

"The House Rules Committee"

Prof. Anthony Madonna POLS 4790H Spring Semester 2/18/2021 University of Georgia

Rules Committee: Outline 2/18/2020

Introduction

- a. Announcements
 b. Updates
 c. Summary Section
 d. News
 e. Midterm #1

Basic Bill Becomes a Law Refresh...

"Regular Order,"

- "Regular Order,"

 Amendments and Leaders
 a. Rules Types over Time
 b. Rules Committee and
 Marijuana
 c. Overview of the Rules
 Committee

- Rule Types
 a. Open
 b. Modified-Open
 c. Closed
 d. Modified Closed
 e. Structured

- a. Waiver Only
 b. Self-Executing
 c. Martial Law
 d. King of the Hill
 e. More Votes

Assorted House Floor

- Assorted House Floor
 Issues
 a. Rule Alternatives:
 Suspension
 b. Floor Consideration Data
 c. Committee of the Whole
 d. Points of Order



Rules Oddities Vick et al. (2020)

Committee Gatekeep

Review

Tuesday a. House Floor

Course Updates (2/18)

PROMPT SHEETS:

Are out. Please keep questions coming.

Mostly done—still have to e-mail a few of you regarding undergraduate research.

OFFICE HOURS:

Will be standard time today, but don't hesitate to drop by tomorrow, Monday, etc., especially if you want to work through Committee Gatekeeper Games.

SUMMARY SECTION:

Should have these back later this week. Any significant questions or issues?



Above: Rep. Emanuel Celler (D-NY), the sponsor of basically every major civil rights bill. His opposition to the Equal Rights Amendment lead to his becoming the senior House member ever defeated in a primary.

Undergraduate Research

The School of Public and International Affairs (SPIA) is pleased to announce a call for proposals for the SPIA Undergraduate Research Colloquium. This event will bring together faculty and students from across SPIA to celebrate the accomplishments of our students and the faculty that facilitate lever research. Subserts may subsert to the students of the students o

Interested students should complete this form by Tuesday, February 16, 2021.

Application form link: https://bit.ly/spia-urc The form will require applicants to include:

- Contact Information
 Your SPIA major
 Title of paper
 An abstract (summary) of your research of approximately 250 words
 A pirst (100 word may) explanation of whether this research was completed (or is currently taking place) in a SPIA course, as part of a CURO project, an internship, or some other experience
 Whether you wish to be considered for a panel presentation, poster session, or both (see website for more information on the different formats).

Applicants will be notified of acceptances by early March. Please send all questions to spia.urc@gmail.com.

Additional information about the SPIA Undergraduate Research Colloquium is available at: https://spia.uga.edu/news-events/signature-events/undergraduate-research-colloquium/

CURO



Center for Undergraduate Research Opportunities UNIVERSITY OF GEORGIA

This year's Symposium will have both asynchronous and synchronous components.

dents participating in the 2021 CURO Symposium will communicate their research through one of the following methods: 10 to 12-minute Asynchronous Recording (voice PowerPoint, demonstration, recorded Zoom lecture, etc.); or Asynchronous Poster

/e look forward to welcoming you and your students to the 2021 CURO Symposium.

e contact <u>curo@uga.edu</u> with any questions or concerns

Applied Politics



Vinson Fellows

Explore your interest in government through the Vinson Fellows program it Fall 2021, a semester-long internship for undergraduate students with the Carl Vinson Institute of Government.

Vinson Fellows engage in hands-on learning by:

 Conducting original and applied research
 Meeting government officials
 Attending educational conferences

Fellows are matched with a faculty mentor in one of the Vinson Institute's departments for government training, technical assistance, applied research and planning, or communications. This opportunity will provide valuable experience in the public sector and build marketable research skills.

Eligibility requirements:

- Open to any major
 Interest in state, local, or international government
 Minimum 3.0 cumulative GPA
 Be able to commit 8-10 hours per week to the project

Apply by March 31, 2021 cviog.uga.edu/fellowships

For more information, visit cviog.uga.edu/fellowships or e-mail the program coordinator, Bailey Dickinson at internships@cviog.uga.edu.



Above: Once again, former Georgia Rep Carl Vinson, a man who knew how to procure a battleship.

GLIP

The Georgia Legislative Internship Program is an opportunity for students interested in state government to participate in the legislative process with a full-time paid internship in a standing committee of the Georgia General Assembly in the 2021 legislative session. Up to 12 credit hours can be earmed through the School of Public and International Affairs.

Learn firsthand about the inner workings of state

- Learn firsthand about the inner workings of state government by:

 Researching bills and issues before the General Assembly

 Working with a legislative committee

 Monitoring the progress of legislation

 Making contacts for a future career in public service

- Eligibility requirements:

 Students must be a junior or senior by the Spring 2021 semester

 Must be a legal resident of Georgia

 Prerequisite coursework: Legislative Process (POLS 4600) or Southern Politics (POLS 4660)

 Selection guarantees a slot in the Fall 2021 Southern Politics course

Apply by March 31, 2021 cviog.uga.edu/glip

For more information, visit cviog.uga.edu/glip or e-mail the UGA application coordinator, Bailey Dickinson at internships@cviog.uga.edu.

Above: Georgia House Speaker David Ralston





What do you guys have? Impeachment, witnesses, COVID-relief, vaccines, redistricting, GA 2022 Senate, earmarks.





Rules Committee: Outline 2/18/2020 Introduction a. Announcements b. Updates c. Summary Section d. News e. Midterm #1 Basic Bill Becomes a Law Refresh... LATER TODAY, I WILL REQUEST THE UNANIMOUS CONSENT OF THE SI "Regular Order," Amendments and Leaders a. Rules Types over Time b. Rules Committee and Marijuana c. Overview of the Rules Committee Rules Oddities Vick et al. (2020) a. Waiver Only b. Self-Executing c. Martial Law d. King of the Hill e. More Votes Committee Gatekeep Review Rule Types a. Open b. Modified-Open c. Closed d. Modified Closed e. Structured Tuesday a. House Floor Assorted House Floor ASSOTIEU FIGURE FIGURE SUBSUBS a. Rule Alternatives: Suspension b. Floor Consideration Data c. Committee of the Whole d. Points of Order

Midterm Exam 1 - POLS 4790H

Midterm Exam #1—The first class midterm is Thursday, February 25th. For POLS 4600, it will cover Shepsle & Bonchek, Ch. 5; Committee-Gatekeeper Games; House Floor Procedure; Cooper & Brady (1981); How a Bill Becomes a Law; the U.S. Constitution; Cox (2000); the Committee System; House Party Leader; the House Rules Committee; Vick et al. (2020); House Voting Procedures and Using Legislative History Resources.

I'll be moving Polarization and Ideological Scaling to Exam 2.

This exam is open book and open note. I'll be e-mailing a link to it to you at 9:35 am. You will have until 9:35 am on Friday, February 26th to complete it. Most of you will be able to finish it in under an hour. So you're welcome to take it at any time in that 24 hour window. The exam is being given through qualtrics.

Section 1: Identifying Information

Section 2: Multiple Choice & Fill-in-the-Blank

Section 3: Short Essays

Section 4: Committee Gatekeeper Games

Section 5: Identifying a Special Rule

Section 6: Using Resources/Legislative History Questions



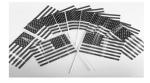
Midterm Exam Section 1 — Basic identification questions. Section 1 — Basic identification questions selected and selected and passed for points. Section 1 — Basic identification questions the questions below are identification questions and not graded for points. What is your full name? (i.e. Jonathan Smith) What is your UGACIO number? (This is the 9-digit number beginning with "810" or "811" that appears on your UGACIArd). For the POLS 4600. Maymester 2020 course, what enactment group were you placed in? Volent Crime Control and Law Enforcement Act of 1994 Homeland Security Act of 2002 Gun Control Act of 1968 Chill Rights Act of 1968 Chill Rights Act of 1957
Section 1: Identification Questions: The questions below are identification questions and not graded for points. What is your full name? (i.e. Jonathan Smith) What is your UGALD number? (This is the 9-digit number beginning with "810" or "811" that appears on your UGAClard). For the POLS 4600 Maymester 2020 course, what enactment group were you placed in? Violent Crime Control and Law Enforcement Act of 1994 Homeland Security Act of 2002 Our Central Act of 1968
not graded for points. What is your full name? (i.e. Jonathan Smith) What is your UGA/D number? (This is the 9-digit number beginning with "910" or "911" that appears on your UGA/Card). For the POLS 4600. Maymester 2000 course, what enactment group were you placed in? Voient Crime Control and Law Enforcement Act of 1994 Homeland Security Act of 2002 Gun Control Act of 1968
What is your UGALD number? (This is the 9-digit number beginning with "810" or "811" that appears on your UGALDatt). For the POLS 4600. Maymester 2000 course, what enactment group were you placed in? Violent Come Control and Law Enforcement Act of 1994 Homeland Security Act of 2002. Our Control Act of 1986
appears on your UGACard). For the POLS 4600: Maymester 2000 course, what enactment group were you placed in? Violent Crime Control and Law Enforcement Act of 1994 Homeland Security Act of 2002 Our Cortrol Act of 1988
Violent Crime Control and Law Enforcement Act of 1994 Homeland Security Act of 2002 Guin Control Act of 1998
Homeland Security Act of 2002 Gun Control Act of 1988
Gun Control Act of 1968
Civil Rights Act of 1957

Midterm Exam			
Section 2 – A handful of multiple choice/fill in the blank questions. Don't whiff on these.			
Section 2: Multiple Choice.			
Questions 1-20 are multiple choice questions. Please select the best answer. (1 point aach)			
r1. Preferences are said to be if the alternatives under consideration can be represented as points on a line, and each of the utility functions representing references over these alternatives has a maximum at some point on the line and slopes way from this maximum on either side.			
Multi-dimensional			
Intransitive			
Zero-sum			
Single-peaked			

		Ex	

Section 3 - Some challenging short essay questions—we'll go over potential topics on Tuesday.

One of these will likely involve using Farrand's Records.



#24. Congratulations! You've just been elected to the House of Representatives. One of your campaign promises was that you would author and pass a bill providing miniature American flags to all Americans. After introducing your bill, the Miniature Americans Flags for all Patriotic Americans Act of 2020, the Speaker of the House refers it to a committee. While in the committee a constituent calls and asks you to explain to him what will happen to the bill during the rest of the legislative process. Once the committee passes it, what happens? Then what? What happens in the Senate? What if the Senate passes a different version? What happens if the President vetoes it? (7 points)

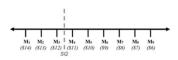
Midterm Exam

Section 4 - Committee Gatekeeper Game. This will look identical to the examples on the website.

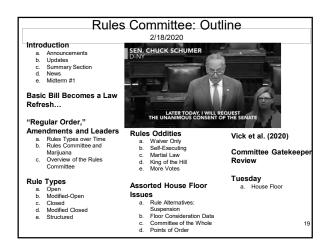
Section 4: Committee Gatekeeper Game. Questions #20-26 correspond to the figure below. (15 points total).

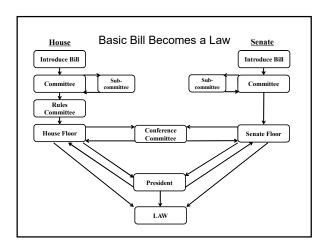
Assume the figure below represents a nine-member legislature. These nine members are ordered on a left (liberal) – right (conservative) ideological spectrum, with M1 being the most liberal, and M9 being the most conservative.

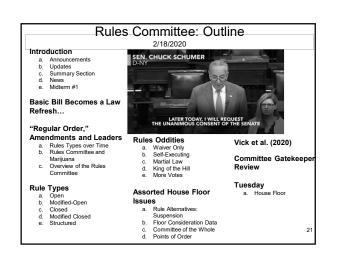
These members hold preferences on the federal minimum wage that vary from \$14 dollars (M1) to \$6 dollars (M9). In this example, the dashed line green line labelled SQ represents the existing (status quo) policy of \$11.50.



Midterm Exam Section 5 - Identifying a Special Rule type. #26. This rule could be best characterized as which of the following? (2 points Midterm Exam Section 6 - Enactment Research Questions (Using Resources) For this section, please refer to the table below for the relevant bill or bills that correspond to your exactment. Questions still-of-1 will be referring to initial Senate consideration of those bills only if there is more than one bills only if there is more than one bills off your group, assume the initial passage vote occurs on the excord bill, but all other votes occurred on the first (i.e. amendments, monthors to proceed, etc.). Finally, the date listed corresponds to the day of the initial pleassage vote in the Senate. Enactment Bill(s) Date Violent Crime Act of 1994 \$ 1607/HR 3355 11/19/1993 Homeland Security Act of 2002 HR 5005 11/19/2002 Gun Control Act of 1968 \$ 3633/HR 17735 9/18/1968 Civil Rights Act of 1957 HR 6127 8/7/1957 No Child Left Behind of 2001 \$ 1/HR 1 6/14/2001 Economic Assistance Act of 1950 \$ 3304 5/5/1950 Refugee Act of 1980 \$ 643 9/6/1979 | S 3 904 | S 904 Espionage Act of 1917 \$ 2/HR 291 \$ 5/14/1917 Affordable Care Act of 2010 HR 3590 12/24/2009 Bipartisan Campaign Reform Act of 2002 \$ 27 4/2/2001 Telecommunications Act of 1996 \$ 652 6/15/1995 Midterm Exam Section 6 - Enactment Research Questions (Using Resources) 405. Using Historical Nevispapers, please provide a quote from a nevispaper article about, your enactment. It may be critical, supportive or menicy descriptive. If you believe to article was written, simply with hornor? It does not have to be about the sportic bill silead above, you are vescore to use other related bills (i.e. Senate companions or a related House bill) (if portin). Not Jones, Kevin. 2018. "Here's a Newspaper Story," The Washington Post, May







"Regular Order," Amendments and Leaders

In October of 2015, Rep. Paul Ryan (R-WI) was elected Speaker of the House. Among other promises, Ryan pledged to allow more floor amendments through open processes and to return the House to "regular order" (DeBonis 2015).

Ryan's predecessor, former-Speaker John Boehner (R-OH), had been aggressively criticized by members of both parties for his usage of special rules to bar amendments.

Rep. Justin Amash (R-MI): "When we offer amendments, they have to be approved by leadership before we get a vote on them and that's not how our system is supposed to work," he said. "Our system was designed to reflect the will of the people... And the speaker's job is to ensure the system is open and [lawmakers] are given a fair opportunity to present their amendments." "[The system] really broken."





"Regular Order," Amendments and Leaders

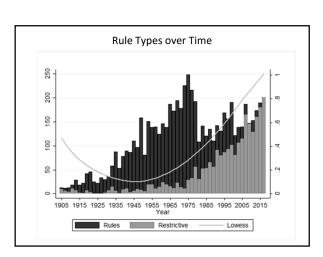


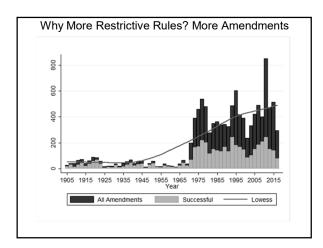
By May of 2018, Speaker Ryan and the 115th Congress had broken the record for the most closed rules in congressional history.

Ryan's abdication of his promise for more open rules was not surprising given the difficulties inherent in contemporary lawmaking. Indeed, both Boehner and his predecessor, Rep. Nancy Pelosi (D-CA) made similar "regular order" pledges on which they subsequently failed to

Legislation is getting longer and more complex (Curry 2015), interest group involvement has increased substantially over the past few decades (Drutman 2015), polarization has increased, and partisan control of Congress is highly competitive (Lee 2016).

This has led leadership to seek tighter control over the House floor in an effort to promote both their party's policy goals and protect their electoral interests.





The Rules Committee

Politico 3/21/18 - In January, a year after he took office, Attorney General Jeff Sessions took his first shot at marijuana, repealing an Obama-era document that had established a hands-off attitude for U.S. attorneys in dozens of states that have legalized pot. Though long-expected, revoking the Cole Memo nonetheless caused anxiety throughout the financially galloping marijuana industry and confirmed for most observers that he was the chief antagonist of legal marijuana in Washington.



But while the nation's top law enforcement officer has made it abundantly clear over the years that he views marijuana as a sourge equal to heroin, it turns out the unofficial title of Washington's most powerful marijuana opponent belongs to someone else named Sessions: Pete, the longtime congressman from Texas' 32nd district in Dalias. No relation to the attorney general, Pete Sessions nevertheless shares the former Alabama senator's unforgiving attitudes toward all things cannable.

What Pete Sessions has, however, that Jeff Sessions doesn't have is the power to change laws. Very quietly, but with implacable efficiency, Pete Sessions has used his position as the chair of the House Rules Committee to stymie or roll back amendments that protected legal marijuana but he 29 states that have approved it (30 states if you court. Louisiana). States that have grown increasingly dependent on tax revenue from newly legal marijuana businesses, and investors who are pumping militions into an industry that is projected to hit \$28 billion globally by 2024, have sought assurances that federal authorities wouldn't try to invoke national drug law that still classifies marijuana as one of the most serious of all illegal drugs. Short of changing federal drug law, legislators in the states with forms of legal pot have sought the next best protection: using the power of the purse to curtal enforcement. But Sessions, with the approval of House leadership, has thwarted his colleagues. He neutralized one amendment that sailed through with a comfortable bipartisan majority and smothered others that would pass if they were ever allowed to see the light of day.

The Rules Committee



Above: Rep. Sean Patrick Maloney (D-NY), the sponsor of the contractor amendment.

With legalization efforts advancing around the country, it seemed to nearly everyone that 2016 would be the last time the marijuane prohibitionists would control the chamber. But this optimism did not account for the power of Pete Sessions, who knew there was still a way to stop the inexorable march of marijuana legalization, even when the legalizers had the

votes. The turning point came on an issue that had nothing to do with marijuana. On May 19, 2016, a vote was held on a floor amendment meant to protect LGBT rights in the federal contracting process. The amendment had enough votes to pass, but House leadership kept the vote open long enough to flip a sufficient handful of votes to defeat it. Shouts of "Shamel" enupted from the House floor, and headlines referred to the aftermath as "chaos."

In a House Republican Conference meeting on June 8, members decided the way to avoid such embarrassments going forward was to use the Rules Committee to structure the appropriations process so that such "poison pill" amendments would be out of order. If the amendments couldn't be offered, there would be no votes and therefore no bad publicity. It was a complete reversal of House Speaker Paul Ryan's promise to operate the House under regular order. "My goal as speaker is to return to what we call regular order... so that Congress works more smoothly, and more democratically." Ryan said in December 2015, a pledge that lasted all of six months. Now that Sessions has jammed up the Rules Committee for two years, Ryan's spokeswoman told POLITICO Magazine that, "Chaliman Sessions has run the committee in a fair manner while advancing a robust agenda and the priorities of this majority."

The Rules Committee

Pro-marjuana advocates didn't learn that their issue had been put on the blacklist until Tuesday night, June 21. That's when Sessions' committee ruled a marijuana banking amendment out of order. Perhaps it would have received more attention if everyone's attention had not turned to the party conventions and the 2016 presidential campaign. Democrats, for the first time ever, added a plank to their party's platform aimed at reforming the nation's marijuana laws.

aimed at reforming the nation's marijuana laws.

Meanwhile, Sessions killed at least three more marijuana amendments.

One gave veterans better access to medical marijuana. Another was
Rohrabacher-Farr, which could hardly be called a 'poison pill,' since it had already passed the House twice. And the third was an amendment known as McClintock-Polis, named for Tom McClintock (R-Calif.) and Jared Polis (C-Oicl.), which aimed to do for states that had legalized recreational marijuana what Rohrabacher-Farr had done for the medical marijuana states. McClintock-Polis had failed narrowly in 2015, but it was understood to have the votes to pass in 2016. Thanks to Sessions, it never got to the floor.

Marijuana Arboraets will need every nepro; if they want to dislorde.

Sessions, it never got to the noor. [Marijuan Advocates] will need every penny if they want to dislodge Sessions from the House Rules Committee, where he's been chairman since 2013, which makes this year his sixth, and theoretically final year, but a spokeswoman for Rep. Tom Cole, the Oklahoma Republican and vice chair of the Rules Committee, told POLITICO Magazine that Cole "supports the reappointment of Chairman Sessions should the Speaker do so, and the Congressman [Cole] has no desire to seek the chairmanship himself."





Rules Committee

Why a Rule? Priority.

Who serves on the Rules Committee? How does one become Chair?

9 to 4 majority party advantage on Rules...

 $\label{thm:listory: Power stems from reforms in the late 19th Century. \\$

Rules can block germane amendments, provide time limits.

Types of rules: closed, open, structured. Why is it so important to control the amending process?

Minority input on Rules?





Open Rule



The most common rule type for many congresses is the <u>open rule</u>. An open rule will include language to the effect of "amendments will be considered under the "the-minute" rule. This means any amendment can be offered and five-minutes will be permitted for debate and/or discussion.

Standard Open Rule

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3462) to authorize appropriations to carry out the activities of the Department of Juscie for fiscal year 1982, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chariman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule, it shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and it points of order against said substitute for failure to comply with the provisions of clause 5, rule XXI are hereby walved. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House on any amendment adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendment shall be considered as ordered on the bill and amendment shall be considered as ordered on the bill and amendment shall be considered as ordered on the bill and amendment shall be considered as ordered on the bill and amendment shall be considered as ordered on the bill and amendment shall be considered as ordered on the bill and amendment shall be considered as ordered on the bill and amendment shall be considered as ordered on the bill and amendment shall be considered as ordered on the bill and amendment shall be considered as ordered on the bill and amendment shall be considere

Modified-Open Rule





A modified-open rule is generally considered an open rule with some non-discriminatory limitation. Generally, this takes the form of a time limit or a pre-printing requirement. In the case of a pre-printing requirement, the rule specifies that amendments will only be considered if they are printed in the Congressional Record by a certain time period. Practically, what this means is that the majority wants to know what amendments are coming ahead of time. The language will look like this rule from the 104° Congress: "No amendment to the committee amendment in the nature of a substitute shall be in order unless printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII before the beginning of consideration of the bill for amendment." Time limits will simply state that any amendments can be offered, but they will state that consideration of the bill and amendments will end at a specified time (i.e. at 5 p.m.) or after an allotted time period (i.e. two hours).

Modified-Open: Preprinting Requirement

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, dectare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2330) to authorize appropriations for fiscal year 1994 for intelligence and intelligence-related activities of the United States Government and the Central Intelligence Agency Retirement and Disability System, and for other purposes. The first reading of the Shall be dispensed with Points of order against consideration of the bill for failure to compty with section 302(f) or 303(a) of the Congressional Budget Act of 1974 are waived. General debate shall be conflied to the bill and shall not exceed one hour equalty divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minuter rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minuter use the membrane that the shall be a substitute recommended by the Permanent Select Committee the new and the substitute recommended by the Permanent Select Committee to Intelligence now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute shall be in order unless for rule XXIII prior to its consideration. At the conclusion of consideration of the bill for amendment the committee amendment adopted the bill of 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 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.

Modified-Open: Time Limit on Amendments

Providing for the consideration of the bill (H.R. 2508) to amend the Foreign Assistance Act of 1961 to rewrite the authorities of that Act in order to establish more effective assistance programs and eliminate obsolete and inconsistent provisions, to amend the Arms Export Control Act and to redesignate that Act as the Defense Trade and Export Control Act, to authorize appropriations for foreign assistance programs for fiscal years 1992 and 1993, and for other purposes. Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause (16) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2508) to amend the Foreign Assistance Act of 1981 to rewrite the authorities of that Act in order to establish more effective assistance programs and eliminate obsolete and inconsistent provisions, to amend the Arms Export Control Act and to redesignate that Act as the Defense Trade and Export Control Act, to authorize appropriations for foreign assistance programs for fiscal years 1992 and 1993, and for other purposes, and the first reading of the bill shall be dispensed with. All points of order against consideration of the bill for failure to comply with the provisions of clause 2(1)(6) of rule XI and clause 3 of rule XIII are hereby waived. After general debate, which shall be conflied to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be considered for amendment under the five-minute rule, by titles instead of by sections, and each title shall be considered as having been read. No amendment on the subject of military assistance to EI Salvador shall be in order in the House or in the Committee of the Whole. Subject to clause 6 of rule XXIII, debate on all amendments to the bill shall be considered.

Closed Rule





A <u>closed rule</u> is the most restrictive type of rule. It bars any amendments from being offered. The rule text will generally not reference amendments of any kind. Instead, it will specify control over debate and then include language like the following: "The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except ne motion to recommit with or without instructions."

A Standard Closed Rule

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1430) to provide for a temporary increase in the public debt limit. All points of order against the bill and against its consideration are waited. Debate on the bill shall not exceed one hour equally divided and controlled by the chatman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit. Sec. 2. Upon its passage by the House, H.R. 1430 shall be considered to constitute reconclination legislation pursuant to section 7(a) of the conference report to accompany the concurrent resolution (H. Con. Res. 64) setting forth the congressional budget for the United States Government for the fiscal years 1994, 1995, 1997, and 1998.

The debate supports this as a purely closed rule. Here's the manager, Moakley (D-MA):

"[A] closed rule on a debt limit bill is traditional, especially for a new President, and closed rules in this circumstance have won overwhelming bipartisan support every time in the past."

And on the minority side, here's Solomon (R-NY):

The new Members were told of the tradition and custom of closed rules on debt limit bills. They "The new Members were told of the tradition and custom of closed rules on debt limit bills. They were told of procedural problems-of fuliel previous question fights, of germaneness rules, of closed rules, and on and on and on. But, Mr. Speaker, one of those new Members cut right through the smoke that was thrown in fis face by the Rules Committee. He put it quite sism-ply and eloquently when he said the American people do not care about these procedural customs and traditions and precedents and obstacles. They do not really understand them."

A Modified-Closed Rule

A <u>modified-closed</u> rule is also highly restrictive. It will bar nearly all amendments, but may specify that an amendment will be offered by the Committee Chairman or his/her designee (or a set of amendments may be offered that have been approved of by the committee). A modified-closed rule also includes rules that are completely closed in one section, but open, modified-open or structured in other sections.



Standard Modified-Closed Rule

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve Itself Into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 19580) to increase the public debt limit, and all points of order against said bill are hereby walved. That after general debate, which shall be confided to the bill, and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. All the conclusion of the 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, and 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.

A Structured Rule





A <u>structured rule</u> is a restrictive rule that provides for only certain amendments to be in order. These are usually list in a report of the Committee on Rules. An announcement for a structured rule is typically made several days in advance. Amendments are then proposed and screened by the Rules Committee. Those found to be acceptable are printed in the report. The language will often look like this: "No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution."

A Standard Structured Rule

A Standard Structured Rule

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause (16) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5) to amend the National Labor Relations Act and the Railway Labor Act to prevent discrimination based on participation in labor disputes, and the first reading of the bill shall be dispensed with. After general debate, which shall not exceed two hours, with one hour to be amendments made in order by this resolution and which shall not exceed two hours, with one hour to be equally divided and controlled by the chairman and tranking minority member of the Committee on Education and Labor, with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, and with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works and Transportation, the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments now printed in the bill, it shall be in order to consider an amendment in the nature of a substitute consisting of the text printed in part 1 of the report of the Committee on Rules accompanying this resolution as an original bill for the purpose of amendment under the five-minute rule, and said substitute shall be considered as having been read. No amendment to said substitute shall be in order except the amendments printed in part 2 of the report of the Committee on Rules, Said amendments ball be considered as having been read. No amendment to said substitute shall be in order except the amendments shall be considered as having been read. No amendment to said substitute shall be in order except the amendments shall be considered in the roport, equally divided and controlled by the proponent and a member opposed thereto. Said amendments shall not be subject to am

Amendments Under Structured Rules

Congress	Majority				Minority			All		
	Submitted	Allowed	Percent	Submitted	Allowed	Percent	Submitted	Allowed	Percent	
109	634	249	0.39	795	198	0.25	1,429	447	0.31	
110	808	408	0.50	781	200	0.26	1,589	608	0.38	
111	1,846	548	0.30	2,386	837	0.35	4,232	1,385	0.33	
112	581	331	0.57	1,217	524	0.43	1,798	855	0.48	
113	846	510	0.60	939	371	0.40	1,785	881	0.49	
114	1061	609	0.57	1,131	475	0.42	2,192	1,084	0.49	
115	1,594	933	0.59	2,289	750	0.33	3,883	1,683	0.43	
Total	7,370	3,588	0.49	9,538	3,355	0.35	16,908	6,943	0.41	

Waiver Only/Special Order

Some rules, generally covering secondary consideration or appropriation bills, will not reference the amending process in any way. These will generally be coded either a "7", indicating it provides a waiver only for an appropriation bill or secondary consideration. Similarly, the rule might be coded a special coder if no waiver is present in the rule. Special toder if no waiver is present in the rule. Special orders merely make it in order for a bill to be considered. If the rule provides for consideration of a conference report, it should be coded either waiver only or special order.

As long as the waiver variable is checked "1", the distinction between these two categories should not matter.



Waiver Only/Special Order Rules

H. Res. 230. Resolved, upon adoption of this resolution it shall be in order to consider the conference report on the bill (S. 1722) to provide emergency unemployment compensation, and for other purposes. All points of order against the conference report and against its consideration are hereby waived. The conference report shall be considered as having been read when called up for consideration.

House resolution 242. Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 9103, "Abili for the appointment of additional district judges for certain courts of the United States to provide for annual conferences of certain judges of United States courts, to authorize the designation, assignment, and appointment of judges outside their districts and for other purposes," and to consider the same under the general rules of the House.

Waiver Only/Special Order Rules

Resolved. That all points of order against consideration of the bill (H.R. 5399) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1991, and for other purposes, are hereby waived. During consideration of the bill, all points of order against the following provisions in the bill for fallure to comply with clause 2 of rule XXI are hereby waived: beginning on page 2, line 10 through page 8, line 12 through 25; beginning on page 2, line 12 through page 8, line 24 through 25; beginning on page 4, line 3 through page 8, line 24 through page 10, line 16 through page 8, line 24 through page 10, line 4; beginning on page 11, line 3 through page 8, line 24 through page 10, line 4; beginning on page 12, line 12 through page 10, line 4; beginning on page 2, line 24 through page 10, line 4; beginning on page 2, line 12 through page 10, line 4; beginning on page 2, line 12 through page 10, line 4; beginning on page 2, line 12 through page 10, line 4; beginning on page 2, line 10 through page 3, line 12 through page 10, line 12, line 12; beginning on page 3, line 12 through page 1, line 12, line 12; beginning on page 3, line 12 through page 1, line 12, line 12; beginning on page 3, line 12 through page 1, line 12, line 12; beginning on page 3, line 12 through page 3, line 12, line

Self-Executing Rule

Q: I think I need help with coding Hres 183. Discussion of it begins on page 6884 of the 1st part of the 96th Congress.

A: Really cool case and a tough rule. It's a great example of one you should be e-mailing me about. For coding purposes, what you need to know is that this rule is closed (it doesn't allow any amendments), by providing the House concurs in the Senate amendments to its bill it covers post-enactment (so conf = 1) and it is self-executing (i.e. it specifies that upon the adoption of the rule, the House agrees to the bill as amended by the Senate—so there's no subsequent vote on HR 2534). There are recorded votes on both previous question motion and the resolution. Here's the longer nerd rant—and I apologize for the length, it hits on a topic I'm fascinated by.

If I Dea 183

H. RES. 183

H. Res. 183
Resolution concurring in Senate amendments to the bill (H.R. 2534) to provide for a temporary increase in the public debt ilimit, and for other purposes Resolved. That upon the adoption of this resolution the bill (H.R. 2534) to provide for a temporary increase in the public debt ilimit, and for other purposes, together with the Senate amendments thereto, is taken from the Speaker's table to the end that the Senate amendments thereto, is taken from the Speaker's table to the end that the Senate amendments be, and the same are hereby, agreed to.

Self-Executing Rule







A: There are few things in Congress more controversial than raising the debt limit. While its often confused with a government shutdown (which occurs when appropriations are not passed), it is a completely different animal with starker and more uncertain consequences. In 1917, Congress enacted the Second olliererta alimala win stainer an omore uncerain consequences. In 1917, Congresse neadace the second Liberty Bond at, which set a general limit on borrowing. It was turned into an aggregate limit on the national debt in 1939 (76 PL 201). Since then, Congress has had to amend the Second Liberty Bond act to increase the amount of debt it could incur. In the absence of a debt limit increase, the U.S. Treasury may default on bills incurred by the government leading to "serious negative repercussions for economies and financial markets around the world (Austin 2015, 2)."

THEM TRANS THE PROPERTY IN THE PROPERTY IN THE PROPERTY IN THE WAS GENERAL WHITE A WHITE HOUSE REQUEST TO TAISE WHEN THE WAS GENERAL WHITE A WHITE HOUSE REQUEST TO TRISE THE HIMIT IN 1953 WAS INSERTED AND AS SECRETARY OF THE PROPERTY OF T

Self-Executing Rule

A: This measure is a great example of debt ceiling politics. HR 2534 provided for an increase in the debt ceiling for roughly six months. House conservatives advocating for a balanced budget tried unsuccessfully to amend the bill to mandate that unbalanced budgets could only be adopted by a two-thirds vote (this proposal was offered by Reps. Phili Gramm (D-TX), Trent Lott (R-MS) and James Jones (D-OK)—Gramm would later join the Republican Party). Their attempt to do so was blocked by Hres 133 (they wanted to reject the previous question motion on that rule so they could offer the amendment). While their attempt failed, the House did reject that debt ceiling increase (HR 1894). After the House narrowly passed HR 2534, Senate conservatives under Bob Dole (R-KS) proposed an amendment mandating a three-fifths majority for deficit financing. This failed, but the Senate adopted two compromise amendments before passing the bill on March 27. This necessitated the House pass HR 2534 again.

The Treasury department amounced it would default if the debt limit was not extended by April 3rd. House Democrats lacked the votes to pass the bill as amended by the Senate, so its consideration was delayed until April 2nd. Rather than vote directly on the Senate amendments, the House reported a rule, Irres 183, which stated that 'upon the adoption of this resolution the bill (H.R. 2534) to provide for a temporary increase in the public debt limit, and for other purposes, together with the Senate amendments thereto, is taken from the Speaker's table to the end that the Senate amendments be, and the same are hereby, agreed to (Congressional Record, 96th Congress, April 2, 1979, 6884)."

agreet to (Longressional Record, 96th Congress, April 2, 1979, 6884)."

House Democrate argued that a crisis was imminent. Rep. Al Ulman (D-OR), the House Ways and Means Chair, called the vote "the most important vote that any of us cast in this session of Congress," and accused opponents of 'playing with dynamite and the future of their courtry (Congressional Record, 96th Congress, April 2, 1979, 6884-6886). "Rep. Parten Mitchell (D-MD) asserted that rejecting the rule would "destroy this country (Congressional Record, 96th Congress, April 2, 1979, 6886)." And House Speaker Thomas P. "Tip" O'Nell (D-MA) took the unusual step of giving a House speech, anguing: "[Tipre are those over on this side of the asile who say we should not use the pulmotor on the sick patient because the doctor could have administered effective medicine last week. The truth is, the crisis is now (Congressional Record, 96th Congress, April 2, 1979, 6886)."

Self-Executing Rule

A: Opponents were not convinced. Rep. Delibert Latta (R-OH), the ranking member on the Rules Committee, downplayed the effects of a no vote: "We can complete some meaningful action on this legislation today by voting down the previous question to permit the offering of a meaningful amendment....We operate in a state of crisis from time to itme. I realize that we have a problem here, but the Treasury did get through today (Congressional Record, 96th Congress, April 2, 1979, 8889). "Rep. Did Bo Bauman derided the majority, noting that 'this same 'crisis' argument made every time we come to the question of in- creasing the debt limit....What these liberals really fear is a balanced budget (Congressional Record, 96th Congress, April 2, 1979, 6889)." Rep. Dan Lundgren (R-CA) claimed supporters of the balanced budget were 'victims of apparent blackmail gat the hands of congressional leaders] (Congressional Record, 96th Congress, April 2, 1979, 6889)."

While 31 Democrats ultimately voted against the previous

Congress, April 2, 1979, 089U). While 31 Democrats ultimately voted against the previous question motion, it did pass 237-139. The resolution than passed by a slightly less comfortable margin of 231-183. The extension was then signed into law. You'll run into an almost identical fight later in the year. The House will reject a debt limit extension (HR 5229) in September of 1979. Eventually it will pass—and the Senate will agree to—another six-month extension bill (IHR 5369) with two days to spare before a Treasury default.



•

16

Martial Law Rule

Removed, That he requirement of classes 44, Removed to the temperature of the control of the con

(rires 26, 5, 94). This appear to be first time many members heard the term "martial law rule." It's also the carliest recorded usage of the term according to CRS (see Rybicki, Elizabeth. "Availability of Legistative Measures in the House of Representatives (The "Three-Day Rule")."

Martial Law Rule

Rep. David Dreier (R-CA) asked the rule manager, Rep. Butler Derrick (D-SC) where the term originated, to which Derrick responded "I have no idea." Shortly afterwards, Rep. Robert Walker (R-PA) expressed surprise in learning the term was not coined by fellow minority party members, rather Dreier first heard it employed by majority leadership earlier in the day Here's Walker." So this is not just a term we are making up on this side in order to talk about this rule? This is a term that the majority leader used to describe what was coming to the floor today?" Dreier responded by saying he "heard the term first used yesterday at funch from the Speaker when he talked about this. I was really taken aback."



Here's Derrick on why the rule is needed and what it does: "Mr. Speaker, House Resolution 294 is a rule to expedite the business of the Congress in the waning days of the session. The rule waives clause 4(b) of Rule XI against any rule which is re-ported from the Rules Committee on or before the calendar day of November 27, 1991 if the rule provides for consideration or disposition of a bill, conference report, or amendment on: High- ways, banking, crime, unemployment, supplemental appropriations, Medicaid moratorium, or RTC funding...Mr. Speaker, as we near the close of the session, this rule will enable us to expedite consideration of the important business of the Congress. I urge all Members to support the resolution."

of the important dustriess of the Curigles. I usige an mentioners to support the resonance.

And Rep. Bob McEwen (R-CNH) playing off of the term earlier in the debate: "Mr. Speaker, yesterday the distinguished majority leader apity de-scribed this as the martial law resolution. According to my dictionary, martial law is a temporary rule imposed by military authorities on the civilian population in time of war or when civil authority has broken down. Mr. Speaker, I do not know exactly whether the majority leader is saying by this resolution that it considers the House to be in a state of war or simply that the leadership's civil authority has been destroyed. But in either case, I strongly oppose this military edict from on high."

Martial Law Rule



1991: Rep. Bob Walker (R-PA) is shocked to learn that the term "martial law rule" was not coined by fellow minority party members. It was apparently first employed by majority leadership.

Mr. WALKER. So this is not just a term we are making up on this side in order to talk about this rule? This is a term that the majority leader used to describe what was coming to the floor today?

2 Retweets 5 Likes 4 6 6 6

Q 1 t2 0 5 ill

We've just "gone viral."

King of the Hill Rule

King of the hill rule, as noted by Derrick. It's structured, providing for only amendments printed in the report.

anientamien primitive in our export.

Here's Derrick on the rule. 'As I noted when the House considered House Resolution 152 last Thursday, the procedure we are using to govern consideration of Hr. 1748 is all bursual. In order to beging general debate on H.R. 1748 this past Monday, and to allow consideration of the Aspin amendment in the nature of a substitute yesterday, it was necessary for the Rules Committee to report a rule for HR. 1748 latts were



New York Committee to report a fue for Fix. 174e is task week.

New York Committee to report a fue for Fix. 174e is task week.

However, since Ahember a readed time to consider an appropriate process for the consideration of a very large number of a mendments it. We decided to report or late at that time which provided only for general debate on the bill and for consideration of the Appin substitute, and to report out a second rule in this week which would goven consideration for further amendments to bill. The Rules Committee week report of the provider only for the provider of the

Latta in opposition: "Mr. Speaker, this is the rule-a-day season, and tomorrow we will have an-other rule on this bill. Hopefully that will terminate the rules procedure on this particular bill. ...! think it is an unusual process in again; with a lot of danger to demortary as it should be parabotic here on the floor of the House of Representatives. This is yet another in a series of re-strictive rules we have had on this floor the likes of which we have not seen in the decade or more that I have seried in this body."



King of the Hill Rule

Here's the vote on the PQ motion and the rule

Mr. DERRICK. Mr. Speaker, I more the previous question on the resolution previous question on the resolution. The previous question was taker, and the Speaker pro tempore announced that the syes appeared to have it. Mr. WALKER. Mr. Speaker I object to the vote on the ground that a quorum is not present and make the present of the that a quorum is not present.

of order that a quorum as month.

SPEAKER pro tempore. EviSPEAKER pro tempore. EviSergeant at Arms will notify
Members. taken by electronic,
and there were—yeas 303, nays
of voting 22, as follows:

(Roil No. 88)
YEAS—303

TYAS—303

OMI
COMI
CHES

C



King of the Hill Rule

Q: Is this a King of the Hill rule? HRES 198

Resolved, That upon the adoption of this resolution it shall be in order to move, section 402(a) of the Congressional Budget Act of 1974 (Public Law 93-344) to the contrary robinstratings, that the House reache least in the Committee of the Withel House on the State of the Union for the consideration of the IHT. 42(3) to amend the Internal Revenue Code of 1954 to encourage economic propriety internal includatal promote sizes, the expensing of degreeable properly, resorbies for small businesses, and incortiess for savings, and for other propose, the first eading of the bit shall be disposed with, and all points of order against earlier of 2 dead bit for fallow a country with the por visions of clause 5 in public use the relay wavel. After general debtas, which were confired to the bit and set all continues to the size of the set of the

No amendments to the bill shall be in order in the House or in the Committee of the Whole except amendments recommended by the Committee on Ways and Means which shall be in order at any time, and shall not be subject to amendment but shall be destabled for not not exceed benefy minutes, equally divided and controlled by the charman and raintaing minutes mented or this Committee of the Wormsteen on Ways and Means, and he belowing amendment, which may be deeded only in the Committee of the Whole, which shall be considered only in the following controlled, and which shall be considered in the Whole, which shall be considered only in the following controlled and which shall be considered in the professor of classes, in both 30 are being valued.

- (2) And (2) an amendment in the nature of a substitute consisting of the text of the bill H.R. 4260 if offered by Representative Consists of New York, said substitute shall be in order even if the amendment designated (1) above has been adopted, and said substitute shall not be subject to amendment but shall be debatible. Be for not to exceed one how, requally divided and controlled by Representative Con-able and the chairman of the Committee on Ways and Means.

At the conclusion of the 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, but if more than one emember in the nature of a substitute has been adopted in the Committee of the Whole, only the bits such amendment adopted with able reported to the House, if such amendment is her nature of a substitute has been adopted in the Committee of the Whole, only the bits reported on a superature do in the House, any bitterform any demand a separate victor in the Nature on any of the amend-ments recommended by the Committee of Weyl and Means adopted in the Committee of the Whole. The previous question shall be considered as ordered on the 16 and amendments better bot frail placing with of ultriferenty months cought on emitted to require any of the committee of the Whole. The previous question shall be considered as ordered on the 16 and amendments better bot frail placing with or different production cought on months.

Example - King of the Hill Rule

A: Great case. Yeah, this is a King of the Hill rule on HR 4242, which is President Reagan's signature tax plan.

President Reagans signature tax plan. The bill is drafted by the Ways and Means Committee Chair, Rep. Dan Rostenkowski (D-IL). It includes a 15% cut to the individual income tax rate. The rule provides for consideration of two substitute amendments. The first is a liberal proposal by Rep. Mo Udall (D-AZ) that exclusively targets low-income tax payers and was not going to pass.

The second is President Reagan's preferred proposal, sponsored by Reps. Barber Conable (R-NY) and Kent Hance (D-TX). It's a 25% cut. So the rule provides for a king of the hill provision, stating "if more than one amendment in the nature of a substitute has been adopted in the Committee of the Whole, only the last such amendment adopted shall be reported to the House."

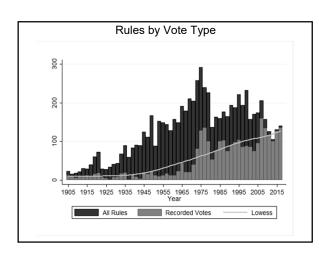
As the rule manager, Rep. Richard Bolling (D-MO) notes: "this is a most unusual rule and probably the most unusual tax bill in the history of the Republic. It is billed as being the biggest tax bill that we have ever had."

Republicans are fairly supportive of the rule with one exception: it bars them from offering a motion to recommit with instructions. Thus, they're trying to reject the PQ motion so they could offer it. Here's Rep. Jim Jeffords (R-VT) on that "And so if we want to have a motion to recommit with instructions to remove obnoxious provisions which we feel are obnoxious, as we discussed in the Rules Committee yesterday with respect to oil and the tax giveaways limited to six industries, then it will be necessary for us to vote down the previous question; is that correct?"



House Special Rules by Rule Type, 1905-2018

Rule Type	Count	Category
Closed	782	Restrictive
Modified-Closed	580	Restrictive
Structured	782	Restrictive
Open	3,976	Open
Modified-Open	168	Open
Waiver Only	301	Other
Conference Report	519	Other
Senate Amendment	283	Restrictive
Go to Conference	52	Other
Special Order/Miscellaneous	175	Other
Martial Law	169	Other
Suspension of the Rules	240	Other
Total	8,027	



Getting on the House Floor: Alternatives

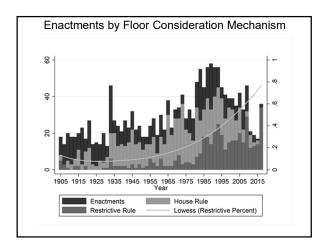
In the absence of a House special rule, there are a few mechanisms for bills to get to the House floor. Unanimous consent is rare, but does happen on occasion in the House. A second option, a motion to suspend the rules and pass, is

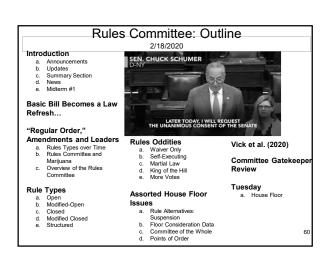


Above: Former Rep. William Jefferson (D-LA), being sentenced

A motion to suspend the rules and pass a bill is a procedure generally used to quickly pass legislation in the House. It is in order on certain days (currently Monday and Tuesday of each week and the last six days of a session), typically reserved for non-controversial legislation and allows the Speaker to entertain motions made by members seeking to bypass the traditional calendar.

Debate is limited to forty minutes, evenly divided between supporters and opponents. Floor amendments are prohibited. Currently, and for much of the House's history, passage of the motion is dependent on the support of two-thirds of members voting majority.





Committee of the Whole



Article 1, Section 5 of the U.S. Constitution specifies that "each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compet the Attendance of absent Members, in such Manner, and under such Penalities as each House may provide." The Committee of the Whole is the House or Senate chamber in another form (like a large committee). It developed in response to the Constitution's quorum provision. Generally, it is used for the purpose of debate and dispensing with amendments. Every legislator is a member. In the modern Congress, it is frequently associated with the U.S. House. The presiding officer is chosen by the Speaker of the House and is normally a member of the majority partly who does not hold the chair of a standing committee.

standing committee.

Procedurally, the Committee of the Whole differs from the House of Representatives even though they have identical membership. The Committee of the Whole only requires 100 House members for a quorum. In the modern Congress, only 25 members are required to force a recorded rather than voice vote. Historically, recorded voting in the House (but not Senate) Committee of the Whole was prohibited. This changed in the House after the adoption of the Legislative Reorganization Act of 1970 (first applied in the 92nd Congress). All amendments adopted in the Committee of the Whole are considered after the Committee of the Whole disolved. Members can reserve the right to request a recorded, division, teller or voice vote on specific amendments (even those that were defeated in the Committee of the Whole).

Committee of the Whole

committee these.

Accordingly, the Committee rose; and the Speaker having resumed the chair, and the Speaker having resumed the chair, and the Speaker having resumed the chair, and the Speaker having resumed the summittee the Committee having had under consideration the bill rap had under consideration the bill rap had under consideration the total rap had under consideration the consideration of the committee having had been considerable to the committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The SPEARING OF THE PROPERTY OF THE SPEARING O

amendment? If now, them engross, them engross.
The amendments were agreed to.
The SPEAKER. The question is on

All amendments adopted by the Committee of the Whole need to be adopted by the full chamber. Generally, this is pretty non-controversial and the amendments will get adopted "en bloc" or "en gros". For the purposes of this project, you do not need to code these en gross or en mass ratifications of the committee of the whole's decisions.

However, any member can request a separate vote on any amendment adopted by the Committee of the Whole. Until 1973, requesting a separate vote was the only way to get a recorded vote on an amendment adopted by the Committee of the Whole in the House. If an individual member asked for a separate vote on a specific amendment he reserved, than we would like you to go back and add an additional vote type to those amendments.

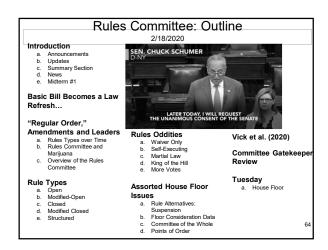
Points of Order

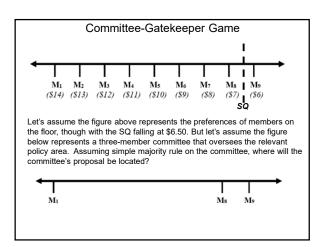
Of the powers presiding officers possess, ruling on points of order is the most substantial. A point of order is raised by a member who believes a chamber rule is being violated. Generally, points of order touch on one of two important procedural facets: the right to continue debate or the right to offer amendments. As such, rulings have the power to end debate or significantly alter the substantive content of legislation.

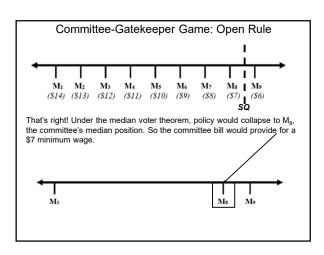


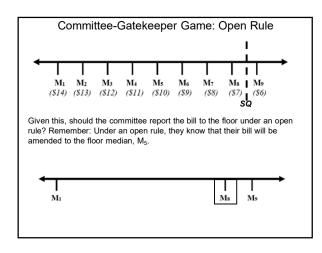
When a point of order is presented to the chair, he or she can choose to uphold (sustain) it, reject it, or submit it to the floor for consideration by the full chamber. Points of order that the chair upholds or rejects are subject to an appeal from the full chamber. Most points of order submitted to the Senate floor are debatable, an advantage for filibustering minority coalitions. Appeals of rulings also are debatable, but the appeal is subject to a non-debatable motion to table that requires only a simple majority to pass.

Appeals in the House occur far less frequently than the Senate.









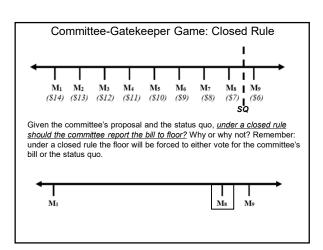


Table 1: Final Policy Outcome by Rule Type and Committee Decision OPEN CLOSED REPORT Floor Median OR Status Quo BLOCK Status Quo Status Quo

Committee-Gatekeeper Game: Open Rule

The committee's decision is on the left, the rule environment (which is given) is either open or closed. Regardless of the rule type, if the committee "blocks" the bill, the policy will stay at the status quo.

Under an open rule, the policy will always collapse to the floor median. Therefore, the committee should report their bill only if a majority of committee members prefer the floor median to the status quo.

Committee-Gatekeeper Game: Closed Rule

Table 1: Final Policy Outcome by Rule Type and Committee Decision

	OPEN	CLOSED
REPORT	Floor Median	Committee Median
		OR
		Status Quo
BLOCK	Status Quo	Status Quo

The committee's decision is on the left, the rule environment (which is given) is either open or closed. Regardless of the rule type, if the committee "blocks" the bill, the policy will stay at the status quo.

Under a closed rule, the committee must first determine whether a majority of the floor would support their proposal (the committee median) over the status quo. If so, they should report the bill. If not, the final policy will be the status quo regardless, so they should block

Rules Committee: Outline 2/18/2020 Introduction a. Announcements b. Updates c. Summary Section d. News e. Midterm #1 Basic Bill Becomes a Law Refresh... LATER TODAY, I WILL REQUEST THE UNANIMOUS CONSENT OF THE SENATI "Regular Order." "Regular Order," Amendments and Leaders a. Rules Types over Time b. Rules Committee and Marijuana c. Overview of the Rules Committee Rules Oddities Vick et al. (2020) Waiver Only Self-Executing Martial Law King of the Hill More Votes Committee Gatekeep Review Tuesday a. House Floor Rule Types Assorted House Floor Open Modified-Open Closed Modified Closed Structured Assorted House Floor Issues a. Rule Alternatives: Suspension b. Floor Consideration Data c. Committee of the Whole d. Points of Order

Questions, Concerns, Angry Rants?

Next: House Floor Procedure.