

RULES OF PROCEDURE
OF THE
COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES
OF THE
UNITED STATES

112TH CONGRESS
2011–2012



Printed for the use of the Committee on the Budget

U.S. GOVERNMENT PRINTING OFFICE

67–134 PDF

WASHINGTON : 2011

CONTENTS

GENERAL APPLICABILITY

	Page
1. Applicability of House Rules	1
MEETINGS	
2. Regular meetings	1
3. Additional and special meetings	1
4. Open business meetings	2
5. Quorums	2
6. Recognition	2
7. Consideration of business	2
8. Availability of legislation	2
9. Procedure for consideration of budget resolution	3
10. Roll call votes	3
HEARINGS	
11. Announcement of hearings	3
12. Open hearings	3
13. Quorums	4
14. Questioning witnesses	4
15. Subpoenas and oaths	4
16. Witnesses' statements	4
PRINTS AND PUBLICATIONS	
17. Committee prints	5
18. Committee publications on the Internet	5
STAFF	
19. Committee staff	5
20. Staff supervision	5
RECORDS	
21. Preparation and maintenance of committee records	6
22. Access to committee records	6
OVERSIGHT	
23. General oversight	6
REPORTS	
24. Availability before filing	7
25. Report on the budget resolution	7
26. Parliamentarian's Status Report and Section 302 Status Report	7
27. Activity report	8
MISCELLANEOUS	
28. Broadcasting of meetings and hearings	8
29. Appointment of conferees	8
30. Waivers	9

GENERAL APPLICABILITY

Rule 1—Applicability of House Rules

(a) Except as otherwise specified herein, the Rules of the House are the rules of the Committee so far as applicable, except that a motion to recess from day to day, or a motion to recess subject to the call of the Chair (within 24 hours), or a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, is a non-debatable motion of privilege in the Committee. A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day).

(b) The Committee's rules shall be publicly available in electronic form and published in the Congressional Record not later than 30 days after the Chair of the Committee is elected in each odd-numbered year.

MEETINGS

Rule 2—Regular meetings

(a) The regular meeting day of the Committee shall be the second Wednesday of each month at 11 a.m., while the House is in session.

(b) The Chairman is authorized to dispense with a regular meeting when the Chairman determines there is no business to be considered by the Committee.

(c) Regular meetings shall be canceled when they conflict with meetings of either party's caucus or conference.

(d) The Chairman shall give written notice of the date, place, and subject matter of any Committee meeting, which may not commence earlier than the third day on which members have notice thereof, unless the Chairman, with the concurrence of the Ranking Minority Member, or the Committee by majority vote with a quorum present for the transaction of business, determines there is good cause to begin the hearing sooner, in which case the Chair shall make the announcement at the earliest possible date. An announcement shall be published promptly in the Daily Digest and made publicly available in electronic form.

Rule 3—Additional and special meetings

(a) The Chairman may call and convene additional meetings of the Committee as the Chairman considers necessary, or special meetings at the request of a majority of the members of the Committee in accordance with House Rule XI, clause 2(c).

(b) In the absence of exceptional circumstances, the Chairman shall provide written notice of additional meetings to the office of each member at least 24 hours in advance while Congress is in ses-

sion, and at least 3 days in advance when Congress is not in session.

Rule 4—Open business meetings

(a) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the member designated by the Chair as the Vice Chair of the Committee, or by the Ranking majority member of the Committee present as Acting Chair.

(b) Each meeting for the transaction of Committee business, including the markup of measures, shall be open to the public except when the Committee, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed to the public in accordance with House Rule XI, clause 2(g)(1).

(c) No person, other than members of the Committee and such congressional staff and departmental representatives as the Committee may authorize, shall be present at any business or markup session which has been closed to the public.

(d) Not later than 24 hours after commencing a meeting to consider a measure or matter, the Chair of the Committee shall cause the text of such measure or matter and any amendment adopted thereto to be made publicly available in electronic form.

Rule 5—Quorums

A majority of the Committee shall constitute a quorum. No business shall be transacted and no measure or recommendation shall be reported unless a quorum is actually present.

Rule 6—Recognition

Any member, when recognized by the Chairman, may address the Committee on any bill, motion, or other matter under consideration before the Committee. The time of such member shall be limited to 5 minutes until all members present have been afforded an opportunity to comment.

Rule 7—Consideration of business

Measures or matters may be placed before the Committee, for its consideration, by the Chairman or by a majority vote of the Committee members, a quorum being present.

Rule 8—Availability of legislation

(a) The Committee shall consider no bill, joint resolution, or concurrent resolution unless copies of the measure have been made available to all Committee members at least 24 hours prior to the time at which such measure is to be considered. When considering concurrent resolutions on the budget, this requirement shall be satisfied by making available copies of the complete Chairman's mark (or such material as will provide the basis for Committee consideration). The provisions of this rule may be suspended with the concurrence of the Chairman and Ranking Minority Member.

(b) At least 24 hours prior to the commencement of a meeting for the markup of legislation the Chair shall cause the text of such legislation to be made publicly available in electronic form.

Rule 9—Procedure for consideration of budget resolution

(a) It shall be the policy of the Committee that the starting point for any deliberations on a concurrent resolution on the budget should be the estimated or actual levels for the fiscal year preceding the budget year.

(b) In the consideration of a concurrent resolution on the budget, the Committee shall first proceed, unless otherwise determined by the Committee, to consider budget aggregates, functional categories, and other appropriate matters on a tentative basis, with the document before the Committee open to amendment. Subsequent amendments may be offered to aggregates, functional categories, or other appropriate matters, which have already been amended in their entirety.

(c) Following adoption of the aggregates, functional categories, and other matters, the text of a concurrent resolution on the budget incorporating such aggregates, functional categories, and other appropriate matters shall be considered for amendment and a final vote.

Rule 10—Roll call votes

(a) A roll call of the members may be had upon the request of at least one-fifth of those present. In the apparent absence of a quorum, a roll call may be had on the request of any member.

(b) No vote may be conducted on any measure or motion pending before the Committee unless a quorum is present for such purpose.

(c) No vote by any member of the Committee on any measure or matter may be cast by proxy.

(d) In accordance with clause 2(e)(1)(B) of rule XI, a record of the vote of each Committee member on each recorded vote shall be available for public inspection at the offices of the Committee and also made publicly available in electronic form within 48 hours of such record vote, and, with respect to any roll call vote on any motion to amend or report, shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those members voting for and against.

HEARINGS

Rule 11—Announcement of hearings

The Chairman shall make a public announcement of the date, place, and subject matter of any Committee hearing at least 1 week before the hearing, beginning with the day in which the announcement is made and ending the day preceding the scheduled hearing unless the Chairman, with the concurrence of the Ranking Minority Member, or the Committee by majority vote with a quorum present for the transaction of business, determines there is good cause to begin the hearing sooner, in which case the Chairman shall make the announcement at the earliest possible date. Such announcement shall be published promptly in the Daily Digest and made publicly available in electronic form.

Rule 12—Open hearings

(a) Each hearing conducted by the Committee or any of its task forces shall be open to the public except when the Committee or

task force, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security, or would compromise sensitive law enforcement information, or would tend to defame, degrade, or incriminate any person, or would violate any law or rule of the House of Representatives. The Committee or task forces may by the same procedure vote to close one subsequent day of hearing.

(b) For the purposes of House Rule XI, clause 2(g)(2), the task forces of the Committee are considered to be subcommittees.

Rule 13—Quorums

For the purpose of hearing testimony, not less than two members of the Committee shall constitute a quorum.

Rule 14—Questioning witnesses

(a) Questioning of witnesses will be conducted under the 5-minute rule unless the Committee adopts a motion pursuant to House Rule XI clause 2(j).

(b) In questioning witnesses under the 5-minute rule:

(1) First, the Chairman and the Ranking Minority Member shall be recognized;

(2) Next, the Committee members present at the time the hearing is called to order shall be recognized in order of seniority; and

(3) Finally, the Committee members not present at the time the hearing is called to order may be recognized in the order of their arrival at the hearing.

(c) In recognizing Committee members to question witnesses, the Chairman may take into consideration the ratio of majority members to minority members and the number of majority and minority members present and shall apportion the recognition for questioning in such a manner as not to disadvantage the members of the majority.

(d) Notwithstanding the provisions of subparagraph (A), the Chair and Ranking Minority Member may designate an equal number of members from each party to question a witness for a period not longer than 30 minutes, or may designate staff from each party to question a witness for a period not longer than 30 minutes.

Rule 15—Subpoenas and oaths

(a) In accordance with House Rule XI, clause 2(m) subpoenas authorized by a majority of the Committee or by the Chair (pursuant to such rules and limitations as the Committee may prescribe) may be issued over the signature of the Chairman or of any member of the Committee designated by him, and may be served by any person designated by the Chairman or such member.

(b) The Chairman, or any member of the Committee designated by the Chairman, may administer oaths to witnesses.

Rule 16—Witnesses' statements

(a) So far as practicable, any prepared statement to be presented by a witness shall be submitted to the Committee at least 24 hours

in advance of presentation, and shall be distributed to all members of the Committee in advance of presentation.

(b) To the greatest extent possible, each witness appearing in a nongovernmental capacity shall include with the written statement of proposed testimony a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or sub-grant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(c) Such statements, with appropriate redactions to protect the privacy of witnesses, shall be made publicly available in electronic form not later than one day after the witness appears.

PRINTS AND PUBLICATIONS

Rule 17—Committee Prints

All Committee prints and other materials prepared for public distribution shall be approved by the Committee prior to any distribution, unless such print or other material shows clearly on its face that it has not been approved by the Committee.

Rule 18—Committee publications on the Internet

To the maximum extent feasible, the Committee shall make its publications available in electronic form.

STAFF

Rule 19—Committee staff

(a) Subject to approval by the Committee, and to the provisions of the following paragraphs, the professional and clerical staff of the Committee shall be appointed, and may be removed, by the Chairman.

(b) Committee staff shall not be assigned any duties other than those pertaining to Committee business, and shall be selected without regard to race, creed, gender, or age, and solely on the basis of fitness to perform the duties of their respective positions.

(c) All Committee staff shall be entitled to equitable treatment, including comparable salaries, facilities, access to official Committee records, leave, and hours of work.

(d) Notwithstanding paragraphs a, b, and c, staff shall be employed in compliance with House rules, the Employment and Accountability Act, the Fair Labor Standards Act of 1938, and any other applicable Federal statutes.

Rule 20—Staff supervision

(a) Staff shall be under the general supervision and direction of the Chairman, who shall establish and assign their duties and responsibilities, delegate such authority as he deems appropriate, fix and adjust staff salaries (in accordance with House Rule X, clause 9(c)) and job titles, and, at his discretion, arrange for their specialized training.

(b) Staff assigned to the minority shall be under the general supervision and direction of the minority members of the Committee, who may delegate such authority, as they deem appropriate.

RECORDS

Rule 21—Preparation and maintenance of committee records

(a) A substantially verbatim account of remarks actually made during the proceedings shall be made of all hearings and business meetings subject only to technical, grammatical, and typographical corrections.

(b) The proceedings of the Committee shall be recorded in a journal, which shall among other things, include a record of the votes on any question on which a record vote is demanded.

(c) Members of the Committee shall correct and return transcripts of hearings as soon as practicable after receipt thereof, except that any changes shall be limited to technical, grammatical, and typographical corrections.

(d) Any witness may examine the transcript of his own testimony and make grammatical, technical, and typographical corrections.

(e) The Chairman may order the printing of a hearing record without the corrections of any member or witness if he determines that such member or witness has been afforded a reasonable time for correction, and that further delay would seriously impede the Committee's responsibility for meeting its deadlines under the Congressional Budget Act of 1974.

(f) Transcripts of hearings and meetings may be printed if the Chairman decides it is appropriate, or if a majority of the members so request.

Rule 22—Access to committee records

(a) (1) The Chairman shall promulgate regulations to provide for public inspection of roll call votes and to provide access by members to Committee records (in accordance with House Rule XI, clause 2(e)).

(2) Access to classified testimony and information shall be limited to Members of Congress and to House Budget Committee staff and staff of the Office of Official Reporters who have appropriate security clearance.

(3) Notice of the receipt of such information shall be sent to the Committee members. Such information shall be kept in the Committee safe, and shall be available to members in the Committee office.

(b) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee.

OVERSIGHT

Rule 23—General oversight

(a) The Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of

those laws, or parts of laws, the subject of which is within its jurisdiction.

(b) The Committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under clause (1)(d) of Rule X of the Rules of the House, and, subject to the adoption of expense resolutions as required by clause 6 of Rule X, to incur expenses (including travel expenses) in connection therewith.

(c) Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Oversight & Government Reform in accordance with the provisions of clause (2)(d) of House Rule X.

REPORTS

Rule 24—Availability before filing

(a) Any report accompanying any bill or resolution ordered reported to the House by the Committee shall be available to all Committee members at least 36 hours prior to filing with the House.

(b) No material change shall be made in any report made available to members pursuant to section (a) without the concurrence of the Ranking Minority Member or by a majority vote of the Committee.

(c) Notwithstanding any other rule of the Committee, either or both subsections (a) and (b) may be waived by the Chairman or with a majority vote by the Committee.

Rule 25—Report on the budget resolution

The report of the Committee to accompany a concurrent resolution on the budget shall include a comparison of the estimated or actual levels for the year preceding the budget year with the proposed spending and revenue levels for the budget year and each out year along with the appropriate percentage increase or decrease for each budget function and aggregate. The report shall include any roll call vote on any motion to amend or report any measure.

Rule 26—Parliamentarian's Status Report and Section 302 Status Report

(a) (1) In order to carry out its duty under sections 311 and 312 of the Congressional Budget Act to advise the House of Representatives as to the current level of spending and revenues as compared to the levels set forth in the latest agreed-upon concurrent resolution on the budget, the Committee shall advise the Speaker on at least a monthly basis when the House is in session as to its estimate of the current level of spending and revenue. Such estimates shall be prepared by the staff of the Committee, transmitted to the Speaker in the form of a Parliamentarian's Status Report, and printed in the Congressional Record.

(2) The Committee authorizes the Chairman, in consultation with the Ranking Minority Member, to transmit to the Speaker the Parliamentarian's Status Report described above.

(b) (1) In order to carry out its duty under sections 302 and 312 of the Congressional Budget Act to advise the House of Representative as to the current level of spending within the jurisdiction of Committees as compared to the appropriate allocations made pursuant to the Budget Act in conformity with the latest agreed-upon concurrent resolution on the budget, the Committee shall, as necessary, advise the Speaker as to its estimate of the current level of spending within the jurisdiction of appropriate Committees. Such estimates shall be prepared by the staff of the Committee and transmitted to the Speaker in the form of a Section 302 Status Report.

(2) The Committee authorizes the Chairman, in consultation with the Ranking Minority Member, to transmit to the Speaker the Section 302 Status Report described above.

Rule 27—Activity report

(a) After an adjournment of the last regular session of a Congress sine die, the Chair of the Committee may file any time with the Clerk the Committee's activity report for that Congress pursuant to clause (1)(d)(1) of rule XI of the Rules of the House without the approval of the Committee, if a copy of the report has been available to each member of the Committee for at least seven calendar days and the report includes any supplemental, minority, or additional views submitted by a member of the Committee.

(b) Not later than the 30th day after June 1 and December 1, the Committee shall submit to the House a semiannual report on the activities of the Committee. After adjournment sine die of a regular session of Congress, or after December 15, whichever occurs first, the Chair may file the second or fourth semiannual report with the Clerk at any time and without approval of the Committee, provided that a copy of the report has been available to each member of the Committee for at least seven calendar days and the report includes any supplemental, minority, or additional views submitted by a member of the Committee.

MISCELLANEOUS

Rule 28—Broadcasting of meetings and hearings

(a) It shall be the policy of the Committee to give all news media access to open hearings of the Committee, subject to the requirements and limitations set forth in House Rule XI, clause 4.

(b) Whenever any Committee business meeting is open to the public, that meeting may be covered, in whole or in part, by television broadcast, radio broadcast, still photography, or by any of such methods of coverage, in accordance with House Rule XI, clause 4.

Rule 29—Appointment of conferees

(a) Majority party members recommended to the Speaker as conferees shall be recommended by the Chairman subject to the approval of the majority party members of the Committee.

(b) The Chairman shall recommend such minority party members as conferees as shall be determined by the minority party; the recommended party representation shall be in approximately the same proportion as that in the Committee.

Rule 30—Waivers

When a reported bill or joint resolution, conference report, or anticipated floor amendment violates any provision of the Congressional Budget Act of 1974, the Chairman may, if practical, consult with the Committee members on whether the Chairman should recommend, in writing, that the Committee on Rules report a special rule that enforces the Act by not waiving the applicable points of order during the consideration of such measure.