

Statement and Colloquy on Committee Rules

McKeon:

Mr. Chairman, I have reviewed the proposed committee rules and I commend you for putting together a fair and reasonable rules package.

The most significant changes are to the subcommittee jurisdictions, which I believe are reasonable and appropriate.

I'd like to thank you and your staff for working with us to ensure that the changes you have proposed are acceptable to our side.

As you know, the proposed committee rules contain a new provision highlighting your intent to give priority in recognition to amendments that are pre-filed. The order of recognition during committee meetings is a matter within the Chairman's discretion and I appreciate that by including this provision in the committee rules you are clearly outlining the new procedure.

As I understand it, the purpose of this rule is to encourage the orderly and predictable consideration of amendments. I agree that all Members can benefit from the predictable conduct of committee business, and I look forward to working with you to ensure that happens.

I have a few questions that I hope will clarify for the Members how this rule will be administered.

It is the practice of the House to alternate recognition of Members between the Majority and Minority Members both in committee and on the floor. As you know by filling the amendment tree and other procedures, it is possible to preclude or to limit Members' opportunities to offer amendments.

Can we have your assurance that no Member will be precluded from offering an amendment simply because it was not pre-filed and that to the extent it is consistent with the purpose of the rule this Committee will continue to follow the long-standing House practice of alternating recognition between the Majority and the Minority.

Miller:

The Rule will not preclude members from offering amendments.

In addition, to the extent it is consistent with the purpose of the proposed rule, we do intend to alternate recognition between the Majority and the Minority.

As I indicated, the intent of this proposal is to provide for more organized mark-ups, to give Members a better idea of when their

amendments will be considered, and provide Members more time to study the issues that will be debated.

Other Committees have used this process, and it seems to work well for them. We hope to work with you to see if it will work well for our Committee.

It is also worth noting that whether we adopt the proposed Committee Rule or not, the House Rules provide me as Chairman of a Committee with the authority to use discretion in determining who to recognize to offer an amendment. The rules of the House are the rules of its committees.

McKeon:

Thank you Mr. Chairman. I'd also like to seek clarification on the issue of timeliness and sufficiency.

I trust that committee marks will generally be circulated to the Members with sufficient time to prepare and draft amendments. However on those rare occasions when the text of a bill is not available at least a day before the pre-filing deadline, Members will find it very difficult to have their amendments drafted in time.

Is it your intent to give priority to pre-filed amendments only when Members have been given sufficient time to draft their amendments and will complete and accurate descriptions of amendments satisfy the pre-filing requirement?

Miller:

We would give priority to amendments drafted to a base bill, and will not penalize members for any technical drafting issues resulting from members not having sufficient time to draft amendments to the Committee mark.

McKeon:

Thank you, Mr. Chairman. Can you confirm that minority committee staff will have access to pre-filed amendments with the understanding that pre-filed amendments are confidential committee records that may not be publicly released until the amendment is offered in committee?

Miller:

Yes.

McKeon:

Thank you Mr. Chairman. I appreciate these clarifications and assurances.

Finally, Mr. Chairman, as we begin the hearing process, I hope you will continue the practice of treating the minority fairly when it comes to the allocation of witnesses at our hearings.

I encourage the Republican Members to support the committee rules package and yield back my time.