

FLOOR SCHEDULE FOR TUESDAY, JANUARY 3, 2017

HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
12:00 p.m. to Convene the 115 <sup>th</sup> Congress	12:00 p.m.	???

\*\*\*Members are advised that there will be a **recorded Quorum Call vote at approximately 12:05 p.m.** following the prayer and Pledge of Allegiance. Following that vote, the Election of the Speaker of the House will take place. **This election is held by manual roll call vote, with each Member called individually,** in alphabetical order, by the Clerk. Following that vote, the Oath of Office will be administered to the Members and Delegates.\*\*\*

**H.Res. 5 – A resolution providing for the House Rules of the 115th Congress (Privileged Resolution – Rep. McCarthy – Rules) (One Hour of Debate).** The Rules for the 115th Congress will be brought up as a privileged resolution with no amendments permitted. The Republican Rules package contains 5 separate sections. Section 1 adopts the Rules of the 114th Congress.

Section 2 of the package would impose a fine against a Member, Delegate or Resident Commissioner for the use of electronic photography, audio, visual recording, or broadcasting on the House Floor in contravention of clause 5 of rule XVII and any applicable Speaker’s announced policy on electronic devices. This is an important change contained in the Rules package that has never been implemented in the House. A fine for a first offense will be \$500 and \$2,500 for subsequent offenses. Any subsequent offense will be assessed at the higher amount, regardless of whether it is connected to any other offense by time or proximity. The Sergeant-at-Arms is required to promptly notify the offending Member, Delegate, or Resident Commissioner, the Speaker, and the CAO of any fines that are imposed. Such Member, Delegate, or Resident Commissioner may appeal the fine in writing to the Committee on Ethics within thirty days or five legislative days, whichever is later. After receipt of an appeal, the Committee on Ethics will have thirty calendar days or five legislative days, whichever is later, to either dismiss the fine or allow it to proceed. If the fine is to be paid, the Speaker must notify the House. The Sergeant-at-Arms and the Committee on Ethics is authorized to establish policies and procedures to implement this rule. The Rule change also modifies rule XVII to clarify conduct considered disorderly or disruptive during legislative proceedings to ensure that a Member may be referred to the Committee on Ethics for behavior impeding the rights of another Member, Delegate, or Resident Commissioner to participate in Floor proceedings, including blocking access to legislative instruments such as microphones and blocking access to the well of the House. These changes are unprecedented in the House of Representatives and are clearly being enacted in response to the gun violence sit-in. Instead of taking action to address the epidemic of gun violence in this country, House Republicans in a potentially unconstitutional way are silencing democratically elected Members of Congress and preventing them from expressing the views and wishes of their constituents.

The Rules package makes another dangerous and unprecedented change to the House rules. The package moves the Office of Congressional Ethics (OCE) under the oversight of the House Ethics Committee, renaming it the Office of Congressional Complaint Review and requiring it to report to the House Ethics Committee. The OCE was created by the Democratic Majority in 2008 in response to numerous ethics scandals in the House that led to three lawmakers being imprisoned. By this reckless action, House Republicans are eliminating the only independent ethics oversight of Members of Congress. Worsening the damage they are doing to the House as an institution, the Republicans have proposed this change without any hearings or input from Democratic Members late in the evening, less than twenty-four hours before it would be voted on.

The Rules package also reinstates the “Holman Rule” which permits amendments to appropriations bills that reduce the number of Federal employees, reduce the salary of any Federal employee, or eliminate federal employee positions. This removes necessary protections for the Nation’s federal work-force by allowing any member to simply offer an amendment that could have significant consequences without any hearings, testimony, or any sort of substantive debate.

Although Speaker Ryan has repeatedly spoken about increasing transparency in Congress, this Rules package takes another unprecedented step by providing blanket authority for the Speaker or Committee chairs to carry forward litigation from previous Congresses. Customarily, previous Rules packages listed specific matters to be carried over.

Additionally, President-Elect Trump and the Republican Majority have promised to repeal the Affordable Care Act even though such a repeal would significantly increase the deficit and directly affect millions of Americans. In order to move forward with repealing the ACA, House Republicans are preemptively waiving their own long-term direct spending point of order.

Lastly, despite repeated promises of returning to regular order, Republican Leadership has included the Rule for [H.R. \\_\\_\\_\\_](#) – Midnight Rules Relief Act of 2017 in the Rules package. **Members are urged to VOTE NO on the Republican Rules Package.**

## Section by Section Analysis of H.Res. 5:

### **Suspensions (2 bills)**

1. [H.R. \\_\\_\\_\\_](#) – Ensuring VA Employee Accountability Act (Rep. Costello – Veterans’ Affairs)
2. [H.R. \\_\\_\\_\\_](#) – Biological Implant Tracking and Veteran Safety Act of 2017 (Rep. Roe – Veterans’ Affairs)

### **TOMORROW’S OUTLOOK**

The GOP Leadership has announced the following schedule for Wednesday, January 4: The House will meet at 12:00 p.m. for legislative business. The House is expected to consider H.R. \_\_\_\_ – Midnight Rules Relief Act of 2017 (Rep. Issa – Judiciary). The House is also expected to consider bills under suspension of the Rules.

### **The Daily Quote**

“It’s put-up or shut-up time for Republicans... [T]here is little room for failure if they hope to satisfy their impatient constituents and deliver on bold promises... Now they must show they can deliver. And they know it. ‘When you have both houses and the presidency, there is no acceptable excuse for not passing major legislation,’ said Representative Tom Cole, a senior Republican from Oklahoma. ‘There is a lot of pressure on Republican members to produce and to produce quickly.’”

- New York Times, 1/2/2017