble  
Coburn  
Collins (GA)  
Combest  
Condit  
Cooley  
Cramer  
Crane  
Crapo  
Creameans  
Cubin  
Cunningham  
Danner  
Davis  
DeLay  
Diaz-Balart  
Dickey  
Doolittle  
Dreier  
Duncan  
Dunn  
Ehlers  
Ehrlich  
Emerson  
English  
Ensign  
Everett  
Ewing  
Fawell  
Fields (LA)  
Fields (TX)  
Flanagan  
Foley  
Forbes  
Ford  
Fowler  
Fox  
Franks (CT)  
Franks (NJ)  
Frelinghuysen

Frisa  
Funderburk  
Gallegly  
Ganske  
Gekas  
Gilchrest  
Gillmor  
Gillman  
Goodlatte  
Goodling  
Goss  
Graham  
Greenwood  
Gunderson  
Gutknecht  
Hall (TX)  
Hamilton  
Hancock  
Hansen  
Harman  
Hastert  
Hastings (WA)  
Hayworth  
Hefley  
Heineman  
Herger  
Hilleary  
Hobson  
Hoekstra  
Hoke  
Horn  
Hostettler  
Houghton  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Johnson (CT)  
Johnson, Sam  
Jones  
Kasich

Abercrombie  
Ackerman  
Andrews  
Baldacci  
Barcia  
Barrett (WI)  
Becerra  
Beilenson  
Bentsen  
Berman  
Bonior  
Borski  
Boucher  
Browder  
Brown (CA)  
Brown (OH)  
Bryant (TX)  
Cardin  
Chapman  
Clay  
Clayton  
Clement  
Clyburn  
Coleman  
Collins (IL)  
Collins (MI)  
Conyers  
Costello  
Coyne  
de la Garza  
Deal  
DeFazio  
DeLauro  
Dellums  
Deutsch  
Dicks  
Dingell  
Dunn  
Doggett  
Dooley  
Doyle  
Durbin  
Edwards  
Engel  
Eshoo  
Evans  
Farr  
Fattah  
Fazio  
Filner  
Flake  
Foglietta  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gephardt

Geran  
Gibbons  
Gonzalez  
Gordon  
Green  
Gutierrez  
Hall (OH)  
Hastings (FL)  
Hayes  
Hefner  
Hilliard  
Hinchev  
Holden  
Hoyer  
Jackson-Lee  
Jacobs  
Jefferson  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kleczka  
Klink  
LaFalce  
Lantos  
Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Lowey  
Luther  
Maloney  
Manton  
Martinez  
Mascara  
Matsui  
McCarthy  
McDermott  
McHale  
McKinney  
McNulty  
Meehan  
Meeke  
Menendez  
Mfume  
Miller (CA)  
Mineta  
Minge  
Mink  
Moakley  
Mollohan  
Moran

NAYS—178

Murtha  
Nadler  
Neal  
Oberstar  
Obey  
Olver  
Ortiz  
Orton  
Owens  
Pallone  
Pastor  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Pomeroy  
Poshard  
Rahall  
Rangel  
Reed  
Reynolds  
Richardson  
Rivers  
Roemer  
Roybal-Allard  
Rush  
Sabo  
Sanders  
Sawyer  
Schroeder  
Schumer  
Scott  
Serrano  
Skaggs  
Slaughter  
Spratt  
Stark  
Stenholm  
Stokes  
Studds  
Stupak  
Tauzin  
Tejeda  
Thompson  
Thornton  
Thurman  
Torres  
Towns  
Traficant  
Tucker  
Velazquez  
Vento  
Visclosky  
Volkmer  
Ward  
Waters  
Watt (NC)

So section 108 was agreed to.  
A motion to reconsider the vote whereby said section was agreed to was, by unanimous consent, laid on the table.  
When title II of said resolution was considered.  
After debate,

**THURSDAY, JANUARY 5  
(LEGISLATIVE DAY OF JANUARY 4),  
1995**

Mr. BONIOR moved to commit title II to a select committee composed of the Majority Leader and the Minority Leader with instructions

At the end of the resolution, add the following:

**TERM LIMITS FOR SPEAKER**

SEC. 224. Clause 7(b) of rule I of the Rules of the House of Representatives is amended by striking out "four" and inserting in lieu thereof "three".

**EQUITABLE PARTY RATIOS ON COMMITTEES**

SEC. 225. (a) In rule X of the Rules of the House of Representatives, clause 6(a) is amended by adding at the end thereof the following new subparagraph:

"(3) The membership of each committee (and each subcommittee, task force, or other subunit thereof) shall reflect the ratio of majority to minority party Members of the House at the beginning of the Congress (unless otherwise provided by House Rules). For the purposes of this clause, the Resident Commissioner from Puerto Rico and the Delegates to the House shall not be counted in determining the party ratio of the House."

(b) In rule X of the Rules of the House of Representatives, clause 6(f) is amended by inserting after the first sentence the following: "The membership of each such select committee (and of any subcommittee, task force or subunit thereof), and of each such conference committee, shall reflect the ratio of the majority to minority party Members of the House at the time of its appointment."

**MAJORITY-MINORITY COMMITTEE STAFF RATIOS**

SEC. 226. (a) Notwithstanding any other provisions of law, not less than one-third of (the staff funding made available to each standing, select, special, ad hoc, or other committee of the House of Representatives shall be allocated to the minority party.

(b) Subsection (a) shall not apply to the Committee on Standards of Official Conduct.

**BUDGET WAIVER LIMITATION**

SEC. 227. Clause 4(e) of rule XI of the Rules of the House of Representatives is amended—

(1) by striking out "(e)" and inserting in lieu thereof "(e)(1)", and

(2) by adding at the end the following:  
"(2) It shall be in order after the previous question has been ordered on any such resolution, to offer motions proposing to strike one or more such waivers from the resolution, and each such motion shall be decided without debate and shall require for adoption the requisite number of affirmative votes as required by the Budget Act or the rules of the House. After disposition of any and all such motions, the House shall proceed to an immediate vote on adoption of the resolution."

## BAN ON GIFTS FROM LOBBYISTS

SEC. 228. Clause 4 of rule XLIII of the Rules of the House of Representatives is amended to read as follows:

"4. (a)(1) No Member, officer, or employee of the House of Representatives shall accept a gift, knowing that such gift is provided directly or indirectly by a paid lobbyist, a lobbying firm (a person or entity that has 1 or more employees who are lobbyists on behalf of a client other than that person or entity), or an agent of a foreign principal (as defined in the Foreign Agents Registration Act of 1938).

"(2) The prohibition in subparagraph (1) includes the following:

"(A) Anything provided by a lobbyist or a foreign agent which the Member, officer, or employee has reason to believe is paid for, charged to, or reimbursed by a client or firm of such lobbyist or foreign agent.

"(B) Anything provided by a lobbyist, a lobbying firm, or a foreign agent to an entity that is maintained or controlled by a Member, officer, or employee.

"(C) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a lobbyist, a lobbying firm, or a foreign agent on the basis of a designation, recommendation, or other specification of a Member, officer, or employee (not including a mass mailing or other solicitation directed to a broad category of persons or entities).

"(D) A contribution or other payment by a lobbyist, a lobbying firm, or a foreign agent to a legal expense fund established for the benefit of a Member, officer, or employee.

"(E) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a lobbyist, a lobbying firm, or a foreign agent in lieu of an honorarium to a Member, officer, or employee.

"(F) A financial contribution or expenditure made by a lobbyist, a lobbying firm, or a foreign agent relating to a conference, retreat, or similar event, sponsored by or affiliated with an official congressional organization, for or on behalf of Members, officers, or employees.

"(3) The following are not gifts subject to the prohibition in subparagraph (1):

"(A) Anything for which the recipient pays the market value, or does not use and promptly returns to the donor.

"(B) A contribution, as defined in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

"(C) Food or refreshments of nominal value offered other than as part of a meal.

"(D) Benefits resulting from the business, employment, or other outside activities of the spouse of a Member, officer, or employee, if such benefits are customarily provided to others in similar circumstances.

"(E) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.

"(F) Informational materials that are sent to the office of a Member, officer, or employee in the form of books, articles, periodicals, other written materials, audio tapes, videotapes, or other forms of communication.

"(4)(A) A gift given by an individual under circumstances which make it clear the gift is given for a nonbusiness purpose and is motivated by a family relationship or close personal friendship and not the position of the Member, officer, or employee shall not be subject to the prohibition in subparagraph (1).

"(B) A gift shall not be considered to be given for a nonbusiness purpose if the Mem-

ber, officer, or employee has reason to believe the individual giving the gift will seek—

"(i) to deduct the value of such gift as a business expense on the individual's Federal income tax return, or

"(ii) direct or indirect reimbursement or any other compensation for the value of the gift from a client or employer of such lobbyist or foreign agent.

"(C) In determining if the giving of a gift is motivated by a family relationship or close personal friendship, at least the following factors shall be considered:

"(i) The history of the relationship between the individual giving the gift and the recipient of the gift, including whether or not gifts have previously been exchanged by such individuals.

"(ii) Whether the Member, officer, or employee has reason to believe the gift was purchased by the individual who gave the item.

"(iii) Whether the Member, officer, or employee has reason to believe the individual who gave the gift also at the same time gave the same or similar gifts to other Members, officers, or employees.

"(b) In addition to the restriction on receiving gifts from paid lobbyists, lobbying firms, and agents of foreign principals provided by paragraph (a) and except as provided in this Rule, no Member, officer, or employee of the House of Representatives shall knowingly accept a gift from any other person.

"(c)(1) For the purpose of this clause, the term "gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

"(2) A gift to the spouse or dependent of a Member, officer, or employee (or a gift to any other individual based on that individual's relationship with the Member, officer, or employee) shall be considered a gift to the Member, officer, or employee if it is given with the knowledge and acquiescence of the Member, officer, or employee and the Member, officer, or employee has reason to believe the gift was given because of the official position of the Member, officer, or employee.

"(d) The restrictions in paragraph (b) shall not apply to the following:

"(1) Anything for which the Member, officer, or employee pays the market value, or does not use and promptly returns to the donor.

"(2) A contribution, as defined in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

"(3) Anything provided by an individual on the basis of a personal or family relationship unless the Member, officer, or employee has reason to believe that, under the circumstances, the gift was provided because of the official position of the Member, officer, or employee and not because of the personal or family relationship. The Committee on Standards of Official Conduct shall provide guidance on the applicability of this clause and examples of circumstances under which a gift may be accepted under this exception.

"(4) A contribution or other payment to a legal expense fund established for the benefit of a Member, officer, or employee, that is otherwise lawfully made, if the person making the contribution or payment is identified for the Committee on Standards of Official Conduct.

"(5) Any food or refreshments which the recipient reasonably believes to have a value of less than \$20.

"(6) Any gift from another Member, officer, or employee of the Senate or the House of Representatives.

"(7) Food, refreshments, lodging, and other benefits—

"(A) resulting from the outside business or employment activities (or other outside activities that are not connected to the duties of the Member, officer, or employee as an officeholder) of the Member, officer, or employee, or the spouse of the Member, officer, or employee, if such benefits have not been offered or enhanced because of the official position of the Member, officer, or employee and are customarily provided to others in similar circumstances;

"(B) customarily provided by a prospective employer in connection with bona fide employment discussions; or

"(C) provided by a political organization described in section 527(e) of the Internal Revenue Code of 1986 in connection with a fund-raising or campaign event sponsored by such an organization.

"(8) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.

"(9) Informational materials that are sent to the office of the Member, officer, or employee in the form of books, articles, periodicals, other written materials, audio tapes, videotapes, or other forms of communication.

"(10) Awards or prizes which are given to competitors in contests or events open to the public, including random drawings.

"(11) Honorary degrees (and associated travel, food, refreshments, and entertainment) and other bona fide, nonmonetary awards presented in recognition of public service (and associated food, refreshments, and entertainment provided in the presentation of such degrees and awards).

"(12) Donations of products from the State that the Member represents that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any individual recipient.

"(13) Food, refreshments, and entertainment provided to a Member or an employee of a Member in the Member's home State, subject to reasonable limitations, to be established by the Committee on Standards of Official Conduct.

"(14) An item of little intrinsic value such as a greeting card, baseball cap, or a T shirt.

"(15) Training (including food and refreshments furnished to all attendees as an integral part of the training) provided to a Member, officer, or employee, if such training is in the interest of the House of Representatives.

"(16) Bequests, inheritances, and other transfers at death.

"(17) Any item, the receipt of which is authorized by the Foreign Gifts and Decorations Act, the Mutual Educational and Cultural Exchange Act, or any other statute.

"(18) Anything which is paid for by the Federal Government, by a State or local government, or secured by the Government under a Government contract.

"(19) A gift of personal hospitality of an individual, as defined in section 109(14) of the Ethics in Government Act.

"(20) Free attendance at a widely attended event permitted pursuant to paragraph (e).

"(21) Opportunities and benefits which are—

"(A) available to the public or to a class consisting of all Federal employees, whether or not restricted on the basis of geographic consideration;

"(B) offered to members of a group or class in which membership is unrelated to congressional employment;

“(C) offered to members of an organization, such as an employees’ association or congressional credit union, in which membership is related to congressional employment and similar opportunities are available to large segments of the public through organizations of similar size;

“(D) offered to any group or class that is not defined in a manner that specifically discriminates among Government employees on the basis of branch of Government or type of responsibility, or on a basis that favors those of higher rank or rate of pay;

“(E) in the form of loans from banks and other financial institutions on terms generally available to the public; or

“(F) in the form of reduced membership or other fees for participation in organization activities offered to all Government employees by professional organizations if the only restrictions on membership relate to professional qualifications.

“(22) A plaque, trophy, or other memento of modest value.

“(23) Anything for which, in exceptional circumstances, a waiver is granted by the Committee on Standards of Official Conduct.

“(e)(1) Except as prohibited by paragraph (a), a Member, officer, or employee may accept an offer of free attendance at a widely attended convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar event, provided by the sponsor of the event, if—

“(A) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member’s, officer’s, or employee’s official position; or

“(B) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

“(2) A Member, officer, or employee who attends an event described in subparagraph (1) may accept a sponsor’s unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the House of Representatives.

“(3) Except as prohibited by paragraph (a), a Member, officer, or employee, or the spouse or dependent thereof, may accept a sponsor’s unsolicited offer of free attendance at a charity event, except that reimbursement for transportation and lodging may not be accepted in connection with the event.

“(4) For purposes of this paragraph, the term ‘free attendance’ may include waiver of all or part of a conference or other fee, the provision of local transportation, or the provision of food, refreshments, entertainment, and instructional materials furnished to all attendees as an integral part of the event. The term does not include entertainment collateral to the event, or food or refreshments taken other than in a group setting with all or substantially all other attendees.

“(f) No Member, officer, or employee may accept a gift the value of which exceeds \$250 on the basis of the personal relationship exception in paragraph (d)(3) or the close personal friendship exception in section 106(d) of the Lobbying Disclosure Act of 1995 unless the Committee on Standards of Official Conduct issues a written determination that one of such exceptions applies.

“(g)(1) The Committee on Standards of Official Conduct is authorized to adjust the dollar amount referred to in paragraph (d)(5) on a periodic basis, to the extent necessary to adjust for inflation.

“(2) The Committee on Standards of Official Conduct shall provide guidance setting forth reasonable steps that may be taken by

Members, officers, and employees, with a minimum of paperwork and time, to prevent the acceptance of prohibited gifts from lobbyists.

“(3) When it is not practicable to return a tangible item because it is perishable, the item may, at the discretion of the recipient, be given to an appropriate charity or destroyed.

“(h)(1)(A) Except as prohibited by paragraph (a), a reimbursement (including payment in kind) to a Member, officer, or employee for necessary transportation, lodging and related expenses for travel to a meeting, speaking engagement, factfinding trip or similar event in connection with the duties of the Member, officer, or employee as an officeholder shall be deemed to be a reimbursement to the House of Representatives and not a gift prohibited by this paragraph, if the Member, officer, or employee—

“(i) in the case of an employee, receives advance authorization, from the Member or officer under whose direct supervision the employee works, to accept reimbursement, and

“(ii) discloses the expenses reimbursed or to be reimbursed and the authorization to the Clerk of the House of Representatives within 30 days after the travel is completed.

“(B) For purposes of clause (A), events, the activities of which are substantially recreational in nature, shall not be considered to be in connection with the duties of a Member, officer, or employee as an officeholder.

“(2) Each advance authorization to accept reimbursement shall be signed by the Member or officer under whose direct supervision the employee works and shall include—

“(A) the name of the employee;

“(B) the name of the person who will make the reimbursement;

“(C) the time, place, and purpose of the travel; and

“(D) a determination that the travel is in connection with the duties of the employee as an officeholder and would not create the appearance that the employee is using public office for private gain.

“(3) Each disclosure made under subparagraph (1)(A) of expenses reimbursed or to be reimbursed shall be signed by the Member or officer (in the case of travel by the Member or officer) or by the Member or officer under whose direct supervision the employee works (in the case of travel by an employee) and shall include—

“(A) a good faith estimate of total transportation expenses reimbursed or to be reimbursed;

“(B) a good faith estimate of total lodging expenses reimbursed or to be reimbursed;

“(C) a good faith estimate of total meal expenses reimbursed or to be reimbursed;

“(D) a good faith estimate of the total of other expenses reimbursed or to be reimbursed;

“(E) a determination that all such expenses are necessary transportation, lodging, and related expenses as defined in this paragraph; and

“(F) in the case of a reimbursement to a Member or officer, a determination that the travel was in connection with the duties of the Member or officer as an officeholder and would not create the appearance that the Member or officer is using public office for private gain.

“(4) For the purpose of this paragraph, the term ‘necessary transportation, lodging, and related expenses’—

“(A) includes reasonable expenses that are necessary for travel—

“(i) for a period not exceeding 4 days including travel time within the United States or 7 days in addition to travel time outside the United States; and

“(ii) within 24 hours before or after participation in an event in the United States or

within 48 hours before or after participation in an event outside the United States,

unless approved in advance by the Committee on Standards of Official Conduct;

“(B) is limited to reasonable expenditures for transportation, lodging, conference fees and materials, and food and refreshments, including reimbursement for necessary transportation, whether or not such transportation occurs within the periods described in clause (A);

“(C) does not include expenditures for recreational activities or entertainment other than that provided to all attendees as an integral part of the event; and

“(D) may include travel expenses incurred on behalf of either the spouse or a child of the Member, officer, or employee, subject to a determination signed by the Member or officer (or in the case of an employee, the Member or officer under whose direct supervision the officer or employee works) that the attendance of the spouse or child is appropriate to assist in the representation of the House of Representatives.

“(5) The Clerk of the House of Representatives shall make available to the public all advance authorizations and disclosures of reimbursement filed pursuant to subparagraph (1) as soon as possible after they are received.”

#### LIMITATION ON ROYALTY INCOME

SEC. 229. (a) Clause 3 of rule XLVII of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

“(g) In calendar year 1995 or thereafter, a Member, officer, or employee of the House may not—

“(1) receive any copyright royalties for any work—

“(A) unless the royalty is received from an established publisher pursuant to usual and customary contractual terms;

“(B) unless the total amount of such royalties for that work does not exceed one-third of that individual’s annual pay as a Member, officer, or employee for the year in which the contract is entered into; and

“(C) without the prior notification and approval of the contract for that work by the Committee on Standards of Official Conduct; or

“(2) receive any advance payment for any such work.”

(b) Clause 3(e)(5) of rule XLVII of the Rules of the House of Representatives is amended to read as follows:

“(5) copyright royalties.”

(c) The amendments made by this section shall apply only to copyright royalties received by any Member, officer, or employee of the House after the adoption of this resolution, pursuant to any contract entered into while that individual is such a Member, officer, or employee.

#### AMENDMENT TO THE RULES TO CREATE THE POSITION OF DIRECTOR OF NON-LEGISLATIVE AND FINANCIAL SERVICES

SEC. 230. The Rules of the House of Representatives are amended by adding at the end the following new rule:

##### “RULE LIII

##### “DIRECTOR OF NON-LEGISLATIVE AND FINANCIAL SERVICES

“1. The Director of Non-legislative and Financial Services shall be appointed for a Congress by the Speaker, the majority leader, and the minority leader, acting jointly. The Director may be removed by the House or by the Speaker. The Director shall be paid at the same rate of basic pay as the elected officers of the House.

“2. The Director of Non-legislative and Financial Services shall have extensive managerial and financial experience.

“3. Subject to the policy direction and oversight of the Committee on House Over-

sight, the Director shall have operational and financial responsibility for functions assigned by resolution of the House.

4. Subject to the policy direction and oversight of the Committee on House Oversight, the Director shall develop employment standards that provide that all employment decisions for functions under the Director's supervision be made in accordance with the non-discrimination provisions of clause 9 of rule XLIII and of rule LI, without regard to political affiliation, and solely on the basis of fitness to perform the duties involved. No adverse personnel action may be taken by the Director without cause."

TRANSFER OF FUNCTIONS TO THE DIRECTOR OF NON-LEGISLATIVE AND FINANCIAL SERVICES.

SEC. 231. As soon as practicable, but not later than the ninetieth day beginning after the date of adoption of this resolution, the functions and entities specified in subsection (d) shall be transferred to the Director of Non-legislative and Financial Services.

(b) The Committee on House Oversight shall have authority to prescribe regulations providing for—

(1) the orderly transfer of the functions and entities specified in subsection (d); and (2) such additional transfers of functions and entities specified in subsection (d) with respect to the Clerk, the Sergeant-at-Arms, and the Director as may be necessary for the improvement of non-legislative and financial services in the House.

(c) Except as provided in subsection (d), functions and entities within the jurisdiction of the Committee on House Oversight under rule X may not be transferred to the Director.

(d) The functions and entities referred to in subsection (a) are: Office of Employee Assistance, Finance Office, pay and mileage of Members, House Information Systems, Office Furnishings, Office Supply Service, Office Systems Management, Placement Office, Special Services Office, Telecommunications, Telephone Exchange, Typewriter Repair, Barber Shop, Beauty Shop, House Restaurant System, Office of Photography, Inside Mail and Internal Mail Operations (including coordination with postal substations to be operated by the United States Postal Service), Guide Service, and Child Care Center, and the non-legislative functions of the Printing Services, Recording Studio, and Records and Registration.

OPEN RULE FOR CONSIDERATION OF CONGRESSIONAL ACCOUNTABILITY ACT

SEC. 232. (a) Section 108 of this resolution shall have no force or effect.

(b) At any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of Rule XXIII declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 1) to apply certain laws to the Congress. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority and Minority Leaders. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. 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. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to commit with or without instructions.

Pursuant to House Resolution 5 the previous question was ordered on the motion to commit with instructions.

The question being put, viva voce, Will the House commit said resolution with instructions?

The SPEAKER pro tempore, Mr. THOMAS of California, announced the nays had it.

Mr. FRANK demanded a recorded vote on the motion to commit with instructions, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 201 negative ..... } Nays ..... 227

¶1.30 [Roll No. 14] AYES—201

- Abercrombie Gibbons Obey
Ackerman Gonzalez Olver
Andrews Gordon Ortiz
Baesler Green Orton
Baldacci Gutierrez Owens
Barcia Hall (OH) Pallone
Barrett (WI) Hall (TX) Parker
Becerra Hamilton Pastor
Beilenson Harman Payne (NJ)
Bentsen Hastings (FL) Payne (VA)
Berman Hayes Pelosi
Bevill Hefner Peterson (FL)
Bishop Hilliard Peterson (MN)
Bonior Hinchey Pickett
Borski Holden Pomeroy
Boucher Hoyer Poshard
Brewster Jackson-Lee Rahall
Browder Jacobs Reed
Brown (CA) Jefferson Reynolds
Brown (OH) Johnson (SD) Richardson
Bryant (TX) Johnson, E. B. Rivers
Cardin Johnston Roemer
Chapman Kanjorski Rose
Clay Kaptur Roybal-Allard
Clayton Kennedy (MA) Rush
Clement Kennedy (RI) Sabo
Clyburn Kennelly Sanders
Coleman Kildee Sawyer
Collins (IL) Kleczka Schroeder
Collins (MI) Klink Schumer
Condit LaFalce Scott
Conyers Lambert-Lincoln Serrano
Costello Lantos Sisisky
Coyne Laughlin Skaggs
Cramer Levin Skelton
Danner Lewis (GA) Slaughter
de la Garza Lipinski Spratt
Deal Lofgren Stenholm
DeFazio Stokes Studds
DeLauro Luther Stupak
Dellums Maloney Tanner
Deutsch Manton Tauzin
Dicks Markey Taylor (MS)
Dingell Martinez Taylor (MS)
Dixon Mascara Tejada
Doggett Matsui Thompson
Dooley McCarthy Thornton
Doyle McDermott Thurman
Durbin McHale Torres
Edwards McKinney Torricelli
Engel McNulty Towns
Eshoo Meehan Trafficant
Evans Meek Tucker
Farr Menendez Velazquez
Fattah Mfume Vento
Fazio Miller (CA) Visclosky
Fields (LA) Mineta Volkmer
Filner Minge Ward
Flake Mink Waters
Foglietta Moakley Watt (NC)
Ford Mollohan Waxman
Frank (MA) Montgomery Williams
Frost Moran Wilson
Furse Murtha Wise
Gejdenson Nadler Woolsey
Gephardt Neal Wyden
Gerren Oberstar Wynn

NOES—227

- Allard Barrett (NE) Bliley
Archer Bartlett Blute
Army Barton Boehlert
Bachus Bass Boehner
Baker (CA) Bateman Bonilla
Baker (LA) Bereuter Bono
Ballenger Billbray Brownback
Barr Bilirakis Bryant (TN)

- Bunn Hansen Packard
Bunning Hastert Paxon
Burr Hastings (WA) Petri
Burton Hayworth Pombo
Buyer Hefley Porter
Callahan Heineman Portman
Calvert Herger Pryce
Camp Hilleary Quillen
Canady Hobson Quinn
Castle Hoekstra Radanovich
Chabot Hoke Ramstad
Chambliss Horn Regula
Chenoweth Hostettler Riggs
Christensen Houghton Roberts
Chrysler Hunter Rogers
Clinger Hutchinson Rohrabacher
Coble Hyde Ros-Lehtinen
Coburn Inglis Roth
Collins (GA) Istook Roukema
Combest Johnson (CT) Royce
Cooley Johnson, Sam Salmon
Cox Jones Sanford
Crane Kasich Saxton
Crapo Kelly Scarborough
Creameans Kim Schaefer
Cubin King Schiff
Davis Kingston Seastrand
DeLay Klug Sensenbrenner
Diaz-Balart Knollenberg Shadegg
Dickey Kolbe Shaw
Doolittle LaHood Shays
Dornan Largent Shuster
Dreier Latham Skeen
Duncan LaTourrette Smith (MI)
Dunn Lazio Smith (NJ)
Ehlers Leach Smith (TX)
Ehrlich Lewis (CA) Smith (WA)
Emerson Lewis (KY) Solomon
English Lightfoot Souder
Ensign Linder Spence
Everett Livingston Stearns
Ewing LoBiondo Stockman
Fawell Longley Stump
Fields (TX) Lucas Talent
Flanagan Manzullo Tate
Foley Martini Taylor (NC)
Forbes McCollum Thomas
Fowler McCrery Thornberry
Fox McDade Tiahrt
Franks (CT) McHugh Torkildsen
Franks (NJ) McInnis Upton
Frelinghuysen McIntosh Vucanovich
Frisa McKeon Waldholtz
Funderburk Metcalf Walker
Gallegly Meyers Walsh
Ganske Mica Wamp
Gekas Miller (FL) Weldon (FL)
Gilchrist Molinari Weldon (PA)
Gillmor Moorhead Weller
Gilman Morella White
Goodlatte Myers Whitfield
Goodling Myrick Wicker
Goss Nethercutt Wolf
Graham Neumann Young (AK)
Greenwood Ney Young (FL)
Gunderson Norwood Zeliff
Gutknecht Nussle Zimmer
Hancock Oxley

NOT VOTING—5

- Brown (FL) Rangel Yates
Cunningham Stark

So the motion to commit with instructions was not agreed to.

The question being put, viva voce,

Will the House agree to title II?

The SPEAKER pro tempore, Mr. THOMAS, announced that the yeas had it.

So title II was agreed to.

A motion to reconsider the vote whereby said title II of House Resolution 5 was agreed to was, by unanimous consent, laid on the table.

¶1.31 CONGRESSIONAL ACCOUNTABILITY ACT

Mr. SHAYS, pursuant to section 108 of House Resolution 6, called up the bill (H.R. 1) to make certain laws appli-