

116TH CONGRESS 1ST SESSION

S. 2733

To save and strengthen critical social contract programs of the Federal Government.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2019

Mr. ROMNEY (for himself, Mr. MANCHIN, Mr. YOUNG, Mr. JONES, and Ms. SINEMA) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To save and strengthen critical social contract programs of the Federal Government.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- This Act may be cited as the "Time to Rescue United
- 5 States Trusts Act" or the "TRUST Act".
- 6 SEC. 2. DEFINITIONS.
- 7 In this Act:
- 8 (1) Co-chair.—The term "co-chair" means an
- 9 individual appointed to serve as a co-chair of a Res-
- 10 cue Committee under section 4(a)(4)(C)(i).

1	(2) Critical Social Contract Program.—
2	The term "critical social contract program" means
3	a Federal program the Secretary identifies in the re-
4	port under section 3.
5	(3) Rescue committee.—The term "Rescue
6	Committee" means a committee established under
7	section 4(a).
8	(4) Rescue committee bill.—The term
9	"Rescue Committee bill" means a bill consisting
10	solely of legislative language that a Rescue Com-
11	mittee approves and submits under clauses (i) and
12	(vi), respectively, of section 4(a)(3)(B).
13	(5) Secretary.—The term "Secretary" means
14	the Secretary of the Treasury.
	the Secretary of the Treasury. SEC. 3. IDENTIFICATION OF CRITICAL SOCIAL CONTRACT
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14 15 16 17 18	PROGRAMS. Not later than 45 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that identifies each Federal program—
14 15 16 17 18 19 20	PROGRAMS. Not later than 45 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that identifies each Federal program— (1) for which a Federal trust fund is estab-
14 15 16 17 18 19 20	PROGRAMS. Not later than 45 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that identifies each Federal program— (1) for which a Federal trust fund is established;
14 15 16 17 18 19 20 21	PROGRAMS. Not later than 45 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that identifies each Federal program— (1) for which a Federal trust fund is established; (2) the amount of outlays of which, for the fis-

1 (3) the amount of dedicated Federal funds and
2 Federal trust fund balances that the Secretary de3 termines will be inadequate, on any date during the
4 period beginning on the date of enactment of this
5 Act and ending on the last day of fiscal year 2035,
6 to meet the total amount of outlays of the Federal
7 program that would otherwise be made.
8 SEC. 4. ESTABLISHMENT OF RESCUE COMMITTEES.

- (a) Establishment of Rescue Committees.—
- (1) ESTABLISHMENT.—On the date on which the Secretary submits the report under section 3, there shall be established a Rescue Committee for each critical social contract program.
- (2) Goals.—The goals of each Rescue Committee shall be to, with respect to the critical social contract program for which the Rescue Committee is established—
 - (A) avoid depletion of the Federal trust fund established for the critical social contract program;
 - (B) provide for the solvency of the Federal trust fund established for the critical social contract program during the 75-year period beginning on the date described in paragraph (1);

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1	(C) simplify the critical social contract pro-
2	gram to the extent practicable; and
3	(D) otherwise improve the critical social
4	contract program.
5	(3) Duties.—
6	(A) In general.—
7	(i) Improving critical social con-
8	TRACT PROGRAMS.—Each Rescue Com-
9	mittee may develop recommendations and
10	legislative language that will significantly
11	improve the critical social contract pro-
12	gram for which the Rescue Committee is
13	established, including by—
14	(I) increasing the duration of
15	positive balances of the Federal trust
16	fund established for the critical social
17	contract program; and
18	(II) to the extent practicable,
19	providing for the solvency of the Fed-
20	eral trust fund established for the
21	critical social contract program during
22	the 75-year period beginning on the
23	date described in paragraph (1).
24	(ii) Recommendations of commit-
25	TEES.—Not later than 30 days after the

1	date described in paragraph (1), each com-
2	mittee of the Senate and the House of
3	Representatives may transmit to the rel-
4	evant Rescue Committee any recommenda-
5	tions of the committee relating to changes
6	in law to improve the critical social con-
7	tract program for which the Rescue Com-
8	mittee is established in accordance with
9	the goals of the Rescue Committee de-
10	scribed in paragraph (2).
11	(B) Report, recommendations, and
12	LEGISLATIVE LANGUAGE.—
13	(i) In general.—Not later than No-
14	vember 12, 2020, each Rescue Committee
15	shall meet to consider, and may vote on—
16	(I) a report that contains a de-
17	tailed statement of the findings, con-
18	clusions, and recommendations of the
19	Rescue Committee described in sub-
20	paragraph (A)(i) and the estimate of
21	the Congressional Budget Office re-
22	quired under paragraph (5)(D)(ii);
23	and
24	(II) legislative language to carry
25	out the recommendations of the Res-

1 cue Committee in the rep	ort described
2 in subclause (I), which sh	nall include a
3 statement of the economic	ic and budg-
4 etary effects of the recor	mmendations
5 during the 75-year period	od beginning
on the date described i	n paragraph
7 (1).	
8 (ii) Advisory nature	.—Any pro-
9 posed change to the Standing	Rules of the
10 Senate or the Rules of the H	touse of Rep-
11 resentatives included in a repo	ort or legisla-
tive language under clause (i)	shall be con-
sidered to be merely advisory.	
14 (iii) Approval of Repor	RT AND LEG-
15 ISLATIVE LANGUAGE.—A repo	ort and legis-
lative language of a Rescue	e Committee
17 under clause (i) shall require	the approval
of a majority of the members of	of the Rescue
19 Committee, provided that su	ach majority
shall be required to include r	not less than
21 2 members of each party.	
22 (iv) Additional views.—	_
23 (I) IN GENERAL.—A	A member of
24 a Rescue Committee who	gives notice
of an intention to file s	supplemental,

1 minority, or additional views at the 2 time of the final Rescue Committee 3 vote on the approval of the report and 4 legislative language of the Rescue Committee under clause (i) shall be 6 entitled to 3 days to file those views 7 in writing with the staff director of 8 the Rescue Committee. 9 (II) INCLUSION IN REPORT.— 10 Views filed under subclause (I) shall 11 be included in the report of the rel-12 evant Rescue Committee under clause 13 (i) and printed in the same volume, or 14 part thereof, and such inclusion shall 15 be noted on the cover of the report, 16 except that, in the absence of timely 17 notice, the report may be printed and 18 transmitted immediately without such 19 views. 20 (v) REPORT AND LEGISLATIVE LAN-21 GUAGE TO BE MADE PUBLIC.—Upon the 22 approval or disapproval of a report and 23 legislative language under clause (i) by a

Rescue Committee, the Rescue Committee

shall promptly make the report, the legisla-

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1	tive language, and a record of the vote on
2	the report and legislative language avail-
3	able to the public.
4	(vi) Submission of Report and
5	LEGISLATIVE LANGUAGE.—If a report and
6	legislative language are approved by a Res-
7	cue Committee under clause (i), not later
8	than 3 days after the date on which the re-
9	port and legislative language are made
10	available to the public under clause (v), the
11	Rescue Committee shall submit the report
12	and legislative language to the President,
13	the Vice President, the Speaker of the
14	House of Representatives, and the majority
15	and minority leaders of each House of
16	Congress.
17	(vii) Rule of construction.—
18	Nothing in this subparagraph shall be con-
19	strued to prohibit a Rescue Committee
20	from voting on a report and legislative lan-
21	guage under clause (i) before November
22	12, 2020.
23	(4) Membership.—

1	(A) IN GENERAL.—Each Rescue Com-
2	mittee shall be composed of 12 members ap-
3	pointed in accordance with subparagraph (B).
4	(B) Appointment.—Not later than 14
5	days after the date described in paragraph (1),
6	with respect to each Rescue Committee—
7	(i) the majority leader of the Senate
8	shall appoint 3 individuals from among the
9	Members of the Senate who shall serve as
10	members of the Rescue Committee;
11	(ii) the minority leader of the Senate
12	shall appoint 3 individuals from among the
13	Members of the Senate who shall serve as
14	members of the Rescue Committee;
15	(iii) the Speaker of the House of Rep-
16	resentatives shall appoint 3 individuals
17	from among the Members of the House of
18	Representatives who shall serve as mem-
19	bers of the Rescue Committee; and
20	(iv) the minority leader of the House
21	of Representatives shall appoint 3 individ-
22	uals from among the Members of the
23	House of Representatives who shall serve
24	as members of the Rescue Committee.
25	(C) Co-chairs.—

1	(i) In general.—Not later than 14
2	days after the date described in paragraph
3	(1), with respect to each Rescue Com-
4	mittee—
5	(I) the majority leader of the
6	Senate shall appoint 1 individual from
7	among the members of the Rescue
8	Committee who shall serve as a co-
9	chair of the Rescue Committee; and
10	(II) the Speaker of the House of
11	Representatives shall appoint 1 indi-
12	vidual from among the members of
13	the Rescue Committee who shall serve
14	as a co-chair of the Rescue Com-
15	mittee.
16	(ii) Staff director.—With respect
17	to each Rescue Committee, the co-chairs of
18	the Rescue Committee, acting jointly, shall
19	hire the staff director of the Rescue Com-
20	mittee.
21	(D) Period of Appointment.—
22	(i) In general.—The members of a
23	Rescue Committee shall be appointed for
24	the life of the Rescue Committee.
25	(ii) VACANCY.—

1	(I) In General.—Any vacancy
2	in a Rescue Committee shall not af-
3	fect the powers of the Rescue Com-
4	mittee, but shall be filled not later
5	than 14 days after the date on which
6	the vacancy occurs, in the same man-
7	ner as the original appointment was
8	made.
9	(II) Ineligible members.—If a
10	member of a Rescue Committee ceases
11	to be a Member of the Senate or the
12	House of Representatives, as applica-
13	ble—
14	(aa) the member shall no
15	longer be a member of the Res-
16	cue Committee; and
17	(bb) a vacancy in the Rescue
18	Committee exists.
19	(5) Administration.—
20	(A) IN GENERAL.—With respect to each
21	Rescue Committee, to enable the Rescue Com-
22	mittee to exercise the powers, functions, and
23	duties of the Rescue Committee, there are au-
24	thorized to be disbursed by the Senate the ac-
25	tual and necessary expenses of the Rescue Com-

1	mittee approved by the co-chairs of the Rescue
2	Committee, subject to the rules and regulations
3	of the Senate.
4	(B) Expenses.—With respect to each
5	Rescue Committee, in carrying out the func-
6	tions of the Rescue Committee, the Rescue
7	Committee is authorized to incur expenses in
8	the same manner and under the same condi-
9	tions as the Joint Economic Committee is au-
10	thorized under section 11(d) of the Employment
11	Act of 1946 (15 U.S.C. 1024(d)).
12	(C) QUORUM.—With respect to each Res-
13	cue Committee, 7 members of the Rescue Com-
14	mittee shall constitute a quorum for purposes of
15	voting, meeting, and holding hearings.
16	(D) Voting.—
17	(i) Proxy voting.—No proxy voting
18	shall be allowed on behalf of any member
19	of a Rescue Committee.
20	(ii) Congressional budget office
21	ESTIMATES.—
22	(I) In General.—The Director
23	of the Congressional Budget Office
24	shall, with respect to the legislative
25	language of a Rescue Committee

1	under paragraph (3)(B)(i)(II), provide
2	to the Rescue Committee—
3	(aa) estimates of the legisla-
4	tive language in accordance with
5	sections 308(a) and 201(f) of the
6	Congressional Budget Act of
7	1974 (2 U.S.C. 639(a) and
8	601(f)); and
9	(bb) information on the
10	budgetary effect of the legislative
11	language during the 75-year pe-
12	riod beginning on the date de-
13	scribed in paragraph (1).
14	(II) LIMITATION.—A Rescue
15	Committee may not vote on any
16	version of the report, recommenda-
17	tions, or legislative language of the
18	Rescue Committee under paragraph
19	(3)(B)(i) unless the estimates and in-
20	formation described in subclause (I)
21	of this clause are made available for
22	consideration by all members of the
23	Rescue Committee not later than 48
24	hours before that vote, as certified by

1	the co-chairs of the Rescue Com-
2	mittee.
3	(E) MEETINGS.—
4	(i) Initial meeting.—Not later than
5	45 days after the date described in para-
6	graph (1), each Rescue Committee shall
7	hold the first meeting of the Rescue Com-
8	mittee.
9	(ii) Agenda.—For each meeting of
10	each Rescue Committee, the co-chairs of
11	the Rescue Committee shall provide an
12	agenda to the members of the Rescue
13	Committee not later than 48 hours before
14	the meeting.
15	(F) Hearings.—
16	(i) In General.—Each Rescue Com-
17	mittee may, for the purpose of carrying
18	out this section, hold such hearings, sit
19	and act at such times and places, require
20	attendance of witnesses and production of
21	books, papers, and documents, take such
22	testimony, receive such evidence, and ad-
23	minister such oaths as the Rescue Com-
24	mittee considers advisable.

1	(ii) Hearing procedures and re-
2	SPONSIBILITIES OF CO-CHAIRS.—
3	(I) Announcement.—The co-
4	chairs of each Rescue Committee shall
5	make a public announcement of the
6	date, place, time, and subject matter
7	of any hearing to be conducted under
8	this subparagraph not later than 7
9	days before the date of the hearing,
10	unless the co-chairs determine that
11	there is good cause to begin such
12	hearing on an earlier date.
13	(II) Written statement.—A
14	witness appearing before a Rescue
15	Committee shall file a written state-
16	ment of the proposed testimony of the
17	witness not later than 2 days before
18	the date of the appearance of the wit-
19	ness, unless the co-chairs of the Res-
20	cue Committee—
21	(aa) determine that there is
22	good cause for the witness to not
23	file the written statement; and

1	(bb) waive the requirement
2	that the witness file the written
3	statement.
4	(G) TECHNICAL ASSISTANCE.—Upon writ-
5	ten request of the co-chairs of a Rescue Com-
6	mittee, the head of a Federal agency shall pro-
7	vide technical assistance to the Rescue Com-
8	mittee in order for the Rescue Committee to
9	carry out the duties of the Rescue Committee.
10	(b) Staff of Rescue Committee.—
11	(1) In general.—The co-chairs of a Rescue
12	Committee may jointly appoint and fix the com-
13	pensation of staff of the Rescue Committee as the
14	co-chairs determine necessary, in accordance with
15	the guidelines, rules, and requirements relating to
16	employees of the Senate.
17	(2) ETHICAL STANDARDS.—
18	(A) Senate.—Members of the Senate who
19	serve on a Rescue Committee and staff of the
20	Rescue Committee shall adhere to the ethics
21	rules of the Senate.
22	(B) House of representatives.—Mem-
23	bers of the House of Representatives who serve
24	on a Rescue Committee shall be governed by

1	the ethics rules and requirements of the House
2	of Representatives.
3	(c) Termination.—Each Rescue Committee shall
4	terminate on the day after the date of the sine die ad-
5	journment of the 116th Congress.
6	SEC. 5. EXPEDITED CONSIDERATION OF RESCUE COM-
7	MITTEE BILLS.
8	(a) QUALIFYING LEGISLATION.—Only a Rescue
9	Committee bill shall be entitled to expedited consideration
10	under this section.
11	(b) Consideration in the House of Represent-
12	ATIVES.—
13	(1) Introduction.—If a Rescue Committee
14	approves and submits legislative language under
15	clauses (i) and (vi), respectively, of section
16	4(a)(3)(B), a Rescue Committee bill consisting solely
17	of that legislative language may be introduced in the
18	House of Representatives (by request)—
19	(A) by the majority leader of the House of
20	Representatives, or by a Member of the House
21	of Representatives designated by the majority
22	leader of the House of Representatives, on the
23	next legislative day; or
24	(B) if the Rescue Committee bill is not in-
25	troduced under subparagraph (A), by any Mem-

ber of the House of Representatives on any legislative day beginning on the legislative day after the legislative day described in subparagraph (A).

> (2) Referral and Reporting.—Any committee of the House of Representatives to which a Rescue Committee bill is referred shall report the Rescue Committee bill to the House of Representatives without amendment not later than 10 legislative days after the date on which the Rescue Committee bill was so referred. If a committee of the House of Representatives fails to report a Rescue Committee bill within that period, it shall be in order to move that the House of Representatives discharge the committee from further consideration of the Rescue Committee bill. Such a motion shall not be in order after the last committee authorized to consider the Rescue Committee bill reports it to the House of Representatives or after the House of Representatives has disposed of a motion to discharge the Rescue Committee bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except 20 minutes of debate equally divided and controlled by the proponent and an opponent. If such a motion is

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- adopted, the House of Representatives shall proceed immediately to consider the Rescue Committee bill in accordance with paragraphs (3) and (4). A motion to reconsider the vote by which the motion is disposed of shall not be in order.
 - (3) Proceeding to consideration.—After the last committee authorized to consider a Rescue Committee bill reports it to the House of Representatives or has been discharged (other than by motion) from its consideration, it shall be in order to move to proceed to consider the Rescue Committee bill in the House of Representatives. Such a motion shall not be in order after the House of Representatives has disposed of a motion to proceed with respect to the Rescue Committee bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.
 - (4) Consideration.—The Rescue Committee bill shall be considered as read. All points of order against the Rescue Committee bill and against its consideration are waived. The previous question shall be considered as ordered on the Rescue Committee bill to its passage without intervening motion

- except 2 hours of debate equally divided and controlled by the proponent and an opponent and 1 motion to limit debate on the Rescue Committee bill. A motion to reconsider the vote on passage of the Rescue Committee bill shall not be in order.
 - (5) Vote on Passage.—The vote on passage of the Rescue Committee bill shall occur not later than 3 legislative days after the date on which the last committee authorized to consider the Rescue Committee bill reports it to the House of Representatives or is discharged.

(c) Expedited Procedure in the Senate.—

- (1) Introduction in the senate.—If a Rescue Committee approves and submits legislative language under clauses (i) and (vi), respectively, of section 4(a)(3)(B), a Rescue Committee bill consisting solely of that legislative language may be introduced in the Senate (by request)—
 - (A) by the majority leader of the Senate, or by a Member of the Senate designated by the majority leader of the Senate, on the next day on which the Senate is in session; or
 - (B) if the Rescue Committee bill is not introduced under subparagraph (A), by any Member of the Senate on any day on which the Sen-

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ate is in session beginning on the day after the day described in subparagraph (A).

- Committee bill introduced in the Senate under paragraph (1) shall be jointly referred to the committee or committees of jurisdiction, which committees shall report the Rescue Committee bill without any revision and with a favorable recommendation, an unfavorable recommendation, or without recommendation, not later than 10 session days after the date on which the Rescue Committee bill was so referred. If any committee to which a Rescue Committee bill is referred fails to report the Rescue Committee bill within that period, that committee shall be automatically discharged from consideration of the Rescue Committee bill, and the Rescue Committee bill shall be placed on the appropriate calendar.
- (3) PROCEEDING.—Notwithstanding rule XXII of the Standing Rules of the Senate, it is in order, not later than 2 days of session after the date on which a Rescue Committee bill is reported or discharged from all committees to which the Rescue Committee bill was referred, for the majority leader of the Senate or the designee of the majority leader to move to proceed to the consideration of the Res-

1 cue Committee bill. It shall also be in order for any 2 Member of the Senate to move to proceed to the 3 consideration of the Rescue Committee bill at any time after the conclusion of such 2-day period. A 5 motion to proceed is in order even though a previous 6 motion to the same effect has been disagreed to. All 7 points of order against the motion to proceed to the 8 Rescue Committee bill are waived. The motion to 9 proceed is not debatable. The motion is not subject 10 to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed 12 to shall not be in order. If a motion to proceed to 13 the consideration of the Rescue Committee bill is 14 agreed to, the Rescue Committee bill shall remain 15 the unfinished business until disposed of. All points 16 of order against a Rescue Committee bill and 17 against consideration of the Rescue Committee bill 18 are waived.

- (4) NO AMENDMENTS.—An amendment to a Rescue Committee bill, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the Rescue Committee bill, is not in order.
- (5) Rulings of the chair on procedure.— Appeals from the decisions of the Chair relating to

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1	the application of the rules of the Senate, as the
2	case may be, to the procedure relating to a Rescue
3	Committee bill shall be decided without debate.
4	(d) AMENDMENT.—A Rescue Committee bill shall not
5	be subject to amendment in either the Senate or the
6	House of Representatives.
7	(e) Consideration by the Other House.—
8	(1) In general.—If, before passing a Rescue
9	Committee bill, a House receives from the other
10	House a Rescue Committee bill consisting of legisla-
11	tive language approved by the same Rescue Com-
12	mittee as the Rescue Committee bill in the receiving
13	House—
14	(A) the Rescue Committee bill of the other
15	House shall not be referred to a committee; and
16	(B) the procedure in the receiving House
17	shall be the same as if no Rescue Committee
18	bill had been received from the other House
19	until the vote on passage, when the Rescue
20	Committee bill received from the other House
21	shall supplant the Rescue Committee bill of the
22	receiving House.
23	(2) REVENUE MEASURES.—This subsection
24	shall not apply to the House of Representatives if a

- Rescue Committee bill received from the Senate is a revenue measure.
- 3 (f) Rules To Coordinate Action With Other4 House.—
 - (1) Treatment of rescue committee bill is not introduced in the Senate or the Senate fails to consider a Rescue Committee bill under this section, the Rescue Committee bill of the House of Representatives consisting of legislative language approved by the same Rescue Committee as the Rescue Committee bill in the Senate shall be entitled to expedited floor procedures under this section.
 - (2) TREATMENT OF COMPANION MEASURES IN THE SENATE.—If, following passage of a Rescue Committee bill in the Senate, the Senate then receives from the House of Representatives a Rescue Committee bill approved by the same Rescue Committee and consisting of the same legislative language as the Senate-passed Rescue Committee bill, the House-passed Rescue Committee bill shall not be debatable. The vote on passage of the Rescue Committee bill in the Senate shall be considered to be the vote on passage of the Rescue Committee bill received from the House of Representatives.

1	(3) Vetoes.—If the President vetoes a Rescue
2	Committee bill, consideration of a veto message in
3	the Senate under this paragraph shall be 10 hours
4	equally divided between the majority and minority
5	leaders of the Senate or the designees of the major-
6	ity and minority leaders of the Senate.
7	SEC. 6. FUNDING.
8	Funding for each Rescue Committee shall be derived
9	in equal portions from—
10	(1) the contingent fund of the Senate from the
11	appropriations account "Miscellaneous Items", sub-
12	ject to the rules and regulations of the Senate; and
13	(2) the applicable accounts of the House of
14	Representatives.
15	SEC. 7. RULEMAKING.
16	The provisions of this Act are enacted by Congress—
17	(1) as an exercise of the rulemaking power of
18	the Senate and the House of Representatives, re-
19	spectively, and, as such, the provisions—
20	(A) shall be considered as part of the rules
21	of each House, respectively, or of that House to
22	which they specifically apply; and
23	(B) shall supersede other rules only to the
24	extent that they are inconsistent therewith; and

1 (2) with full recognition of the constitutional 2 right of either House to change such rules (so far 3 as relating to such House) at any time, in the same 4 manner, and to the same extent as in the case of 5 any other rule of such House.

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