

RULE X.

ESTABLISHMENT AND JURISDICTION OF STANDING COMMITTEES.

The Committees and Their Jurisdiction

1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned to it by this clause and clauses 2, 3, and 4; and all bills, resolutions, and other matters relating to subjects within the jurisdiction of any standing committee as listed in this clause shall (in accordance with and subject to clause 5) be referred to such committees, as follows:

§ 669. Number and jurisdiction of standing committees.

Under the Legislative Reorganization Act of 1946 (60 Stat. 812), the 44 committees of the 79th Congress were consolidated into 19, effective January 2, 1947. The total number of standing committees grew over time with the creation of the Committee on Science and Astronautics (now the Committee on Science), established on July 21, 1958 (p. 14513); the Committee on Standards of Official Conduct, established on April 13, 1967 (p. 9425); the Committee on the Budget, established on July 12, 1974, by the Congressional Budget Act of 1974 (88 Stat. 297); and the Committee on Small Business, established as a standing committee effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). The Committee on Internal Security was abolished in the 94th Congress (H. Res. 5, Jan. 14, 1975, p. 20) thereby setting the total number of standing committees at 22.

The 104th Congress reduced the total number to 19 by abolishing the Committees on the District of Columbia, Merchant Marine and Fisheries, and Post Office and Civil Service (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —). Matters formerly in the jurisdiction of the Committees on the District of Columbia and Post Office and Civil Service were transferred to the Committee on Government Reform and Oversight (formerly Government Operations); and matters formerly in the jurisdiction of the Committee on Merchant Marine and Fisheries were transferred to the Committees on Resources (formerly Natural Resources), Transportation and Infrastructure (formerly Public Works and Transportation), National Security (for-

merly Armed Services), and Science (formerly Science, Space, and Technology (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —)).

A Permanent Select Committee on Intelligence was established on July 14, 1977, and is now carried in rule XLVIII. A permanent Select Committee on Aging was added to clause 6 of this rule effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470) until stricken in the 103d Congress (H. Res. 5, Jan. 5, 1993, p. —).

Although earlier forms of the rule specified the number of Members comprising each of the standing committees, those specifications were eliminated in the 93d Congress, leaving to the House the authority to establish the sizes of committees by the numbers elected to each standing committee pursuant to clause 6(a)(1) of rule X. The rules still specify part of the composition of the Committee on the Budget (clause 1(d)(1) of rule X) as well as the overall size and preferred composition of the Permanent Select Committee on Intelligence (clause 1(a) of rule XLVIII).

The rule is mandatory on the Speaker in referring public bills and on Members in referring private bills and petitions under rule XXII, but when the House itself refers a bill it may send it to any committee without regard to the rules of jurisdiction (IV, 4375; V, 5527; VII, 2131) and jurisdiction is thereby conferred (IV, 4362–4364; VII, 2105). Motions for change of reference of public bills and resolutions must be authorized either by the committee claiming jurisdiction (clause 4 of rule XXII; VII, 2121; Feb. 13, 1918, p. 2070; Jan. 10, 1941, p. 100) or by report of the committee to which the erroneous reference was made (clause 4 of rule XXII), must be made immediately following the reading of the Journal (VII, 1809, 2119, 2120), must apply to a single bill and not to a class of bills (VII, 2125), must apply to a bill erroneously referred (VII, 2125), may be amended (VII, 2127), may not be divided (VII, 2125); and may not be debated (VII, 2126, 2128), but are not in order on Calendar Wednesday (VII, 2117), and are not privileged if the original reference was not erroneous (VII, 2125). The re-referral of most bills is accomplished by unanimous consent (see Procedure, ch. 17, sec. 17–38).

Prior to the 94th Congress, a bill could not be divided among two or more committees, even though it might contain matters properly within the jurisdiction of several committees (IV, 4372). The Committee Reform Amendments of 1974 added clause 5 of rule X, permitting the Speaker to refer any matter to more than one committee (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). Clause 5 was amended in the 104th Congress to require the Speaker to designate a primary committee among those to which a matter is initially referred (sec. 205, H. Res. 6, Jan. 4, 1995, p. —).

A committee having jurisdiction of a subject by means of a petition (IV, 3365) properly referred (IV, 4361) can report on the subject thereof. It has generally been held that a committee may not report a bill whereof the subject matter has not been referred to it by the House (IV, 4355–4360, 4372; VII, 1029, 2101, 2102). Where a House bill is returned from

the Senate with a substitute amendment relating to a new and different subject, the reference could nevertheless be to the committee having jurisdiction of the original bill (IV, 4373, 4374); normally, however such amended measures are held at the Speaker's table until disposed of by the House. The erroneous reference of a public bill under this rule, if it remain uncorrected, gives jurisdiction (IV, 4365–4371; VII, 2108), but such is not the case with a private bill or petition (IV, 3364, 4382–4389) unless the reference be made by action of the House itself (IV, 4390, 4391; VII 2131). A point of order as to the reference of a private bill is good when the bill comes up for consideration, either in the House or in Committee of the Whole (IV, 4382–4389; VII, 2116, 2132; VIII, 2262) or at any time prior to passage (VII, 2116). The reference of a bill to a committee involving the same subject matter as a bill previously reported confers jurisdiction anew upon the committee to consider and report the bill subsequently introduced (VIII, 2311).

Clause 2 of rule XXII prohibits the reception or consideration of certain private bills relating to claims, pensions, construction of bridges, correction of military or naval records, etc. The clause was expanded in the 104th Congress to prohibit introduction or consideration of any bill or resolution expressing a commemoration by designation of a specified period of time (sec. 216, H. Res. 6, Jan. 4, 1995, p. —).

(a) Committee on Agriculture.

- (1) Adulteration of seeds, insect pests, and protection of birds and animals in forest reserves.
- (2) Agriculture generally.
- (3) Agricultural and industrial chemistry.
- (4) Agricultural colleges and experiment stations.
- (5) Agricultural economics and research.
- (6) Agricultural education extension services.
- (7) Agricultural production and marketing and stabilization of prices of agricultural products, and commodities (not including distribution outside of the United States).
- (8) Animal industry and diseases of animals.
- (9) Commodities exchanges.
- (10) Crop insurance and soil conservation.

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- (11) Dairy industry.
- (12) Entomology and plant quarantine.
- (13) Extension of farm credit and farm security.
- (14) Inspection of livestock, and poultry, and meat products, and seafood and seafood products.
- (15) Forestry in general, and forest reserves other than those created from the public domain.
- (16) Human nutrition and home economics.
- (17) Plant industry, soils, and agricultural engineering.
- (18) Rural electrification.
- (19) Rural development.
- (20) Water conservation related to activities of the Department of Agriculture.

This Committee was established in 1820 (IV, 4149). In 1880 the subject of forestry was added to its jurisdiction, and the Committee was conferred authority to receive estimates of and to report appropriations (IV, 4149). However, on July 1, 1920, authority to report appropriations for the Department of Agriculture was transferred to the Committee on Appropriations (VII, 1860).

The basic form of the present jurisdictional statement was made effective January 2, 1947, as a part of the Legislative Reorganization Act of 1946 (60 Stat. 812). Subparagraph (7) was altered by the 93d Congress, effective January 3, 1975, to include jurisdiction over agricultural commodities (including the Commodity Credit Corporation) while transferring jurisdiction over foreign distribution and nondomestic production of commodities to the Committee on International Relations (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). Nevertheless, the Committee has retained a limited jurisdiction over measures to release CCC stocks for such foreign distribution (Sept. 14, 1989, p. 20428). Previously unstated jurisdictions over commodities exchanges and rural development were codified effective January 3, 1975.

The 104th Congress consolidated the Committee's jurisdiction over inspection of livestock and meat products to include inspection of poultry, seafood, and seafood products, and added subparagraph (20) relating to water conservation (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —).

The Committee has had jurisdiction of bills for establishing and regulating the Department of Agriculture (IV, 4150), for inspection of livestock and meat products, regulation of animal industry, diseases of animals (IV, 4154; VII, 1862), adulteration of seeds, insect pests, protection of birds and animals in forest reserves (IV, 4157; VII, 1870), the improvement of the breed of horses, even with the cavalry service in view (IV, 4158; VII, 1865).

The Committee, having charge of the general subject of forestry, has reported bills relating to timber, and forest reserves other than those created from the public domain (IV, 4160). It has also exercised jurisdiction of bills: relating to agricultural colleges and experiment stations (IV, 4152), incorporation of agricultural societies (IV, 4159), and establishment of a highway commission (IV, 4153); to discourage fictitious and gambling transactions in farm products (IV, 4161; VII, 1861); to regulate the transportation, sale, and handling of dogs and cats intended for use in research and the licensing of animal research facilities (July 29, 1965, p. 18691); and to designate an agricultural research center (May 14, 1996, p. —). The Committee shares with the Committee on the Judiciary original jurisdiction over a bill comprehensively amending the Immigration and Nationality Act and including food stamp eligibility requirements for aliens (Sept. 19, 1995, p. —).

The House referred the President's message dealing with the refinancing of farm-mortgage indebtedness to the Committee, thus conferring jurisdiction (Apr. 4, 1933, p. 1209).

The Committee has jurisdiction over a bill relating solely to executive level positions in the Department of Agriculture (Mar. 2, 1976, p. 4958) and has jurisdiction over bills to develop land and water conservation programs on private and non-Federal lands (June 7, 1976, p. 16768).

(b) Committee on Appropriations.

- (1) Appropriation of the revenue for the support of the Government.
- (2) Rescissions of appropriations contained in appropriation Acts.
- (3) Transfers of unexpended balances.
- (4) The amount of new authority to enter into contracts under which the United States is obligated to make outlays, the budget authority for which is not provided in advance by appropriation Acts; new authority to incur in-

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debtedness (other than indebtedness [in]¹ incurred under chapter 31 of title 31 of the United States Code) for the repayment of which the United States is liable, the budget authority for which is not provided in advance by appropriation Acts; new entitlement authority as defined in section 3(9) of the Congressional Budget Act of 1974, including bills and resolutions (reported by other committees) which provide new entitlement authority as defined in section 3(9) of the Congressional Budget Act of 1974 and are referred to the committee under clause 4(a); authority to forego the collection by the United States of proprietary offsetting receipts, the budget authority for which is not provided in advance by appropriation Acts to offset such foregone receipts; and authority to make payments by the United States (including loans, grants, and payments from revolving funds) other than those covered by this subparagraph, the budget authority for which is not provided in advance by appropriation Acts.

The committee shall include separate headings for “Rescissions” and “Transfers of Unexpended Balances” in any bill or resolution as reported from the committee under its jurisdiction specified in subparagraph (2) or (3), with all proposed rescissions and proposed transfers listed therein; and shall include a separate section with respect

¹ Section 10116(a)(6) of Public Law 105–33 amended this provision as shown above. However, the word “in” probably should not have appeared in the matter proposed to be inserted by that public law.

to such rescissions or transfers in the accompanying committee report. In addition to its jurisdiction under the preceding provisions of this paragraph, the committee shall have the fiscal oversight function provided for in clause 2(b)(3) and the budget hearing function provided for in clause 4(a).

This Committee was established in 1865, when all the general appropriation bills were confided to its care. In 1885 a portion of the bills were distributed to other committees. On July 1, 1920, the Committee again was given jurisdiction over all appropriations by an amendment to the rules adopted June 1, 1920 (VII, 1741).

Effective July 12, 1974, special Presidential messages on rescissions and deferrals of budget authority submitted pursuant to sections 1012 and 1013 of the Impoundment Control Act of 1974 (2 U.S.C. 683-4), as well as rescission bills and impoundment resolutions defined in section 1011 (2 U.S.C. 682) and required in section 1017 (2 U.S.C. 688) to be referred to the "appropriate" committee, are referred to the Committee on Appropriations if the proposed rescissions or deferrals involve funds already appropriated or obligated. Also effective July 12, 1974, the Congressional Budget Act of 1974 (sec. 404(a); 88 Stat. 320) added to the Committee's jurisdiction, and later perfected by the Committee Reform Amendments of 1974 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470), subparagraphs (2), (3), and (4).

In the 95th Congress this paragraph was amended to correct a typographical error (H. Res. 5, Jan. 4, 1977, p. 53). Subparagraph (4) was amended in the 105th Congress to conform to changes made by the Budget Enforcement Act of 1997 (sec. 10116, P.L. 105-33).

While this Committee has authority to report appropriations, the power to report legislation relating thereto belongs to other committees (IV, 4033; clause 2 of rule XXI), and a general appropriation bill reported from this Committee may not contain items of appropriation not authorized by law or provisions amending existing law (except retrenchments and rescissions of appropriations) (clause 2 of rule XXI), and may not contain reappropriations of unexpended balances except within agencies (clause 6 of rule XXI). General appropriation bills may not be considered in the House until reports and hearings have been available for three days (clause 7 of rule XXI), and other reports from the Committee likewise may not be considered until available for the time prescribed in clause 2(l)(6) of rule XI.

The authority to conduct studies and examinations of the organization and operation of executive departments and agencies was first given to this Committee on February 11, 1943 (p. 884); continued by resolution

of January 9, 1945 (p. 135); and incorporated into permanent law in section 202(b) of the Legislative Reorganization Act of 1946 (60 Stat. 812). This authority was first made part of the standing rules on January 3, 1953 (pp. 17, 24), and is now listed as a general oversight responsibility of the Committee in clause 2(b)(3) of rule X, effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). The Committee is also authorized and directed to hold hearings on the budget as a whole in open session within 30 days of its submission (clause 4(a)(1)(A) of rule X), and to study on a continuing basis provisions of law providing spending authority or permanent budget authority and to report to the House recommendations for terminating or modifying such provisions (clause 4(a)(3) of rule X). The requirement of section 139 of the Legislative Reorganization Act of 1946 (60 Stat. 812) that the Committees on Appropriations of the House and Senate develop a standard appropriation classification schedule was superseded by section 202(a) of the Legislative Reorganization Act of 1970 (84 Stat. 1167), which now imposes that responsibility upon the Secretary of the Treasury and the Office of Management and Budget. The further requirement of section 139 of the 1946 Act that the Appropriations Committees study existing permanent appropriations and recommend which, if any, should be discontinued was made the responsibility of all standing committees of the House by clauses 4(f)(1) and (2) of rule XI, through enactment of section 253 of the 1970 Act (84 Stat. 1175).

(c) Committee on Banking and Financial Services.

- (1) Banks and banking, including deposit insurance and Federal monetary policy.
- (2) Bank capital markets activities generally.
- (3) Depository institution securities activities generally, including the activities of any affiliates, except for functional regulation under applicable securities laws not involving safety and soundness.
- (4) Economic stabilization, defense production, renegotiation, and control of the price of commodities, rents, and services.
- (5) Financial aid to commerce and industry (other than transportation).

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(6) International finance.

(7) International financial and monetary organizations.

(8) Money and credit, including currency and the issuance of notes and redemption thereof; gold and silver, including the coinage thereof; valuation and revaluation of the dollar.

(9) Public and private housing.

(10) Urban development.

This Committee was established in 1865 as the Committee on Banking and Currency (IV, 4082). In the Committee Reform Amendments of 1974, effective January 3, 1975, its name was changed to Banking, Currency and Housing (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). In the 95th Congress its name was changed to Banking, Finance and Urban Affairs (H. Res. 5, Jan. 4, 1977, pp. 53–70). In the 104th Congress its name was changed to Banking and Financial Services (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —).

The Committee was given much of its present jurisdiction in the Legislative Reorganization Act of 1946 (60 Stat. 812), by which it absorbed the jurisdiction of the former Committee on Coinage, Weights, and Measures (created in 1864; IV, 4090), except jurisdiction over matters relating to the standardization of weights and measures and the metric system was given to the Committee on Interstate and Foreign Commerce and was later transferred to the Committee on Science and Astronautics (now Science) in the 85th Congress (H. Res. 580, July 21, 1958, p. 14513). In the 92d Congress jurisdiction over the impact on the economy of tax-exempt foundations and charitable trusts was transferred from the Subcommittee on Foundations of the Select Committee on Small Business, along with all that subcommittee's files, to this Committee (H. Res. 320, Apr. 27, 1971, p. 12081). Prior to the end of the 93d Congress, the Committee had legislative jurisdiction over the problems of small business under its general jurisdiction over financial aid to commerce and industry; but with the adoption of the Committee Reform Amendments of 1974, effective January 3, 1975, that jurisdiction was transferred to the standing Committee on Small Business, the permanent Select Committee on Small Business was abolished, and this Committee was specifically given jurisdiction over Federal monetary policy, money and credit, urban development, economic stabilization, defense production, and renegotiation (the latter matter formerly within the jurisdiction of the Committee on Ways and Means), international finance, and International Financial and Monetary organizations (formerly within the jurisdiction of the Committee on International Relations), while

jurisdiction over the Commodity Credit Corporation was transferred to the Committee on Agriculture, jurisdiction over export controls and international economic policy to the Committee on International Relations, jurisdiction over construction of nursing home facilities to what is now the Committee on Commerce, and jurisdiction over urban mass transportation to what is now the Committee on Transportation and Infrastructure (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). In the 104th Congress subparagraphs (2) and (3) were added (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —).

The Committee has reported on subjects relating to the strengthening of public credit, issues of notes, and state taxation and redemption thereof (IV, 4084), propositions to maintain the parity of the money of the United States (IV, 4089; VII, 1792), the issue of silver certificates as currency (IV, 4087, 4088), national banks and current deposits of public money (IV, 4083; VII, 1790), the incorporation of an international bank (IV, 4086), subjects relating to the Freedman's Bank (IV, 4085), and Federal Reserve system, farm loan act, home loan bills, stabilization of the dollar, War Finance Corporation, Federal Reserve Bank buildings (VII, 1793, 1795). The Committee has jurisdiction of bills providing consolidation of grant-in-aid programs for urban development (Mar. 18, 1970, p. 7887), bills providing for U.S. participation in the International Development Association (Mar. 9, 1960, p. 5046), bills to authorize GSA to acquire land in D.C. for transfer to the International Monetary Fund (May 1, 1962, p. 7428), bills relating to flood insurance (Dec. 4, 1975, p. 38701), and over an executive communication proposing regulations for college housing programs (notwithstanding that the requirement for such regulations was contained in higher education legislation reported from the Committee on Education and Labor) (June 15, 1982, p. 13638).

(d)(1) Committee on the Budget, consisting of the following Members:

- § 673a. Budget,
Composition of.
- (A) Members who are members of other standing committees, including five Members who are members of the Committee on Appropriations, and five Members who are members of the Committee on Ways and Means;
 - (B) one Member from the leadership of the majority party; and
 - (C) one Member from the leadership of the minority party.

No Member other than a representative from the leadership of a party may serve as a member of the Committee on the Budget during more than four Congresses in any period of six successive Congresses (disregarding for this purpose any service performed as a member of such committee for less than a full session in any Congress), except that an incumbent chairman or ranking minority member having served on the committee for four Congresses and having served as chairman or ranking minority member of the committee for not more than one Congress shall be eligible for reelection to the committee as chairman or ranking minority member for one additional Congress.

(2) All concurrent resolutions on the budget (as defined in section 3 of the Congressional Budget Act of 1974), other matters required to be referred to the committee under titles III and IV of that Act, and other measures setting forth appropriate levels of budget totals for the United States Government.

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(3) Measures relating to the budget process, generally.

(4) Measures relating to the establishment, extension, and enforcement of special controls over the Federal budget, including the budgetary treatment of off-budget Federal agencies and measures providing exemption from reduction under any order issued under part C of the Balanced Budget and Emergency Deficit Control Act of 1985.

- (5) The committee shall have the duty—
- (A) to report the matters required to be reported by it under titles III and IV of the Congressional Budget Act of 1974;
 - (B) to make continuing studies of the effect on budget outlays of relevant existing and proposed legislation and to report the results of such studies to the House on a recurring basis;
 - (C) to request and evaluate continuing studies of tax expenditures; to devise methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and to report the results of such studies to the House on a recurring basis; and
 - (D) to review, on a continuing basis, the conduct by the Congressional Budget Office of its functions and duties.

This Committee was established in the 93d Congress, effective July 12, 1974, by section 101 of the Congressional Budget Act of 1974 (88 Stat. 299). The separate subpoena authority conferred upon the Committee by section 101(b) of that Act has been superseded by the general grant of subpoena authority to all committees in clause 2(m) of rule XI (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). In addition to the duties contained in clause 1(d)(5), the Committee is also charged with the special oversight function of studying the effect of budget outlays on existing and proposed legislation, and of studying tax policies and coordinating them with budget outlays, and reporting to the House thereon (clause 3(b) of rule X); as well as the additional function set forth in clause 4(b) of rule X of studying programs exempt from inclusion in the budget and recommending termination or modification of such programs.

In the 94th Congress the membership of the Committee was increased to 25 (from 23), with 13 (rather than 11) members elected from committees other than Appropriations and Ways and Means (H. Res. 5, Jan. 14, 1975, p. 20). The membership was increased again in the 97th Congress to 30, with 28 from other standing committees and two from the respective leaderships (H. Res. 5, Jan. 5, 1981, pp. 98–113), and again in the 98th Congress to 31 (unanimous consent order, Feb. 7, 1983, p. 1791). The 99th Congress

amended this paragraph to remove any numerical limitation on the membership of the Committee (H. Res. 7, Jan. 3, 1985, p. 393).

This paragraph was amended in the 96th Congress to relax the limitation on Members' service on the Committee to three Congresses (from two) in any period of five successive Congresses, to exempt representatives from the party leaderships from the limitation, and to permit an incumbent chairman who had served on the Committee for three Congresses and as chairman for not more than one Congress to be eligible for reelection as chairman for one additional Congress (H. Res. 5, Jan. 15, 1979, p. 8). It was again amended in the 100th Congress to eliminate as obsolete the words "beginning after 1974" following "any period of five successive Congresses" as a measure of permissible terms of service on the Committee (H. Res. 5, Jan. 6, 1987, p. 6). It was further amended in the 101st Congress to permit, in that Congress only, a minority Member who had served on the Committee for three terms to run within his party's caucus for the position of ranking minority Member and thus be able to serve on the Committee for one additional Congress, and to permit a Member elected as ranking minority Member during his third term on the Committee to serve one additional term on the Committee should he be re-elected as the ranking minority Member (H. Res. 5, Jan. 3, 1989, p. 72). It was again amended in the 102d Congress to extend the waiver of the tenure restriction for the ranking minority member of the Committee (H. Res. 5, Jan. 3, 1991, p. 39), but in the 103d Congress that provision was stricken as obsolete (H. Res. 5, Jan. 5, 1993, p. —). In the 104th Congress the limitation on a Member's service on the Committee was relaxed to four Congresses (from three) in any period of six successive Congresses, with the exception that a Member who has served as chairman or as ranking minority member during a fourth such Congress may serve in either capacity during a fifth, so long as he would not thereby exceed two consecutive terms as chairman or as ranking minority member (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —).

In the 99th Congress this paragraph was again amended by section 232(h) of the Balanced Budget and Emergency Deficit Control Act of 1985, to confer jurisdiction over Senate joint or concurrent resolutions constituting congressional responses to a Presidential sequestration order issued pursuant to a report of the Comptroller General under section 252(b) of that Act (P.L. 99-177, Dec. 12, 1985). It was again amended by the Budget Enforcement Act of 1990 to conform subparagraph (2) to changes in the congressional budget laws (tit. XIII, P.L. 101-508). The 104th Congress amended the paragraph to expand the limited legislative jurisdiction of the Committee by: (1) adding other measures setting forth appropriate levels of budget totals to subparagraph (2); (2) granting the Committee jurisdiction over the congressional budget process generally in a new subparagraph (3); and (3) granting the Committee jurisdiction over special controls over the federal budget in a new subparagraph (4), including receiving from the former Committee on Government Operations (now Gov-

ernment Reform and Oversight) jurisdiction over budgetary treatment of off-budget Federal agencies and measures providing exemption from sequestration orders issued under the Balanced Budget and Emergency Deficit Control Act (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —). Three referrals from the Committee on Government Reform and Oversight to the Committee on the Budget marked this migration of off-budget treatment jurisdiction: (1) the Committee on the Budget has primary jurisdiction over a bill excluding from the budget the Civil Service Retirement and Disability Fund (although the Committee on Government Reform and Oversight retains programmatic jurisdiction over that Fund); (2) the Committee on the Budget has primary jurisdiction over a bill excluding from the budget the Highway Trust Fund, the Airport and Airway Trust Fund, the Inland Waterways Trust Fund, and the Harbor Maintenance Trust Fund (although the Committee on Transportation and Infrastructure retains programmatic jurisdiction); and (3) the Committee on the Budget has secondary jurisdiction over a bill amending title 49 of the United States Code and providing off-budget treatment for the Highway Trust Fund, the Airport and Airway Trust Fund, the Inland Waterways Trust Fund, and the Harbor Maintenance Trust Fund (Dec. 6, 1995, p. —). In the 105th Congress the jurisdictional statement in subparagraph (3), previously confined to the congressional budget process, was broadened to encompass also the executive budget process formerly included in the jurisdiction of the Committee on Government Reform and Oversight (H. Res. 5, Jan. 7, 1997, p. —).

(e) Committee on Commerce.

- (1) Biomedical research and development.
- (2) Consumer affairs and consumer protection.

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- (3) Health and health facilities, except health care supported by payroll deductions.
- (4) Interstate energy compacts.
- (5) Interstate and foreign commerce generally.
- (6) Measures relating to the exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including all fossil fuels, solar energy, and other unconventional or renewable energy resources.

(7) Measures relating to the conservation of energy resources.

(8) Measures relating to energy information generally.

(9) Measures relating to (A) the generation and marketing of power (except by federally chartered or Federal regional power marketing authorities), (B) the reliability and interstate transmission of, and ratemaking for, all power, and (C) the siting of generation facilities; except the installation of interconnections between Government waterpower projects.

(10) Measures relating to general management of the Department of Energy, and the management and all functions of the Federal Energy Regulatory Commission.

(11) National energy policy generally.

(12) Public health and quarantine.

(13) Regulation of the domestic nuclear energy industry, including regulation of research and development reactors and nuclear regulatory research.

(14) Regulation of interstate and foreign communications.

(15) Securities and exchanges.

(16) Travel and tourism.

The committee shall have the same jurisdiction with respect to regulation of nuclear facilities and of use of nuclear energy as it has with respect to regulation of nonnuclear facilities and of use of nonnuclear energy. In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general over-

sight functions under clause 2(b)(1)), such committee shall have the special oversight functions provided for in clause (3)(h) with respect to all laws, programs, and Government activities affecting nuclear and other energy, and non-military nuclear energy and research and development including the disposal of nuclear waste.

The Committee dates from 1795 (IV, 4096). Effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470), the name of the Committee was changed from Interstate and Foreign Commerce to Commerce and Health. Effective January 14, 1975, it was redesignated as Interstate and Foreign Commerce (H. Res. 5, 94th Cong., p. 20). In the 96th Congress it was redesignated again as Energy and Commerce and given much of its present jurisdiction, effective January 3, 1981 (H. Res. 549, Mar. 25, 1980, pp. 6405–10; *note* publication of inter-committee memoranda of understanding). In the 104th Congress it was redesignated again as the Committee on Commerce (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —).

In the 74th Congress the jurisdictional statement of the Committee was amended to include jurisdiction over bills relating to radio; to deprive the Committee jurisdiction over bills relating to water transportation, Coast Guard, life-saving service, lighthouses, lightships, ocean derelicts, Coast and Geodetic Survey, and the Panama Canal; and to vest jurisdiction over those subjects in the former Committee on Merchant Marine and Fisheries (VII, 1814, 1847), but with the demise of the latter Committee in the 104th Congress, the latter subjects now reside in the jurisdiction of the Committee on Transportation and Infrastructure, except that the Committee on National Security has jurisdiction over the Panama Canal (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —). In the 85th Congress matters relating to the Bureau of Standards, standardization of weights and measures, and the metric system (conferred on the Committee by the Legislative Reorganization Act of 1946, 60 Stat. 812), were transferred to the Committee on Science and Astronautics (now Science) (July 21, 1958, p. 14513). In the Committee Reform Amendments of 1974, effective January 3, 1975, the Committee obtained specific jurisdiction over consumer affairs and consumer protection (subpara. (2)), travel and tourism (subpara. (16)), health and health facilities, except health care supported by payroll deductions (subpara. (3)) (a matter formerly within the jurisdiction of the Committee on Ways and Means), and biomedical research and development (subpara. (1)), and was released of jurisdiction over civil aeronautics to the Committee on Public Works and Transportation (now Transportation and Infrastructure), jurisdiction over civil aviation research and development, energy and environmental research and development, and the National Weather Service to the Committee on Science and Technology (now

Science), and jurisdiction over trading with the enemy to the Committee on Foreign Affairs (now International Relations) (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). In the 95th Congress, when the legislative jurisdiction of the Joint Committee on Atomic Energy in the House was transferred to various standing committees, this Committee was given the same jurisdiction over nuclear energy as it had over non-nuclear energy and facilities by the addition of the penultimate sentence to this paragraph (H. Res. 5, Jan. 4, 1977, pp. 53–70). In the 96th Congress the Committee obtained specific jurisdiction over national energy policy generally (subpara. (11)), measures relating to exploration, production, storage, supply, marketing, pricing, and regulation of energy resources (subpara. (6)), measures relating to conservation of energy resources (subpara. (7)), measures relating to energy information generally (subpara. (8)), measures relating to the generation, marketing, interstate transmission of, and ratemaking for power as well as the siting of generation facilities, with certain exceptions (subpara. (9)), interstate energy compacts (subpara. (4)), and measures relating to general management of the Department of Energy and all functions of the Federal Energy Regulatory Commission (subpara. (10)) (H. Res. 549, Mar. 25, 1980, pp. 6405–10). In the 104th Congress the Committee's jurisdiction over inland waterways and railroads (including railroad labor, retirement, and unemployment) was transferred to the Committee on Transportation and Infrastructure, and jurisdiction over measures relating to the commercial application of energy technology was transferred to the Committee on Science, while the Committee on Commerce obtained exclusive jurisdiction over regulation of the domestic nuclear energy industry (subpara. (13)) from the former Committee on Natural Resources (now Resources) (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —).

The Committee has the special oversight responsibility under clause 3(h) of rule X as well as the general oversight responsibility required by clause 2(b). This special oversight responsibility was expanded in the 96th Congress to include all energy, effective January 3, 1981 (H. Res. 549, Mar. 25, 1980, pp. 6405–10). In the 104th Congress it was again expanded to include nonmilitary nuclear energy and research and development including the disposal of nuclear waste (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —), though a conforming change in clause 3(h) was inadvertently omitted.

The Committee formerly reported the river and harbor appropriation bill, but in 1883 a Committee on Rivers and Harbors was created for that role (IV, 4096), and since the 66th Congress such appropriations have been reported by the Committee on Appropriations.

The Committee has general jurisdiction of bills affecting domestic and foreign commerce, except such as may affect the revenue (IV, 4097). It also has jurisdiction of bills authorizing the construction of marine hospitals and the acquisition of sites therefor (IV, 4110; VII, 1816), the general subjects of quarantine and the establishment of quarantine stations (IV, 4109), health, spread of leprosy and other contagious diseases, inter-

national congress of hygiene, etc. (IV, 4111), bills declaring as to whether or not streams are navigable and for preventing or regulating hindrances to navigation (IV, 4101; VII, 1810), such as bridges (IV, 4099; VII, 1812) and dams, except such bridges and dams as are a part of river improvements (IV, 4100; VII, 1810). This Committee formerly had jurisdiction of bills proposing construction of bridges across navigable streams which are now banned (§ 852; see also General Bridge Act, 33 U.S.C. 525, 533).

Before the 104th Congress the Committee considered bills regulating railroads in their interstate commerce relations (IV, 414) and exercised jurisdiction with the Committees on Education and Labor (now Education and the Workforce) and Public Works and Transportation (now Transportation and Infrastructure) over bills providing labor protections to workers in the transportation industry, including railroad employees (Feb. 24, 1993, p. —). The Committee considers bills relating to commercial travelers as agents of interstate commerce and the branding of articles going into such commerce (IV, 4115), the prevention of the carriage of indecent and harmful pictures or literature (IV, 4116), the adulteration and misbranding of foods and drugs (IV, 4112), and protection of game through prohibition of interstate transportation (IV, 4117). The Committee has jurisdiction over bills imposing safety standards on motor vehicles purchased by the U.S. Government (Feb. 16, 1959, p. 2420), bills creating civil remedies for false advertising or other violations of commercial ethics (June 4, 1962, p. 9601), and bills to assist financing of the Arctic Winter Games in Alaska (June 7, 1972, p. 19935). The Committee has exercised jurisdiction, with the Committee on Banking, Finance and Urban Affairs (now Banking and Financial Services), over a bill to amend the Federal Reserve Act to impose reserve requirements on the assets of “open-end investment companies” that offer their depositors accounts transacted by negotiable instrument (Mar. 18, 1981, p. 4610), as well as over a Developmental Disabilities Assistance and Bill of Rights Act that focused on health matters rather than job training (June 1, 1981, p. 11028, Nov. 3, 1993, p. —). In the 94th Congress, the Committee gained jurisdiction over bills amending the Lead-Based Paint Poisoning Prevention Act and bills dealing with nursing home construction as public health matters (June 10, 1975, p. 18009).

(f) Committee on Education and the Workforce.

(1) Child labor.

(2) Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen’s Hospital.

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(3) Convict labor and the entry of goods made by convicts into interstate commerce.

- (4) Food programs for children in schools.
- (5) Labor standards and statistics.
- (6) Measures relating to education or labor generally.
- (7) Mediation and arbitration of labor disputes.
- (8) Regulation or prevention of importation of foreign laborers under contract.
- (9) United States Employees' Compensation Commission.
- (10) Vocational rehabilitation.
- (11) Wages and hours of labor.
- (12) Welfare of miners.
- (13) Work incentive programs.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight function provided for in clause 3(c) with respect to domestic educational programs and institutions, and programs of student assistance, which are within the jurisdiction of other committees.

This Committee was established as the Committee on Education and Labor on January 2, 1947, as part of the Legislative Reorganization Act of 1946 (60 Stat. 812), combining the Committee on Education (created in 1867, IV, 4242) and the Committee on Labor (created in 1883, IV, 4244). When it was redesignated as the Committee on Economic and Educational Opportunities in the 104th Congress, the jurisdictional statement remained unchanged except by the combination of labor standards and labor statistics in a single subparagraph (5) (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —). In the 105th Congress the Committee was again redesignated as the Committee on Education and the Workforce (H. Res. 5, Jan. 7, 1997, p. —).

By the Committee Reform Amendments of 1974, effective January 3, 1975, the Committee gained jurisdiction over food programs for children

in schools, an expansion of earlier jurisdiction over school-lunch programs (subpara. (4)), work incentive programs (subpara. (13)), and Indian education, a matter formerly within the specific jurisdiction of the Committee on Interior and Insular Affairs (now Resources); jurisdiction of the Committee over international education matters was specifically transferred to the Committee on Foreign Affairs (now International Relations); and its special oversight function was inserted in clause 3(c) of rule X (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470).

The Columbia Institute for the Deaf, Dumb, and Blind was renamed "Gallaudet College" (68 Stat. 265), and Freedmen's Hospital is now a part of Howard University. The jurisdiction of this Committee over education and vocational rehabilitation does not include those subjects as they relate to veterans, which fall under the jurisdiction of the Committee on Veterans' Affairs.

The Committee has jurisdiction over bills dealing with juvenile delinquency (Jan. 22, 1959, p. 1027), runaway youth (July 12, 1973, p. 23633; Sept. 10, 1973, p. 28970), human services programs administered by HEW (June 21, 1972, p. 21733), education of Indians (Apr. 15, 1975, p. 10247; June 10, 1991, p. 14049), and compensation for work injuries to Federal employees (Apr. 16, 1975, p. 10339); over bills amending the Community Services Block Grant Act to continue anti-poverty programs originally authorized by the Economic Opportunity Act of 1964 (Nov. 4, 1993, p. —); and over an executive communication proposing draft legislation to amend the Labor Management Relations Act and the Employee Retirement Income Security Act (Mar. 24, 1983, p. 7402). The Committee shares with the Committee on the Judiciary original jurisdiction over a bill comprehensively amending the Immigration and Nationality Act and including provisions addressing the enforcement of labor laws (Sept. 19, 1995, p. —).

(g) Committee on Government Reform and Oversight.

(1) The Federal Civil Service, including intergovernmental personnel; the status of officers and employees of the United States, including their compensation, classification, and retirement.

(2) Measures relating to the municipal affairs of the District of Columbia in general, other than appropriations.

(3) Federal paperwork reduction.

(4) Government management and accounting measures, generally.

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- (5) Holidays and celebrations.
- (6) The overall economy, efficiency and management of Government operations and activities, including Federal procurement.
- (7) National archives.
- (8) Population and demography generally, including the Census.
- (9) Postal service generally, including the transportation of the mails.
- (10) Public information and records.
- (11) Relationship of the Federal Government to the States and municipalities generally.
- (12) Reorganizations in the executive branch of the Government.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its oversight functions under clause 2(b)(1) and (2)), the committee shall have the function of performing the duties and conducting the studies which are provided for in clause 4(c).

In the 82d Congress the name of this Committee was changed from Expenditures in the Executive Departments to Government Operations (July 3, 1952, p. 9217). In the 104th Congress it was again changed to Government Reform and Oversight (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —). The former Committee on Expenditures in the Executive Departments was established December 5, 1927 (VII, 2041), and took the place of 11 separate committees on expenditures in the several executive departments. The first of these committees was established in 1816, and others were added as new departments were created (IV, 4315). They reported bills relating to the efficiency and integrity of the public service (IV, 4320), and creation and abolition of offices (IV, 4318).

In addition to the jurisdiction vested in the Committee by the Legislative Reorganization Act of 1946 (60 Stat. 812), the Committee Reform Amendments of 1974, effective January 3, 1975, assigned the Committee jurisdiction over measures relating to the overall economy and efficiency of Government operations and activities, including Federal procurement, intergovernmental relationships, and general revenue sharing (the latter from the Committee on Ways and Means), and the National Archives (from the

former Committee on Post Office and Civil Service) (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). In the 104th Congress (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —), the Committee assumed the jurisdictions of the former Committee on the District of Columbia (subpara. (2)) and the former Committee on Post Office and Civil Service except that relating to the Franking Commission (subparas. (1), (5), (8), and (9)); and subparagraphs (3) and (10) were added to clarify existing jurisdiction. At the same time the Committee's jurisdiction over measures relating to off-budget treatment of agencies or programs, which had been added by the Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177, Dec. 12, 1985), was transferred to the Committee on the Budget. Three re-referrals from the Committee on Government Reform and Oversight to the Committee on the Budget marked this migration of off-budget treatment jurisdiction: (1) the Committee on the Budget has primary jurisdiction over a bill excluding from the budget the Civil Service Retirement and Disability Fund (although the Committee on Government Reform and Oversight retains programmatic jurisdiction over that Fund); (2) the Committee on the Budget has primary jurisdiction over a bill excluding from the budget the Highway Trust Fund, the Airport and Airway Trust Fund, the Inland Waterways Trust Fund, and the Harbor Maintenance Trust Fund (although the Committee on Transportation and Infrastructure retains programmatic jurisdiction); and (3) the Committee on the Budget has secondary jurisdiction over a bill amending title 49 of the United States Code and providing off-budget treatment for the Highway Trust Fund, the Airport and Airway Trust Fund, the Inland Waterways Trust Fund, and the Harbor Maintenance Trust Fund (Dec. 6, 1995, p. —). The Committee was also released from jurisdiction over measures relating to exemptions from executive orders sequestering budget authority, which had been added by the Budget Enforcement Act of 1990 (tit. XIII, P.L. 101-508). In the 105th Congress any residual jurisdiction over budget process was transferred to the Committee on the Budget (H. Res. 5, Jan. 7, 1997, p. —). The 104th Congress assigned the Committee its responsibilities to coordinate committee oversight plans under clause 2(d)(3) (sec. 203(a), H. Res. 6, Jan. 4, 1995, p. —). In the 104th Congress the Committee was also given the responsibility to consider and report recommendations concerning alternatives to commemorative legislation, although no such report was made to the House (sec. 216(b), H. Res. 6, Jan. 4, 1995, p. —).

The Committee has exercised jurisdiction of bills: establishing the Rural Electrification Administration as an independent agency and transferring certain functions thereto (Mar. 19, 1959, p. 4692); establishing a Commission on Population Growth (Sept. 23, 1969, p. 26568); establishing a Cabinet Committee on Opportunities for Spanish-Speaking Americans (Nov. 24, 1969, p. 35509); providing payment of travel costs for Federal employment applicants (Feb. 15, 1967, p. 3466); and a bill to rename an existing post office building (Aug. 4, 1995, p. —). The Committee on Transportation and Infrastructure, and not this Committee, has jurisdiction over

a measure redesignating a general-purpose federal building as a post office (Apr. 24, 1997, p. —). The Committee has exercised jurisdiction over countercyclical programs of revenue-sharing grants to State and local governments, such as that contained in Title II of the Public Works Employment Act of 1976 (Feb. 1, 1977, p. 3057). The Committee shares jurisdiction over a bill to facilitate the reorganization of an agency by instituting a separation pay program to encourage eligible employees to voluntarily resign or retire (Aug. 2, 1993, p. —).

The specific subpoena authority conferred upon the Committee in the standing rules on February 10, 1947 (p. 942) was superseded by the general conferral of subpoena authority on all committees in clause 2(m) of rule XI. By the Committee Reform Amendments of 1974, effective January 3, 1975, the Committee was given the general function under clause 4(c)(1) of examining and reporting upon reports of the Comptroller General, evaluating laws reorganizing the legislative and executive branches, and studying intergovernmental relationships domestically and with international organizations to which the United States belongs (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470).

(h) Committee on House Oversight.

§677a. House Oversight.

(1) Appropriations from accounts for committee salaries and expenses (except for the Committee on Appropriations), House Information Resources, and allowances and expenses of Members, House officers and administrative offices of the House.

(2) Auditing and settling of all accounts described in subparagraph (1).

(3) Employment of persons by the House, including clerks for Members and committees, and reporters of debates.

(4) Except as provided in clause 1(q)(11), matters relating to the Library of Congress and the House Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts.

(5) Except as provided in clause 1(q)(11), matters relating to the Smithsonian Institution and the incorporation of similar institutions.

(6) Expenditure of accounts described in subparagraph (1).

(7) Franking Commission.

(8) Matters relating to printing and correction of the Congressional Record.

(9) Measures relating to accounts of the House generally.

(10) Measures relating to assignment of office space for Members and committees.

(11) Measures relating to the disposition of useless executive papers.

(12) Measures relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally.

(13) Measures relating to services to the House, including the House Restaurant, parking facilities and administration of the House office buildings and of the House wing of the Capitol.

(14) Measures relating to the travel of Members of the House.

(15) Measures relating to the raising, reporting and use of campaign contributions for candidates for office of Representative in the House of Representatives, of Delegate, and of Resident Commissioner to the United States from Puerto Rico.

(16) Measures relating to the compensation, retirement and other benefits of the Members, officers, and employees of the Congress.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the function of performing the duties which are provided for in clause 4(d).

This Committee was created as the Committee on House Administration on January 2, 1947, as a part of the Legislative Reorganization Act of 1946 (60 Stat. 812), combining the Committees on Accounts (created in 1803, IV, 4328), Enrolled Bills (created in 1789, IV, 4350), Disposition of Executive Papers (created in 1889, IV, 4419), Printing (created in 1846), Elections (created in 1794 and divided into three committees in 1895, IV, 4019), Election of President, Vice President, and Representatives in Congress (created in 1893, IV, 4299), and Memorials (created January 3, 1929, VII, 2080).

The Committee was redesignated as the Committee on House Oversight in the 104th Congress, obtaining from the former Committee on Post Office and Civil Service jurisdiction over the Franking Commission (also known as the House Commission on Congressional Mailing Standards) in subparagraph (7), while transferring to the Committee on Resources jurisdiction over erection of monuments to the memory of individuals (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —). References in subparagraphs (1) and (2) to the “contingent fund” were eliminated without changing the Committee’s jurisdiction over the accounts that the fund comprised. In the 105th Congress subparagraph (1) was amended to effect a technical correction (H. Res. 5, Jan. 7, 1997, p. —).

The Committee has jurisdiction over measures relating to the House Restaurant, which was first under the jurisdiction of §677b. House facilities. the former Committee on Accounts, then under the supervision of the Architect of the Capitol (H. Res. 590, 76th Cong., Sept. 5, 1940, p. 11552, as made permanent law by P.L. 76–812, 40 U.S.C. 174k), and then under the supervision of the Select Committee on the House Restaurant (H. Res. 472, 91st Cong., July 10, 1969, p. 19080; H. Res. 111, 93d Cong., Feb. 7, 1973), which was not re-established after the 93d Congress.

By the Committee Reform Amendments of 1974, effective January 3, 1975, the Committee obtained jurisdiction over parking facilities of the House, a matter formerly assigned to a select committee (subpara. (13)) (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). In the 94th Congress

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the Committee was given jurisdiction over campaign contributions to candidates for the House, a matter formerly within the jurisdiction of the Committee on Standards of Official Conduct (subpara. (15)), and over compensation, retirement, and other benefits of Members, officers, and employees of Congress (subpara. (16)) (H. Res. 5, Jan. 14, 1975, p. 20).

The Committee has jurisdiction over resolutions authorizing committees to employ additional professional and clerical personnel (Feb. 7, 1966, p. 2373). The Committee has supervisory authority over the House barber shops, beauty shops, House Information Resources, and the Office of Placement and Management (the latter formerly within the jurisdiction of the former Joint Committee on Congressional Operations and of the former Select Committee on Congressional Operations).

The Committee has absorbed the Committee on Enrolled Bills which was established in 1789 by a joint rule of the two Houses. This rule lapsed in 1876 with the other joint rules; but in 1880 the rules of the House were amended to recognize the joint committee (IV, 4350, 4416; VII, 2099). The Committee and the Secretary of the Senate make comparisons of bills of their respective Houses for enrollment, and the two cooperate in the interchange of bills for signature.

Under the Reorganization Act the Committee has jurisdiction of some of the subjects formerly within the jurisdiction of the Joint Committee on the Library, such as matters relating to the Library of Congress and the House Library, statuary and pictures, acceptance or purchase of works of art for the Capitol, the Botanic Gardens, management of the Library of Congress, purchase of books and manuscripts, matters relating to the Smithsonian Institution, and the incorporation of similar institutions. Excepted are measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution, which fall under the jurisdiction of the Committee on Transportation (now Transportation and Infrastructure). The House Members of the Joint Committee on the Library, provided for by law (2 U.S.C. 132b), are elected by resolution each Congress.

The Committee has jurisdiction of matters relating to printing and correction of the Congressional Record, formerly within the jurisdiction of the Committee on Printing. The House Members of the Joint Committee on Printing, provided for by law (44 U.S.C. 1), are elected by resolution each Congress.

The Committee has jurisdiction of measures relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally, and the Electoral count, which formerly was within the jurisdiction of a Committee on Election of the President, Vice President, and Representatives in Congress (IV, 4303).

The special oversight function in clause 4(d)(1) of examining enrolled bills was assigned to the Committee by the Committee Reform amendments of 1974, effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470), but its former responsibility to report on Members' travel has been supplanted by the function of providing policy direction to and oversight of the Clerk, Sergeant-at-Arms, Chief Administrative Officer, and Inspector General (sec. 201(e), H. Res. 6, Jan. 4, 1995, p. —; see rules III, IV, V, and VI and § 697c, *infra*).

(i) Committee on International Relations.

- (1) Relations of the United States with foreign nations generally.**
- § 678. International Relations.
- (2) Acquisition of land and buildings for embassies and legations in foreign countries.**
- (3) Establishment of boundary lines between the United States and foreign nations.**
- (4) Export controls, including nonproliferation of nuclear technology and nuclear hardware.**
- (5) Foreign loans.**
- (6) International commodity agreements (other than those involving sugar), including all agreements for cooperation in the export of nuclear technology and nuclear hardware.**
- (7) International conferences and congresses.**
- (8) International education.**
- (9) Intervention abroad and declarations of war.**
- (10) Measures relating to the diplomatic service.**
- (11) Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.**

- (12) Measures relating to international economic policy.
- (13) Neutrality.
- (14) Protection of American citizens abroad and expatriation.
- (15) The American National Red Cross.
- (16) Trading with the enemy.
- (17) United Nations organizations.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight functions provided for in clause 3(d) with respect to customs administration, intelligence activities relating to foreign policy, international financial and monetary organizations, and international fishing agreements.

This Committee was established in 1822 (IV, 4162), and from 1885 to 1920 had authority to report appropriations. In the 94th Congress the name of the Committee was changed from Foreign Affairs to International Relations (H. Res. 163, Mar. 19, 1975, p. 7343). In the 96th Congress it was changed back to Foreign Affairs (H. Res. 89, Feb. 5, 1979, pp. 1848–49). In the 104th Congress the name was again changed to International Relations (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —).

In addition to the jurisdiction vested in the Committee by the Legislative Reorganization Act of 1946 (60 Stat. 812), the Committee Reform Amendments of 1974, effective January 3, 1975, gave the Committee jurisdiction over measures relating to: international economic policy (subpara. (12)) and export controls (subpara. (4)), matters formerly within the jurisdiction of the Committee on Banking and Currency (now Banking and Financial Services); international commodity agreements other than sugar (subpara. (6)), formerly within the jurisdiction of the Committee on Agriculture; trading with the enemy (subpara. (16)), formerly within the jurisdiction of the Committee on Interstate and Foreign Commerce (now Commerce); and international education (subpara. (8)); while transferring jurisdiction over international financial and monetary organizations to the Committee on Banking and Currency (now Banking and Financial Services), and jurisdiction over international fishing agreements to the Committee on Merchant Marine and Fisheries (now Resources) (H. Res. 988, 93d Cong., Oct. 8,

1974, p. 34470). When the legislative jurisdiction in the House of the Joint Committee on Atomic Energy was abolished in the 95th Congress (H. Res. 5, Jan. 4, 1977, pp. 53–70), the Committee was given jurisdiction over nonproliferation of nuclear technology and hardware (subpara. (4)), and over international agreements on nuclear exports (subpara. (6)).

It has a broad jurisdiction over foreign relations, including bills to establish boundary lines between the United States and foreign nations, to determine naval strengths, and to regulate bridges and dams on international waters (IV, 4166; see also the “General Bridge Act,” 33 U.S.C. 525, 533), for the protection of American citizens abroad and expatriation (IV, 4169; VII, 1883), for extradition with foreign nations, for international arbitration, relating to violations of neutrality (IV, 4178a), international conferences and congresses (IV, 4177; VII, 1884), the incorporation of the American National Red Cross and protection of its insignia (IV, 4173), intervention abroad and declarations of war (IV, 4164; VII 1880), affairs of the consular service, including acquisition of land and buildings for legations in foreign capitals (IV, 4163; VII, 1879), creation of courts of the United States in foreign countries (IV, 4167), treaty regulations as to protection of fur seals (IV, 4170), matters relating to the Philippines (see 60 Stat. 315), and measures establishing a District of Columbia corporation to support private American organizations engaged in communications with foreign nations (June 21, 1971, p. 21062).

The Committee has also considered measures for fostering commercial intercourse with foreign nations and for safeguarding American business interests abroad (IV, 4175), and even the subjects of commercial treaties and reciprocal arrangements (IV, 4174), although in later practice the Committee on Ways and Means has considered such matters (IV, 4021). The Committee has exercised a general but not exclusive jurisdiction over legislation relating to claims having international relations (IV, 4168; VII, 1882). Pursuant to its jurisdiction over international education, the Committee (and not former Committee on Education and Labor) has exercised jurisdiction over bills establishing scholarship programs for foreign students (May 10, 1988, p. 10305). The Committee has jurisdiction over a communication from the President notifying the House, consistent with the War Powers Resolution, of the deployment abroad of U.S. armed forces to participate in an embargo against another nation (Nov. 4, 1993, p. —).

The special oversight function of the Committee set forth in clause 3(d) of rule X was made effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470).

(j) Committee on the Judiciary.

(1) The judiciary and judicial proceedings,
civil and criminal.

§ 679a. Judiciary.

(2) Administrative practice and procedure.

(3) Apportionment of Representatives.

- (4) Bankruptcy, mutiny, espionage, and counterfeiting.
- (5) Civil liberties.
- (6) Constitutional amendments.
- (7) Federal courts and judges, and local courts in the Territories and possessions.
- (8) Immigration and naturalization.
- (9) Interstate compacts, generally.
- (10) Measures relating to claims against the United States.
- (11) Meetings of Congress, attendance of Members and their acceptance of incompatible offices.
- (12) National penitentiaries.
- (13) Patents, the Patent Office, copyrights, and trademarks.
- (14) Presidential succession.
- (15) Protection of trade and commerce against unlawful restraints and monopolies.
- (16) Revision and codification of the Statutes of the United States.
- (17) State and territorial boundaries.
- (18) Subversive activities affecting the internal security of the United States.

§ 679b. Internal Security.

This Committee dates from 1813 (IV, 4054). The essential jurisdiction defined in the rule was made effective January 2, 1947, as a part of the Legislative Reorganization Act of 1946 (60 Stat. 812), and combined the Committees on Revision of Laws (created 1868, IV, 4293), Patents (created in 1837, IV, 4254), Immigration and Naturalization (created in 1893, IV, 4309), Claims (created in 1794, IV, 4262), and War Claims (created in 1883, IV, 4269). By the Committee Reform Amendments of 1974, effective January 3, 1975, the Committee's jurisdiction over holidays and celebrations was transferred to the former Committee on Post Office and Civil Service (now under the Committee on Government Reform and Oversight) (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). In the 94th Congress

the Committee on Internal Security was abolished and jurisdiction over communist and other subversive activities affecting the internal security of the United States was transferred to this Committee (subpara. (18)) (H. Res. 5, Jan. 14, 1975, p. 20), though an accompanying provision for the transfer of records and staff of the Internal Security Committee to the Judiciary Committee was deleted as obsolete in the 95th Congress (H. Res. 5, Jan. 4, 1977, pp. 53–70), and the specific reference to communism was deleted as unnecessary in the 104th Congress (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —). The 104th Congress also inserted “the judiciary” in subparagraph (1); added subparagraph (2) for clarification; combined former subparagraphs (6) and (9) in a new subparagraph (7); and combined former subparagraphs (13) and (14) in a new subparagraph (13) (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —).

Under subparagraph (14) the Committee has jurisdiction over Presidential nominations to fill vacancies in the office of Vice President, submitted pursuant to the 25th amendment to the Constitution (Oct. 13, 1973, p. 34032; Aug. 20, 1974, p. 29366). The Committee has reported Articles of Impeachment of the President (Aug. 20, 1974, pp. 29219–81). Where the House has voted impeachment, members of the Committee have been appointed as managers on the part of the House in presenting the charges to the Senate for trial (H. Res. 501, 99th Cong., July 22, 1986, p. 17306; H. Res. 511, 100th Cong., Aug. 3, 1988, p. 20223; H. Res. 12, 101st Cong., Jan. 3, 1989, p. 84).

The Committee on the Judiciary considers charges against judges of the Federal courts (IV, 4062), legislative propositions relating to the service of the Department of Justice (IV, 4067), bills relating to local courts in the District of Columbia, Alaska, and the Territories (IV, 4068), the establishment of a court of patent appeals (IV, 4075), relations of labor to courts and corporations (IV, 4072), crimes, penalties, extradition (IV, 4069; VII, 1747), construction and management of national penitentiaries (IV, 4070), matters relating to trusts and corporations (IV, 4057, 4059, 4060; VII, 1764), claims of States against the United States (IV, 4080), general legislation relating to international and other claims (IV, 4078, 4079, 4081), including measures extending the terms of members of the Foreign Claims Settlement Commission (Nov. 14, 1991, p. 32130), bills relating to the office of President (IV, 4077), to the flag (IV, 4055), bankruptcy (IV, 4065), removal of political disabilities (IV, 4058), prohibition of traffic in intoxicating liquors (IV, 4061; VII, 1773), mutiny and willful destruction of vessels (IV, 4145), counterfeiting (IV, 4071; VII, 1753), settlement of State and Territorial boundary lines (IV, 4060; VII, 1768), meeting of Congress and attendance of Members and their acceptance of incompatible offices (IV, 4077, VI, 65).

The Committee also has jurisdiction over joint resolutions proposing amendments to the Constitution (IV, 4056; VII, 1779). It also reports on important questions of law relating to subjects naturally within the jurisdiction of other committees (IV, 4063). Although the Committee has histori-

cally exercised jurisdiction over lobbying activities, the Committee on Standards of Official Conduct was assigned such jurisdiction during a brief period (H. Res. 1031, 91st Cong., July 8, 1970, p. 23141; H. Res. 5, 94th Cong., Jan. 14, 1975, p. 20).

The Committee also has jurisdiction over bills regulating the authority of States to impose taxes on interstate commerce (June 18, 1959, p. 11317), imposing conflict of interest standards and civil and criminal penalties relating thereto on government employees (Feb. 25, 1960, p. 3484), establishing an Academy of Criminal Justice (Apr. 5, 1965, p. 6822), to eliminate racketeering in the interstate sale of cigarettes (Feb. 9, 1972, p. 3429), providing workmen's compensation for non-Federal firemen killed during civil disorder (May 6, 1968, p. 11798), authorizing the Attorney General to consent to a modification of a certain trust on behalf of the Library of Congress (Aug. 17, 1959, p. 16051), amending an omnibus pension act to increase the amount of pension granted a certain class of persons (Feb. 15, 1960, p. 2523), and imposing criminal sanctions under the Controlled Substances Act (Nov. 14, 1983, p. 32457). The Committee has exclusive jurisdiction over the Legal Services Corporation (Nov. 19, 1975, p. 37288) and over the extension of workmen's benefits to non-Federal policemen and firemen (Dec. 12, 1975, p. 40204). The Committee has exercised jurisdiction, with the Committee on Education and Labor (now Education and the Workforce), over bills to amend the Walsh-Healey Act regarding hours of work under government contracts (May 15, 1985, p. 11946). This Committee, and not the Committee on Public Works and Transportation (now Transportation and Infrastructure), exercised jurisdiction over a bill extending the authority for the Marshal of the Supreme Court and the Supreme Court Police to protect the Chief Justice, Associate Justices, officers, and employees of the Supreme Court beyond its building and grounds (Nov. 22, 1993, p. —).

The Committee has the general oversight responsibility set forth in clause 2(b).

(k) Committee on National Security.

- (1) Ammunition depots; forts; arsenals;
 Army, Navy, and Air Force res-
 § 680. National Security. ervations and establishments.
- (2) Common defense generally.
- (3) Conservation, development, and use of
 naval petroleum and oil shale reserves.
- (4) The Department of Defense generally, in-
 cluding the Departments of the Army, Navy,
 and Air Force generally.

(5) Interoceanic canals generally, including measures relating to the maintenance, operation, and administration of interoceanic canals.

(6) Merchant Marine Academy, and State Maritime Academies.

(7) Military applications of nuclear energy.

(8) Tactical intelligence and intelligence related activities of the Department of Defense.

(9) National security aspects of merchant marine, including financial assistance for the construction and operation of vessels, the maintenance of the U.S. shipbuilding and ship repair industrial base, cabotage, cargo preference and merchant marine officers and seamen as these matters relate to the national security.

(10) Pay, promotion, retirement, and other benefits and privileges of members of the armed forces.

(11) Scientific research and development in support of the armed services.

(12) Selective service.

(13) Size and composition of the Army, Navy, Marine Corps, and Air Force.

(14) Soldiers' and sailors' homes.

(15) Strategic and critical materials necessary for the common defense.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight function provided for in clause 3(a)

with respect to international arms control and disarmament, and military dependents education.

This Committee was established January 2, 1947, as a part of the Legislative Reorganization Act of 1946 (60 Stat. 812), combining the Committee on Military Affairs with the Committee on Naval Affairs, both of which had been created in 1822 (IV, 4179, 4189) and had had jurisdiction over appropriations from 1885 to 1920 (IV, 4179, 4189; VII, 1741). The Committee was redesignated the Committee on National Security in the 104th Congress (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —).

Much of the present legislative jurisdiction in this paragraph was adopted on January 3, 1953 (p. 17), to reflect jurisdiction over the Department of Defense, which was created in the National Security Act of 1947 (61 Stat. 495). In the 95th Congress, when the Joint Committee on Atomic Energy was abolished, this Committee gained jurisdiction over military applications of nuclear energy (H. Res. 5, Jan. 4, 1977, p. 53). The special oversight function of the Committee in clause 3(a) and the general oversight function in clause 2(b)(1) were assigned by the Committee Reform Amendments of 1974, effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). The 104th Congress added subparagraph (8) for clarification and subparagraphs (5), (6), and (9) to reflect the transfer of those matters from the former Committee on Merchant Marine and Fisheries (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —), and later amended subparagraph (8) to effect a technical correction (H. Res. 254, Nov. 30, 1995, p. —).

The Committee has jurisdiction over bills: relating to military housing construction (Apr. 18, 1967, p. 9981; Feb. 21, 1962, p. 2684); amending title 10 of the United States Code to permit suits against the United States for damage to reputation of members of Armed Forces acquitted of charges of crimes against civilians in combat zones (July 15, 1970, p. 24451); for construction of facilities at Walter Reed Medical Center (Oct. 3, 1966, p. 24859); to require military commissary, post exchange and medical care privileges for veterans with sufficient service-connected disabilities (Feb. 3, 1976, p. 1972); of a private character to waive the statutory time limit on the award of the Congressional Medal of Honor on individuals (Feb. 22, 1982, p. 1812); including authorization of appropriations to the Department of Energy for resource applications for naval petroleum and oil shale reserves (May 1, 1978, p. 11946); and effecting the transfer of military property to a state to be designated by the state as a wilderness area (Nov. 15, 1995, p. —).

The Committee exercised jurisdiction with the Committee on Interior and Insular Affairs (now Resources) over a resolution expressing the sense of Congress regarding continued operation of the Hanford Nuclear Reactor to produce power for the Bonneville Power Administration (July 17, 1986, p. 16888).

(l) Committee on Resources.

§ 681. Resources. (1) Fisheries and wildlife, including research, restoration, refuges, and conservation.

(2) Forest reserves and national parks created from the public domain.

(3) Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.

(4) Geological Survey.

(5) International fishing agreements.

(6) Interstate compacts relating to apportionment of waters for irrigation purposes.

(7) Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects, and acquisition of private lands when necessary to complete irrigation projects.

(8) Measures relating to the care and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds.

(9) Measures relating generally to the insular possessions of the United States, except those affecting the revenue and appropriations.

(10) Military parks and battlefields, national cemeteries administered by the Secretary of the Interior, parks within the District of Columbia, and the erection of monuments to the memory of individuals.

- (11) Mineral land laws and claims and entries thereunder.
- (12) Mineral resources of the public lands.
- (13) Mining interests generally.
- (14) Mining schools and experimental stations.
- (15) Marine affairs (including coastal zone management), except for measures relating to oil and other pollution of navigable waters.
- (16) Oceanography.
- (17) Petroleum conservation on the public lands and conservation of the radium supply in the United States.
- (18) Preservation of prehistoric ruins and objects of interest on the public domain.
- (19) Public lands generally, including entry, easements, and grazing thereon.
- (20) Relations of the United States with the Indians and the Indian tribes.
- (21) Trans-Alaska Oil Pipeline (except rate-making).

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight functions provided for in clause 3(e) with respect to all programs affecting Indians.

The Committee on Public Lands was created in 1805 (IV, 4194). Its name has since been changed to Interior and Insular Affairs (Feb. 2, 1951, p. 883); to Natural Resources (H. Res. 5, Jan. 5, 1993, p. —); and to Resources (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —).

The core of the jurisdiction reflected in this paragraph was assigned to the Committee effective January 2, 1947, as a part of the Legislative Reorganization Act of 1946 (60 Stat. 812), which consolidated in this Committee the jurisdictions of the former Committees on Mines and Mining

(created in 1865, IV, 4223), Insular Affairs (created in 1899, IV, 4213), Irrigation and Reclamation (created in 1893, IV, 4307), Indian Affairs (created in 1821, IV, 4204), and Territories (created in 1825, IV, 4208), though vesting the subject of welfare of men working in mines, formerly under the jurisdiction of a Committee on Mines and Mining, in the Committee on Education and Labor (now Education and the Workforce). Until the Reorganization Act, military parks, battlefields, and national cemeteries were under jurisdiction of a Committee on Military Affairs. Jurisdiction over cemeteries of the United States in which veterans may be buried, except those administered by the Secretary of the Interior, was transferred to the Committee on Veterans' Affairs in the 90th Congress (H. Res. 241, Oct. 20, 1967).

In Committee Reform Amendments of 1974, effective January 3, 1975, the Committee gained jurisdiction over parks within the District of Columbia, formerly within the jurisdiction of the Committee on Public Works and Transportation, now Transportation and Infrastructure (subpara. (10)), and lost specific jurisdiction over Indian education and over Hawaii and Alaska, generally (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). By that same resolution, the Committee was given special oversight functions in clause 3(e).

The 104th Congress expanded the jurisdiction of the Committee by: adding subparagraphs (1), (5), (15), and (16) to reflect the transfer of those matters from the former Committee on Merchant Marine and Fisheries; inserting the subject of monuments in memory of individuals in subparagraph (10) to reflect the transfer of that matter from the Committee on House Administration (now House Oversight); adding subparagraph (21), an exceptional treatment of pipeline jurisdiction otherwise vested in the Committee on Transportation and Infrastructure; and deleting the subject of regulation of the domestic nuclear energy industry to reflect the transfer of that jurisdiction, which this Committee had acquired when the 95th Congress abolished the Joint Committee on Atomic Energy (H. Res. 5, Jan. 4, 1977, pp. 53–70) and which it shared with the Committee on Commerce, to the Committee on Commerce (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —). At the same time, the statements of special oversight functions in this paragraph and in paragraph (e) of this clause were adjusted to reflect the transfer of nonmilitary nuclear energy and research and development including disposal of nuclear waste from this Committee to the Committee on Commerce, though conforming changes in paragraphs (e) and (h) of clause 3 were inadvertently omitted.

The Committee reports on subjects relating to the mineral resources of the public lands (IV, 4202), forfeiture of land grants and alien ownership (IV, 4201), validation of certain conveyances of erstwhile public lands by a railway company (July 11, 1995, p. —), public lands of Alaska (IV, 4196), forest reserves (IV, 4197), and national parks created out of the public domain (IV, 4199; VII, 1925), including measures relating to criminal trespass provisions applying only within national forests created from

the public domain (July 18, 1977, p. 23434); to admission of States (IV, 4208); to preservation of prehistoric ruins and objects of interest on the public domain (IV, 4199); and sometimes to projects of general legislation relating to various classes of land claims (IV, 4203). The Committee also has jurisdiction over bills relating to proceeds from disposal of oil shale on public lands (other than Naval Oil Shale Reserves) (Aug. 3, 1967, p. 21179); bills to exclude certain lands in the outer continental shelf from mineral leasing provisions of the Outer Continental Shelf Lands Act (May 16, 1963, p. 8777); bills reinstating a U.S. oil and gas lease (Aug. 5, 1959, p. 15190); bills addressing U.S. claims to lands along the Colorado River forming state boundaries (June 28, 1967, p. 17738); bills designating national forest lands created from the public domain as wilderness (May 6, 1969, p. 11459); bills including additional units in the Missouri River Basin project (Sept. 8, 1959, p. 18587); bills establishing a commission on development of Pennsylvania Avenue in D.C. as a national historic site (Oct. 21, 1965, p. 27803); bills authorizing the Secretary of the Interior to conduct a feasibility investigation of potential water resource development (May 1, 1975, p. 12764); bills to establish a commission to consider the creation of a (Hudson) River Compact (July 21, 1975, p. 23653); bills to name a building constructed as part of a federal recreation area (June 8, 1988, p. 13803); bills addressing the siting on Federal parkland of an established national memorial (Sept. 24, 1991, p. 23731); and (with the Committee on Agriculture) bills exchanging a Federal tree nursery for certain State mining patents touching a western forest (Sept. 17, 1991, p. 23193). The Committee on National Security, and not this Committee, has jurisdiction over the transfer of military property to a state to be designated by the state as a wilderness area (Nov. 15, 1995, p. —). The Committee on Agriculture, and not this Committee, has jurisdiction over the designation of an agricultural research center (May 14, 1996, p. —).

The authority of the Committee to report as privileged bills for the forfeiture of land grants to railroad and other corporations, bills preventing speculation in the public lands, bills for the preservation of the public lands for the benefit of actual and bona fide settlers, and bills for the admission of new States was eliminated in the Committee Reform Amendments of 1974, effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470; see clause 4(a) of rule XI).

(m) Committee on Rules.

- § 682a. Rules.
- (1) The rules and joint rules (other than rules or joint rules relating to the Code of Official Conduct), and order of business of the House.
 - (2) Recesses and final adjournments of Congress.

The Committee on Rules is authorized to sit and act whether or not the House is in session.

This Committee, which had existed as a select committee from 1789, became a standing committee in 1880 (IV, 4321; VII, 2047). The Speaker was first made a member of the Committee in 1858 (IV, 4321), and ceased to be a member on March 19, 1910 (VII, 2047). However, the Legislative Reorganization Act of 1946 deleted from the former rule the prohibition against the Speaker serving on the Committee. The size of the Committee was increased from 12 to 15 members for the 87th Congress (Jan. 31, 1961, p. 1589), and the increase in the Committee's size was incorporated as a part of the rules in the 88th Congress (Jan. 9, 1963). Effective January 3, 1975, however, the rules were amended to eliminate prescriptions of committee sizes (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470), and in the 94th through the 98th Congresses 16 members were named to the Committee on nominations from the respective party caucuses (see, *e.g.*, H. Res. 76, Jan. 20, 1975, p. 803; H. Res. 101, Jan. 28, 1975, p. 1611), and in the 99th through 101st Congresses, 13 members were named to the Committee on nominations from the respective party caucuses (see, *e.g.*, H. Res. 34, 35, Jan. 30, 1985, p. 1271, 1273).

The jurisdiction defined in this paragraph became effective January 2, 1947, as a part of the Legislative Reorganization Act of 1946 (60 Stat. 812). The last sentence, formerly designated as subparagraph (3) (H. Res. 5, Jan. 5, 1993, p. —), is from section 134(c) of the 1946 Act, but the Committee has had authority to sit during sessions of the House since 1893 (IV, 4546), even during the five-minute rule under clause 2(i) of rule XI. The subject of recesses and adjournments was formerly under the jurisdiction of the Committee on Ways and Means. In section 402(b) of the Congressional Budget Act of 1974 (P.L. 93-344, July 12, 1974), the Committee was given specific authority to report emergency waivers of the required reporting date for bills and resolutions authorizing new budget authority. That authority was incorporated into this rule, effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470), but was repealed as obsolete in the 102d Congress (H. Res. 5, Jan. 3, 1991, p. 39). Jurisdiction over rules relating to official conduct and financial disclosure was transferred to the Committee on Standards of Official Conduct on April 3, 1968 (H. Res. 1099, 90th Cong.), but in the 95th Congress, jurisdiction over rules relating to financial disclosure by Members, officers, and employees of the House was returned to this Committee (H. Res. 5, Jan. 4, 1977, pp. 53-70).

The jurisdiction of this Committee is primarily over propositions to make or change the rules (V, 6770, 6776; VII, 2047), for the creation of committees (IV, 4322; VII, 2048), and directing them to make investigations (IV, 4322-4324; VII, 2048). Effective January 3, 1975, however, the authority for all committees to conduct investigations and studies was made a part of the standing rules (clause 1(b) of rule XI), as was the authority for

all committees to sit and act whether the House is in session or has adjourned, and authority to issue subpoenas (clause 2(m) of rule XI) (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). The Committee also reports resolutions relating to the hour of daily meeting and the days on which the House shall sit (IV, 4325), and orders relating to the use of the galleries during the electoral count (IV, 4327).

Since 1883 the Committee on Rules has reported special orders providing times and methods for consideration of special bills or classes of bills, thereby enabling the House by majority vote to forward particular legislation, instead of being forced to use for the purpose the motion to suspend the rules, which requires a two-thirds vote (IV, 3152; V, 6870; for forms of, IV, 3238-3263).

Special orders may still be made by suspension of the rules (IV, 3154) or by unanimous consent (IV, 3165, 3166; VII, 758); but it is not in order, by motion in the House, to provide that a subject be made a special order by a motion to postpone to a day certain (IV, 3164). But before the adoption of rules, and consequently before there is a rule as to the order of business, a Member may offer a special order for immediate consideration (V, 4971, 5450). A special order reported by the Committee on Rules must be agreed to by a majority vote of the House (IV, 3169).

It is not in order to move to postpone a special order providing for the consideration of a class of bills (V, 4958), but a bill which comes before the House by the terms of a special order merely assigning the day for its consideration may be postponed by a majority vote (IV, 3177-3182). A motion to rescind a special order is not privileged under the rules regulating the order of business (IV, 3173, 3174; V, 5323).

A motion to amend the rules of House does not present a question of privilege (VIII, 3377, overruling VIII, 3376; see also rule IX and §664, *supra*), and it is not in order by raising a question of the privileges of the House under rule IX to move to direct the Committee on Rules to consider a request to report a special order of business (Speaker Albert, June 27, 1974, p. 21599), or to direct the Committee on Rules to meet, to elect a temporary chairman (in the temporary absence of the chairman) and consider special orders of business (Speaker Albert, July 31, 1975, p. 26250).

For further discussion of the Committee on Rules, see §§ 729a-731, *infra*.

(n) Committee on Science.

(1) All energy research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.

§ 683. Science.

- (2) Astronautical research and development, including resources, personnel, equipment, and facilities.
- (3) Civil aviation research and development.
- (4) Environmental research and development.
- (5) Marine research.
- (6) Measures relating to the commercial application of energy technology.
- (7) National Institute of Standards and Technology, standardization of weights and measures and the metric system.
- (8) National Aeronautics and Space Administration.
- (9) National Space Council.
- (10) National Science Foundation.
- (11) National Weather Service.
- (12) Outer space, including exploration and control thereof.
- (13) Science Scholarships.
- (14) Scientific research, development, and demonstration, and projects therefor.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight function provided for in clause 3(f) with respect to all nonmilitary research and development.

The standing Committee on Science and Astronautics was established in the 85th Congress and given jurisdiction formerly vested in a Select Committee on Astronautics and Space Exploration established a few months earlier (Mar. 5, 1958, p. 3443), as well as the former jurisdiction of the Committee on Interstate and Foreign Commerce (now Commerce)

over the Bureau of Standards (now the National Institute of Standards and Technology) and science scholarships (July 21, 1958, p. 14513). By the Committee Reform Amendments of 1974, effective January 3, 1975, the Committee was redesignated as the Committee on Science and Technology and given additional jurisdiction over civil aviation research and development, environmental research and development, non-nuclear energy research and development, and the National Weather Service (now part of the National Oceanic and Atmospheric Administration) (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). At the same time the Committee was given the general and special oversight functions set forth in clause 2(b) and clause 3(f). When the House abolished the Joint Committee on Atomic Energy in the 95th Congress, this Committee was given jurisdiction over nuclear research and development, as well (H. Res. 5, Jan. 4, 1977, pp. 53–70). Its jurisdiction over energy research and development (now subpara. (1)) was amended in the 96th Congress, effective January 3, 1981, to specifically include energy demonstration projects and federally owned nonmilitary energy laboratories (H. Res. 549, Mar. 25, 1980, pp. 6405–10). In the 100th Congress, the Committee was redesignated as the Committee on Science, Space, and Technology (H. Res. 5, Jan. 6, 1987, p. 6). In the 103d Congress the jurisdictional statement of the Committee was updated to reflect the renaming of Executive Branch entities (H. Res. 5, Jan. 5, 1993, p. —). The 104th Congress again renamed the Committee as the Committee on Science and expanded its jurisdiction by adding subparagraph (5), from the former Committee on Merchant Marine and Fisheries, and subparagraph (6), from the Committee on Energy and Commerce (now Commerce) (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —).

The Committee has jurisdiction over proposals dealing with U.S. participation in the World Science Pan-Pacific Exposition (June 24, 1959, p. 11810); over a resolution condemning Soviet Union internal exile of an individual, and recommending that government agencies including NASA, the National Bureau of Standards and the National Science Foundation defer official travel to that country (Jan. 30, 1980, p. 1320); with the Committees on Armed Services (now National Security) and Interior and Insular Affairs (now Resources), over bills to test the commercial viability of oil shale technologies within the naval oil shale reserves or on other public lands (Sept. 26, 1978, p. 31623); and with four other committees over a bill coordinating Federal agencies' research into ground water contamination, including that done by the Environmental Protection Agency (Mar. 15, 1989, p. 4163).

(o) Committee on Small Business.

(1) Assistance to and protection of small business, including financial aid, regulatory flexibility and paper-work reduction.

§ 684. Small Business.

(2) Participation of small-business enterprises in Federal procurement and Government contracts.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight function provided for in clause 3(g) with respect to the problems of small business.

A Select Committee on Small Business was first established in the 77th Congress (H. Res. 294, pp. 9418–28) and was reconstituted each Congress thereafter by resolution reported from the Committee on Rules until made permanent in the 92d Congress (H. Res. 5, Jan. 22, 1971, p. 144).

The Committee Reform Amendments of 1974 established a standing Committee on Small Business, effective January 3, 1975, and vested it with legislative jurisdiction formerly held by the Committee on Banking and Currency (subpara. (1)) and the Committee on the Judiciary (subpara. (2)) (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). At the same time the general and special oversight functions were set forth in clause 2(b) and in clause 3(g).

The 104th Congress expanded the jurisdiction of the Committee over assistance to and protection of small business by inserting the references to regulatory flexibility and paperwork reduction in subparagraph (1) (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —; see also Feb. 9, 1995, p. —) and later effected a technical correction (H. Res. 254, Nov. 30, 1995, p. —).

(p) Committee on Standards of Official Conduct.

(1) Measures relating to the Code of Official Conduct.

§ 685a. Standards of Official Conduct.

In addition to its legislative jurisdiction under the preceding provision of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the functions with respect to recommendations, studies, investigations, and reports which are provided for in

clause 4(e), and the functions designated in titles I and V of the Ethics in Government Act of 1978 and sections 7342, 7351, and 7353 of title 5, United States Code.

In the 90th Congress the Committee on Standards of Official Conduct was established as a standing committee (H. Res. 418, Apr. 13, 1967, p. —). Its precursor was the Select Committee on Standards and Conduct, created in the 89th Congress (H. Res. 1013, Oct. 19, 1966, pp. 27713–30).

At various times in its history, the legislative jurisdiction of the Committee has included jurisdiction over measures relating to (1) financial disclosure by Members, officers, and employees of the House (H. Res. 1099, 90th Cong., Apr. 3, 1968); (2) the raising, reporting, and use of campaign contributions for candidates for the House (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470); and (3) lobbying activities (H. Res. 1031, 91st Cong., July 8, 1970, p. 23141). However, legislative jurisdiction over measures relating to financial disclosure was transferred to the Committee on Rules in the 95th Congress (H. Res. 5, Jan. 4, 1977, pp. 53–70); legislative jurisdiction over measures relating to campaign contributions for candidates for the House was transferred to House Administration (now House Oversight), and legislative jurisdiction over measures relating to lobbying activities was removed from the Committee (thereby devolving on the Committee on the Judiciary) in the 94th Congress (H. Res. 5, Jan. 14, 1975, p. 20).

In the 95th Congress, several rules relating to the official conduct of Members were adopted outside the confines of rule XLIII, the “Code of Official Conduct,” as follows: rule XLV, prohibiting unofficial office accounts; rule XLVI, limiting the use of the frank; and rule XLVII, limiting outside earned income (H. Res. 287, Mar. 2, 1977, pp. 5933–53).

Under clause 4(a) of rule XI, the Committee is empowered to report as privileged resolutions recommending action by the House of Representatives with respect to the official conduct of an individual Member, officer, or employee of the House.

In addition to its legislative jurisdiction, the Committee has the general oversight responsibility set forth in clause 2(b) and the additional functions of conducting the investigations and making the reports and recommendations required by clause 4(e) or by resolution of the House (see, *e.g.*, H. Res. 252, 95th Cong., Feb. 9, 1977, pp. 3966–75, directing investigation of gifts from Korean government; H. Res. 1042, 94th Cong., Feb. 16, 1976, pp. 3158–61, directing investigation of unauthorized publication of report of Select Committee on Intelligence; and H. Res. 608, 96th Cong., Mar. 27, 1980, pp. 6995–98, relating to “Abscam”).

The Committee has investigated rollcall procedures in the House and recommended installation of a modernized voting system (June 19, 1969, p. 16629). In the 95th Congress the Committee was authorized by section

RULES OF THE HOUSE OF REPRESENTATIVES

Rule X, clause 1.

§685b

515 of Public Law 95–105 to act as the “employing agency” for the House of Representatives under the Foreign Gifts and Decorations Act, and the Committee promulgated regulations under that statute concerning acceptance of foreign gifts and decorations by Members and employees (Jan. 23, 1978, p. 452). In the 96th Congress the Committee was assigned as additional responsibilities the functions designated in title I of the Ethics in Government Act of 1978 (P.L. 95–521) relating to the administration of government ethics laws as they apply to Members, officers, and employees of the House (H. Res. 5, Jan. 15, 1979, p. 7). In the 102d Congress those responsibilities were enlarged to include also the functions designated in title V of the Act and the specified sections of title 5, United States Code (H. Res. 5, Jan. 3, 1991, p. 39).

The Committee has compiled statutory and rule-based ethical standards in the *House Ethics Manual* (102d Cong., 2d Sess.). In the *Manual*, the Committee incorporates its advisory opinions issued under clause 4(e)(1)(D) of rule X, together with advisory opinions issued by the former Select Committee on Ethics, in its discussions of various ethical issues, including gifts, outside income, financial disclosure, staff rights and duties, official allowances and franking, casework considerations, campaign financing and practices, and involvement with official and unofficial organizations.

In the 95th Congress, the House established a Select Committee on Ethics and granted it exclusive legislative jurisdiction over bills that incorporated into permanent law provisions of House rules addressing financial ethics of Members, officers, and employees (H. Res. 383, Mar. 9, 1977, pp. 6811–16). The Select Committee was also granted jurisdiction to promulgate implementing regulations and to issue advisory opinions. The resolution creating the Select Committee provided that it would expire on December 31, 1977, but the Committee and its functions ultimately were extended through the “completion of its official business” (H. Res. 871, Oct. 31, 1977, p. 35957). The advisory opinions compiled by the former Select Committee on Ethics have been incorporated in the *House Ethics Manual* (102d Cong., 2d Sess.).

In the 105th Congress a new subparagraph (3) was added at the end of clause 4(e) of rule X to establish a Select Committee on Ethics only to resolve an inquiry originally undertaken by the standing Committee on Standards of Official Conduct in the 104th Congress (H. Res. 5, Jan. 7, 1997, p. —). The Select Committee filed one report to the House (H. Rept. 105–1, H. Res. 31, Jan. 21, 1997, p. —).

(q) Committee on Transportation and Infrastructure.

§ 686. Transportation and Infrastructure. (1) Coast Guard, including lifesaving service, lighthouses, lightships, ocean derelicts, and the Coast Guard Academy.

(2) Federal management of emergencies and natural disasters.

(3) Flood control and improvement of rivers and harbors.

(4) Inland waterways.

(5) Inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.

(6) Navigation and the laws relating thereto, including pilotage.

(7) Registering and licensing of vessels and small boats.

(8) Rules and international arrangements to prevent collisions at sea.

(9) Measures relating to the Capitol Building and the Senate and House office buildings.

(10) Measures relating to the construction or maintenance of roads and post roads, other than appropriations therefor; but it shall not be in order for any bill providing general legislation in relation to roads to contain any provision for any specific road, nor for any bill in relation to a specific road to embrace a provision in relation to any other specific road.

(11) Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens,

the Library of Congress, and the Smithsonian Institution.

(12) Measures relating to merchant marine, except for national security aspects of merchant marine.

(13) Measures relating to the purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.

(14) Oil and other pollution of navigable waters, including inland, coastal, and ocean waters.

(15) Marine affairs (including coastal zone management) as they relate to oil and other pollution of navigable waters.

(16) Public buildings and occupied or improved grounds of the United States generally.

(17) Public works for the benefit of navigation, including bridges and dams (other than international bridges and dams).

(18) Related transportation regulatory agencies.

(19) Roads and the safety thereof.

(20) Transportation, including civil aviation, railroads, water transportation, transportation safety (except automobile safety), transportation infrastructure, transportation labor, and railroad retirement and unemployment (except revenue measures related thereto).

(21) Water power.

The Committee was created effective January 2, 1947, as a part of the Legislative Reorganization Act of 1946 (60 Stat. 812), combining the Committees on Flood Control (created in 1916 (VII, 2069)), Public Buildings and Grounds (created in 1837 (IV, 4231)), Rivers and Harbors (created

in 1883 (IV, 4118)), and Roads (created in 1913 (VII, 2065)). The authority of the Committee to report as privileged bills authorizing the improvement of rivers and harbors was eliminated by the Committee Reform Amendments of 1974, effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470; see clause 4(a) of rule XI). At the same time the Committee's jurisdiction over parks in the District of Columbia was transferred to the Committee on Interior and Insular Affairs (now Resources); and it gained jurisdiction over transportation, including civil aviation (except railroads, railroad labor, and railroad pensions), over roads and the safety thereof, over water transportation subject to the jurisdiction of the Interstate Commerce Commission, and over related transportation regulatory agencies with certain exceptions. The 104th Congress changed the name of the Committee from Public Works and Transportation to Transportation and Infrastructure and expanded its jurisdiction by: adding subparagraphs (1), (6)–(8), (12), and (15) to reflect the transfer of those matters from the former Committee on Merchant Marine and Fisheries; adding subparagraph (4) and enlarging subparagraph (20) to reflect the transfer of those matters from the Committee on Energy and Commerce (now Commerce); and adding subparagraph (2) and inserting the reference to inland, coastal, and ocean waters in subparagraph (14), as clarifying consolidations of formerly fractionalized subjects (sec. 202(a), H. Res. 6, Jan. 4, 1995, p. —).

The Committee has jurisdiction over proposals establishing Treasury revolving funds for the Southeastern and Southwestern Power Administrations (July 2, 1959, p. 12629); directing the Secretary of the Army to provide school facilities for dependents of Corps of Engineers construction workers (June 17, 1968, p. 17429); conveying Corps of Engineers flood-control project lands (July 15, 1965, p. 17002) or naming reservoirs within such projects (Oct. 3, 1989, p. 22770) or allocating or limiting water use therefrom (Feb. 28, 1990, p. 2893); directing the Secretary of the Army to renew the license of an American Legion Post to use a parcel of land on a Corps of Engineer project (May 10, 1988, p. 10282); authorizing construction of an annex to the National Gallery of Art by the Smithsonian Institution (Apr. 10, 1968, p. 9553); addressing the location and development of the J. F. Kennedy Center for the Performing Arts (Sept. 15, 1965, p. 23927; Oct. 21, 1965, p. 27803); transferring land under the control of the Corps of Engineers to Indian tribes (Jan. 29, 1976, p. 1577); amending the Interstate Commerce Act to regulate truck transportation (Feb. 24, 1976, p. 4109; Mar. 1, 1979, p. 3754); concerning the treatment of a U.S. air freight carrier by the Japanese Ministry of Transport pursuant to an understanding negotiated under the International Air Transportation Competition Act of 1979 (not a Trade Act matter) (July 28, 1988, p. 19536); and over an executive communication amending Public Law 90–553, reported by the Committee, to authorize the transfer, conveyance, lease and improvement of, and construction on, certain property in the District of Columbia, for use as a headquarters site for an international organization, as sites for governments of foreign countries (Sept. 10, 1981, p. 20598). The Committee

on Government Reform and Oversight, and not this Committee, has jurisdiction over a bill renaming an existing post office building (Aug. 4, 1995, p. —), but this Committee, and not the Committee on Government Reform and Oversight, has jurisdiction over a bill redesignating a general-purpose federal building as a post office (Apr. 24, 1997, p. —). This Committee, and not the Committee on Ways and Means, has jurisdiction over a bill designating a customs building (Dec. 12, 1995, p. —). The Committee on Resources, and not this Committee, has jurisdiction over a bill to validate certain conveyances of erstwhile public lands by a railway company (July 11, 1995, p. —).

The Committee has shared jurisdiction: with the Committee on Energy and Commerce (now Commerce) over a bill amending the Solid Waste Disposal Act to provide for the cleanup of hazardous waste sites or discharges presenting a threat to human health and the environment, including navigable waters (Mar. 21, 1984, p. 6186); with the Committee on Government Operations (now Government Reform and Oversight) over a bill to require the Administrator of General Services to convey certain real property (a federal building) to the Museum for the American Indian and providing for renovation and alteration of the property (Oct. 28, 1987, p. 29685); with the Committee on House Administration (now House Oversight) over a bill authorizing the Smithsonian Institution to construct, expand, and renovate facilities at the Cooper-Hewitt Museum in New York (July 21, 1987, p. 20309), and over a bill authorizing appropriations to plan, design, construct, and equip museum space for the Smithsonian (July 18, 1991, p. 18830); with several other committees over bills to convert from a defense economy by, *inter alia*, authorizing economic assistance for public works and economic development (June 24, 1991, p. 16021; June 11, 1992, p. —); and with the Committee on Education and Labor (now Education and the Workforce) over bills providing labor protections to workers, including airline employees, in the transportation industry (June 24, 1991, p. 16020; Feb. 24, 1993, p. —).

In the 101st Congress, the Committee reported a bill requiring a cooling-off period in a labor-management dispute between an airline and its unions under the Railway Labor Act (H.R. 1231, Mar. 13, 1989, p. 4032).

The general oversight responsibility of the Committee is set forth in clause 2(b) of rule X.

(r) Committee on Veterans' Affairs.

(1) Veterans' measures generally.

(2) Cemeteries of the United States in which

§ 687. Veterans' Affairs. veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior.

- (3) Compensation, vocational rehabilitation, and education of veterans.
- (4) Life insurance issued by the Government on account of service in the Armed Forces.
- (5) Pensions of all the wars of the United States, general and special.
- (6) Readjustment of servicemen to civil life.
- (7) Soldiers' and sailors' civil relief.
- (8) Veterans' hospitals, medical care, and treatment of veterans.

This Committee was established January 2, 1947, as a part of the Legislative Reorganization Act of 1946 (60 Stat. 812), and was vested with jurisdiction formerly exercised by the Committees on World War Veterans' Legislation (VII, 2077); Invalid Pensions (IV, 4258); and Pensions (IV, 4260). Jurisdiction over veterans' cemeteries administered by the Department of Defense was transferred from the Committee on Interior and Insular Affairs in the 90th Congress (H. Res. 241, Oct. 20, 1967, p. 29560). Vocational rehabilitation, except that pertaining to veterans, is under the jurisdiction of the Committee on Education and the Workforce. The Committee has jurisdiction over bills to amend the Soldiers and Sailors Civil Relief Act of 1940 to permit certain declarations of fact in lieu of affidavits (Feb. 4, 1959, p. 1812), and over bills to amend the Servicemen's and Veterans' Survivor Benefits Act relating to service-connected deaths of retired members of the uniformed services (May 18, 1959, p. 8273).

(s) Committee on Ways and Means.

- (1) Customs, collection districts, and ports of entry and delivery.
- (2) Reciprocal trade agreements.
- (3) Revenue measures generally.
- (4) Revenue measures relating to the insular possessions.
- (5) The bonded debt of the United States (subject to the last sentence of clause 4(g) of this rule).
- (6) The deposit of public moneys.
- (7) Transportation of dutiable goods.

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(8) Tax exempt foundations and charitable trusts.

(9) National social security, except (A) health care and facilities programs that are supported from general revenues as opposed to payroll deductions and (B) work incentive programs.

A select Committee on Ways and Means dates from 1789. It was made a standing committee in 1802. Originally it considered both revenue and appropriations, but in 1865 the appropriation bills were given to the Committee on Appropriations and certain other bills to the Committee on Banking and Currency (now Banking and Financial Services) (IV, 4020). Its jurisdiction was also amended on April 5, 1911 (p. 58), and further defined in the Legislative Reorganization Act of 1946 (60 Stat. 812), which transferred the subject of recesses and final adjournments from this Committee to the Committee on Rules.

By the Committee Reform Amendments of 1974, effective January 3, 1975, the Committee gained legislative jurisdiction over tax exempt foundations and charitable trusts (subpara. (8)), formerly within the jurisdiction of the Committee on Banking and Currency, because of their impact on the economy, while it was released from: jurisdiction over health care and facilities programs supported from general revenues to the Committee on Energy and Commerce (now Commerce); jurisdiction over work incentive programs to the Committee on Education and Labor (now Education and the Workforce); jurisdiction over general revenue sharing to the Committee on Government Operations (now Government Reform and Oversight); and jurisdiction over renegotiation to the Committee on Banking, Finance and Urban Affairs (now Banking and Financial Services) (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470).

The Committee's jurisdiction over the bonded debt of the United States (subpara. (5)) was made subject to the last sentence of clause 4(g) of rule X in the 96th Congress by Public Law 96-78 (93 Stat. 589).

The revenue jurisdiction of the Committee extends to such subjects as transportation of dutiable goods, collection districts, ports of entry and delivery (IV, 4026), customs unions, reciprocity treaties (IV, 4021), revenue relations of the United States with Puerto Rico (IV, 4025), the revenue bills relating to agricultural products generally, excepting oleomargarine (IV, 4022), and tax on cotton and grain futures. The Committee formerly had jurisdiction as to seal herds and other revenue producing animals in Alaska but this jurisdiction was changed in the 68th Congress to the former Committee on Merchant Marine and Fisheries (VII, 1725, 1851). As exemplified by sequential referrals in the 96th Congress, the Committee has jurisdiction of reported bills creating major oilspill and hazardous waste

trust funds in the Treasury, funded by assessments on all quantities of oil, petrochemical feedstocks, and other hazardous substances sold for sale, where the scope and size of the funds and the method of assessment (similar to an excise tax) represented the collection of general revenue to fund particular Federal activities, a type of financing mechanism over which the Ways and Means Committee has traditionally exercised jurisdiction (May 20, 1980, p. 11862).

The Committee has jurisdiction over subjects relating to the Treasury of the United States and the deposit of the public moneys (IV, 4028), but it failed to make good a claim to the subjects of “national finances” and “preservation of the Government credit” (IV, 4023). The Committee has jurisdiction over bills providing tax incentives for persons investing in Indian property (Feb. 1, 1964, p. 1582), providing unemployment compensation to individuals with military or Federal service (Apr. 28, 1976, p. 11590), providing extended and increased unemployment compensation (Apr. 16, 1975, p. 10346), and over private bills waiving provisions of the Tariff Act to require reliquidation of certain imported materials as duty-free (July 13, 1982, p. 16014). The Committee on Transportation and Infrastructure, and not this Committee, has jurisdiction over a bill to designate a customs administrative building (Dec. 12, 1995, p. —).

The Committee has exercised jurisdiction, with the Committee on Energy and Commerce (now Commerce), over executive communications reporting on inpatient hospital services under title XVIII (medicare) and under title XIX (medicaid) of the Social Security Act (Dec. 21, 1982, p. 33261); with the Committee on Public Works and Transportation (now Transportation and Infrastructure) over executive communications proposing draft legislation reauthorizing the Surface Transportation Act but also containing a revenue title raising taxes to fund surface transportation programs (Mar. 20, 1986, p. 5804); with the former Committee on Merchant Marine and Fisheries (succeeded by the Committee on Resources) over a bill amending the Fishermen’s Protective Act to authorize the President to prohibit the importation of any product from a country violating an international fishery conservation program (Mar. 21, 1989, p. 5077); and with three other committees over a bill imposing certain international economic sanctions including tariffs (May 27, 1992, p. —).

The Committee in the earlier practice reported resolutions distributing the President’s annual message (IV, 4030), but since the first session of the 64th Congress this practice has been discontinued (VIII, 3350).

The general oversight responsibility set forth in clause 2(b) was assigned to the Committee by the Committee Reform Amendments of 1974, effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470).

General Oversight Responsibilities

2. (a) In order to assist the House in—

(1) its analysis, appraisal, and evaluation of (A) the application, administration, execution, and effectiveness of the laws enacted by the Congress, or (B) conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation, and

(2) its formulation, consideration, and enactment of such modifications of or changes in those laws, and of such additional legislation, as may be necessary or appropriate,

the various standing committees shall have oversight responsibilities as provided in paragraph (b).

(b)(1) Each standing committee (other than the Committee on Appropriations and the Committee on the Budget) shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws or parts of laws, the subject matter of which is within the jurisdiction of that committee and the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, each such committee shall review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the

jurisdiction of that committee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake futures research and forecasting on matters within the jurisdiction of that committee. Each such committee having more than

§ 692b. Oversight
subcommittees. twenty members shall establish an oversight subcommittee, or require its subcommittees, if any, to conduct oversight in the area of their respective jurisdiction, to assist in carrying out its responsibilities under this subparagraph. The establishment of oversight subcommittees shall in no way limit the responsibility of the subcommittees with legislative jurisdiction from carrying out their oversight responsibilities.

(2) The Committee on Government Reform and Oversight shall review and study, on a continuing basis, the operation of Government activities at all levels with a view to determining their economy and efficiency.

(3) The Committee on Appropriations shall conduct such studies and examinations of the organization and operation of executive departments and other executive agencies (including any agency the majority of the stock of which is owned by the Government of the United States) as it may deem necessary to assist it in the determination of matters within its jurisdiction.

(c) Each standing committee of the House shall have the function of reviewing and studying on a continuing basis the impact or probable

impact of tax policies affecting subjects within its jurisdiction as described in clauses 1 and 3.

(d)(1) Not later than February 15 of the first session of a Congress, each standing committee of the House shall, in a meeting that is open to the public and with a quorum present, adopt its oversight plans for that Congress. Such plans shall be submitted simultaneously to the Committee on Government Reform and Oversight and to the Committee on House Oversight. In developing such plans each committee shall, to the maximum extent feasible

(A) consult with other committees of the House that have jurisdiction over the same or related laws, programs, or agencies within its jurisdiction, with the objective of ensuring that such laws, programs, or agencies are reviewed in the same Congress and that there is a maximum of coordination between such committees in the conduct of such reviews; and such plans shall include an explanation of what steps have been and will be taken to ensure such coordination and cooperation;

(B) give priority consideration to including in its plans the review of those laws, programs, or agencies operating under permanent budget authority or permanent statutory authority; and

(C) have a view toward ensuring that all significant laws, programs, or agencies within its jurisdictions are subject to review at least once every ten years.

(2) It shall not be in order to consider any committee expense resolution (within the meaning of clause 5 of rule XI), or any amendment thereto, for any committee that has not submitted its oversight plans as required by this paragraph.

(3) Not later than March 31 in the first session of a Congress, after consultation with the Speaker, the Majority Leader, and the Minority Leader, the Committee on Government Reform and Oversight shall report to the House the oversight plans submitted by each committee together with any recommendations that it, or the House leadership group referred to above, may make to ensure the most effective coordination of such plans and otherwise achieve the objectives of this clause.

(e) The Speaker, with the approval of the House, may appoint special ad hoc oversight committees for the purpose of reviewing specific matters within the jurisdiction of two or more standing committees.

Clause 2(a), and the first requirement of clause 2(b)(1) that each standing committee shall review the application, etc. of all laws within its jurisdiction, was originally contained in section 118(b) of the Legislative Reorganization Act of 1970 (84 Stat. 1140) and was made part of the standing rules on January 22, 1971 (H. Res. 5, p. 144). The oversight authority conferred by clause 2(b)(2) on the Committee on Government Operations (now Government Reform and Oversight) was first made effective as part of the Legislative Reorganization Act of 1946 (60 Stat. 812), and the responsibility of the Committee on Appropriations set forth in clause 2(b)(3) was first given that committee on February 11, 1943, p. 884, continued by resolution of January 9, 1945, p. 135, and incorporated into permanent law in section 202(b) of the Legislative Reorganization Act of 1946, and made a part of the standing rules on Jan. 3, 1953 (pp. 17, 24). Effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470), the general oversight responsibilities set forth in the remainder of the clause were incor-

porated into the rule, and on January 14, 1975 (H. Res. 5, 94th Cong., p. 20), the size of those standing committees required by clause 2(b)(1) to establish an oversight subcommittee or to require its subcommittees to conduct oversight was increased from 15 to more than 20. In the 100th Congress, the requirement that representatives from the Committee on Government Operations meet with other committees at the beginning of each Congress to discuss oversight plans and that the Government Operations Committee report to the House its oversight coordination recommendations within sixty days after convening of the first session was deleted (H. Res. 5, Jan. 6, 1987, p. 6). The 104th Congress added paragraph (d) to require that each standing committee adopt by February 15 of the first session of a Congress its oversight plans for that Congress, such plans to be submitted to the Committees on Government Reform and Oversight and House Oversight. The Committee on Government Reform and Oversight is required to report such plans to the House by March 31, with recommendations to ensure coordination among committees. Consideration of funding for each committee is contingent on submission of its oversight plans to the committees specified under paragraph (d)(1). The 104th Congress also added paragraph (e) to authorize the Speaker to appoint special, ad hoc oversight committees to review matters within the jurisdiction of more than one standing committee (sec. 203(a), H. Res. 6, Jan. 4, 1995, p. —).

Special Oversight Functions

3. (a) The Committee on National Security shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving international arms control and disarmament and the education of military dependents in schools.

(b) The Committee on the Budget shall have the function of—

(1) making continuing studies of the effect on budget outlays of relevant existing and proposed legislation, and reporting the results of such studies to the House on a recurring basis; and

(2) requesting and evaluating continuing studies of tax expenditures, devising methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and reporting the results of such studies to the House on a recurring basis.

(c) The Committee on Education and the Workforce shall have the function of reviewing, studying, and coordinating, on a continuing basis, all laws, programs, and Government activities dealing with or involving domestic educational programs and institutions, and programs of student assistance, which are within the jurisdiction of other committees.

(d) The Committee on International Relations shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving customs administration, intelligence activities relating to foreign policy, international financial and monetary organizations, and international fishing agreements.

(e) The Committee on Resources shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with Indians.

(f) The Committee on Science shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving non-military research and development.

(g) The Committee on Small Business shall have the function of studying and investigating,

on a continuing basis, the problems of all types of small business.

(h) The Committee on Commerce shall have the function of reviewing and studying, on a continuing basis, all laws, programs and Government activities relating to nuclear and other energy, and nonmilitary nuclear energy and research and development including the disposal of nuclear waste.

(i) The Committee on Rules shall have the function of reviewing and studying, on a continuing basis, the congressional budget process, and the committee shall, from time to time, report its findings and recommendations to the House.

The special oversight responsibilities of the Committee on the Budget set forth in clause 3(b) were made part of the rules effective July 12, 1974 by section 101(c) of the Congressional Budget Act of 1974 (88 Stat. 300). The remainder of the clause became effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470) except that paragraph (h) was added on January 4, 1977, upon the abolition of the legislative jurisdiction in the House of the Joint Committee on Atomic Energy (H. Res. 5, 95th Cong., pp. 53–70) and the name of the Committee on International Relations was changed back to Foreign Affairs (H. Res. 89, Feb. 5, 1979, pp. 1848–49). Paragraph (e) was amended in the 103d Congress to reflect the change from Interior and Insular Affairs to Natural Resources (H. Res. 5, Jan. 5, 1993, p. —). Paragraph (h) was amended in the 96th Congress to change the name of the Committee on Interstate and Foreign Commerce to the Committee on Energy and Commerce and to expand that committee's special oversight responsibilities over nuclear energy to all energy programs (H. Res. 549, Mar. 25, 1980, pp. 6405–10) effective January 3, 1981. Paragraph (i) was added by section 226 of P.L. 99–177, the Balanced Budget and Emergency Deficit Control Act of 1985 (Dec. 12, 1985). A paragraph (j) was added by section 9 of the House Administrative Reform Resolution of 1992 (H. Res. 423, Apr. 9, 1992, p. —) to establish a bipartisan Subcommittee on Administrative Oversight of the Committee on House Administration, to be chaired by the chairman of the Committee on House Administration and to be composed of members of the Committee on House Administration, one-half from the majority party and one-half from the minority party, and paragraph (j)(3) was rewritten in the 103d Congress to pro-

vide that the Speaker, the Majority and Minority Leaders, and the chairman and ranking minority member of the Committee on House Administration be informed of tie votes in that subcommittee (H. Res. 5, Jan. 5, 1993, p. —), but paragraph (j) was deleted entirely in the 104th Congress (sec. 201(d), H. Res. 6, Jan. 4, 1995, p. —). The names of the committees addressed in paragraphs (a), (c), (d), (e), (f), and (h) were changed at the beginning of the 104th Congress (sec. 202(b), H. Res. 6, Jan. 4, 1995, p. —). Later in the 104th Congress conforming amendments to paragraphs (e) and (h) were adopted to reflect the transfer of jurisdiction over non-military nuclear energy from the Committee on Resources to the Committee on Commerce (H. Res. 254, Nov. 30, 1995, p. —). In the 105th Congress paragraph (c) was amended to reflect a further committee name change (H. Res. 5, Jan. 7, 1997, p. —).

Additional Functions of Committees

4. (a)(1)(A) The Committee on Appropriations shall, within thirty days after the transmittal of the Budget to the Congress each year, hold hearings on the Budget as a whole with particular reference to—

§ 694a. Committee on Appropriations; budget hearings.

(i) the basic recommendations and budgetary policies of the President in the presentation of the Budget; and

(ii) the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts.

(B) In holding hearings pursuant to subdivision (A), the committee shall receive testimony from the Secretary of the Treasury, the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, and such other persons as the committee may desire.

§ 694b. Procedure for budget hearings.

(C) Hearings pursuant to subdivision (A), or any part thereof, shall be held in open session, except

when the committee, in open session and with a quorum present, determines by roll-call vote that the testimony to be taken at that hearing on that day may be related to a matter of national security: *Provided, however,* That the committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy thereof furnished to each Member, Delegate, and the Resident Commissioner from Puerto Rico.

(D) Hearings pursuant to subdivision (A), or any part thereof, may be held before joint meetings of the committee and the Committee on Appropriations of the Senate in accordance with such procedures as the two committees jointly may determine.

This part of clause 4 was originally contained in section 242(c)(1) of the Legislative Reorganization Act of 1970 and was made part of the standing rules in the 92d Congress (H. Res. 5, Jan. 22, 1971, p. 144). Paragraph (a)(1)(C), requiring open hearings, was first adopted in the 93d Congress (H. Res. 259, Mar. 7, 1973, pp. 6713–20), and was amended in the 94th Congress to limit the effect of a vote to close a hearing to that day and one subsequent day (H. Res. 5, Jan. 14, 1975, p. 20).

(2) Whenever any bill or resolution which provides new entitlement authority as defined in section 3(9) of the Congressional Budget Act of 1974 is reported by a committee of the House and the amount of new budget authority which will be required for the fiscal year involved if such bill or resolution is enacted as so reported exceeds the appropriate allocation of new budget authority reported as described

§ 694c. Budget Act; 15-day referral to Appropriations.

in clause 4(h) in connection with the most recently agreed to concurrent resolution on the budget for such fiscal year, such bill or resolution shall then be referred to the Committee on Appropriations with instructions to report it, with the committee's recommendations and (if the committee deems it desirable) with an amendment limiting the total amount of new entitlement authority provided in the bill or resolution, within 15 calendar days (not counting any day on which the House is not in session) beginning with the day following the day on which it is so referred. If the Committee on Appropriations fails to report the bill or resolution within such 15-day period, the committee shall be automatically discharged from further consideration of the bill or resolution and the bill or resolution shall be placed on the appropriate calendar.

(3) In addition, the Committee on Appropriations shall study on a continuing basis those provisions of law which (on the first day of the first fiscal year for which the congressional budget process is effective) provide spending authority or permanent budget authority and shall report to the House from time to time its recommendations for terminating or modifying such provisions.

Subparagraph (2) first became effective on July 12, 1974 by inclusion in section 401(b)(2) of the Congressional Budget Act of 1974 (88 Stat. 317), was incorporated into the rules effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470), and was amended in the 95th Congress to correct an error in cross-reference (H. Res. 5, Jan. 4, 1977, pp. 53-70). Subparagraph (3) was also contained in the Congressional Budget Act of 1974 in section 402(f), and was likewise incorporated into the rules effective

January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). Subparagraph (2) was amended in the 105th Congress to reflect the repeal of the collective definition of “new spending authority” and the revision of various remaining parts (Budget Enforcement Act of 1997 (sec. 10116, P.L. 105–33)).

(b) The Committee on the Budget shall have the duty—

§ 695. Budget.

(1) to review on a continuing basis the conduct by the Congressional Budget Office of its functions and duties;

(2) to hold hearings, and receive testimony from Members of Congress and such appropriate representatives of Federal departments and agencies, the general public, and national organizations as it deems desirable, in developing the concurrent resolutions on the budget for each fiscal year;

(3) to make all reports required of it by the Congressional Budget Act of 1974, including the reporting of reconciliation bills and resolutions when so required;

(4) to study on a continuing basis those provisions of law which exempt Federal agencies or any of their activities or outlays from inclusion in the Budget of the United States Government, and to report to the House from time to time its recommendations for terminating or modifying such provisions; and

(5) to study on a continuing basis proposals designed to improve and facilitate methods of congressional budget-making, and to report to the House from time to time the results of such study together with its recommendations.

Paragraph (b)(1) became a part of the rules on July 12, 1974 by enactment of section 101(c) of the Congressional Budget Act of 1974 (88 Stat. 300). Subparagraph (2), contained in section 301(d) of that Act, subparagraph (3), subparagraph (4), contained in section 606 of that Act, and subparagraph (5), contained in section 703 of that Act, all were made part of the rules effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). Paragraph (b)(2) was amended in the 99th Congress by section 232 of the Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177, Dec. 12, 1985) to remove reference to the first concurrent resolution on the budget.

(c)(1) The Committee on Government Reform and Oversight shall have the general function of—

§ 696. Government Reform and Oversight.

(A) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the House as it deems necessary or desirable in connection with the subject matter of such reports;

(B) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government; and

(C) studying intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.

(2) In addition to its duties under subparagraph (1), the Committee on Government Reform and Oversight may at any time conduct investigations of any matter without regard to the provisions of clause 1, 2, or 3 (or this clause) conferring jurisdiction over such matter upon another standing committee. The

committee's findings and recommendations in any such investigation shall be made available to the other standing committee or committees having jurisdiction over the matter involved (and included in the report of any such other committee when required by clause 2(l)(3) of rule XI).

Paragraph (c)(1) became effective January 2, 1947 as part of the Legislative Reorganization Act of 1946 (60 Stat. 812). Paragraph (c)(2) was made a function of the Committee on Government Operations (now Government Reform and Oversight) effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). The Committee was renamed in the 104th Congress (sec. 202(b), H. Res. 6, Jan. 4, 1995, p. —).

§ 697a. House Oversight.

(d)(1) The Committee on House Oversight shall have the function of—

(A) examining all bills, amendments, and joint resolutions after passage by the House and, in cooperation with the Senate, examining all bills and joint resolutions which shall have passed both Houses to see that they are correctly enrolled, forthwith presenting those which originated in the House to the President of the United States in person after their signature by the Speaker of the House and the President of the Senate and reporting the fact and date of such presentation to the House;

§ 697b. Enrolled bills.

(B) providing policy direction for, and oversight of, the Clerk, Sergeant-at-Arms, Chief Administrative Officer, and Inspector General; and

§ 697c. Direction of officers.

(C) accepting a gift, other than as otherwise provided by law, if the gift does not involve any duty, burden, or condi-

§ 697d. Acceptance of gifts.

tion, or is not made dependent upon some future performance by the House of Representatives and promulgating regulations to carry out this paragraph.

(2) An employing office of the House of Representatives may enter a settlement of a complaint under the Congressional Accountability Act of 1995 that provides for the payment of funds only after receiving the joint approval of the chairman and the ranking minority party member of the Committee on House Oversight concerning the amount of such payment.

§ 697e. Approval of certain settlements.

The requirements set forth in paragraph (d)(1) were originally the responsibility of the Committee on Enrolled Bills created in 1789 (IV, 4350), and became the responsibility of the Committee on House Administration (now House Oversight) when that Committee was created effective January 2, 1947 as part of the Legislative Reorganization Act of 1946 (60 Stat. 812). The Committee's duty to arrange for memorial services of Members was eliminated from the rules effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470), when paragraph (d)(3) required the Committee to provide a committee scheduling service. The use of that service, provided through House Information Resources, was made mandatory on all committees and subcommittees in the 97th Congress (H. Res. 5, Jan. 5, 1981, pp. 98–113), but the requirement was stricken altogether when two provisions were added by section 10 of the House Administrative Reform Resolution of 1992 (H. Res. 423, 102d Cong., Apr. 9, 1992, p. —) to ensure the orderly transfer of functions and entities from elected officers to the Director of Non-legislative and Financial Services and to provide for policy direction and oversight of both administrative officials and elected officers. In the 104th Congress the rule was amended (1) to reflect the change in the name of the Committee on House Administration to the Committee on House Oversight and (2) to reflect the abolishment of the Director of Non-legislative and Financial Services (sec. 201, H. Res. 6, Jan. 4, 1995, p. —). Later in the 104th Congress the provision for the acceptance of gifts was added as paragraph (d)(3) (H. Res. 250, Nov. 16, 1995, p. —). In the 105th Congress paragraph (d) was redesignated as (d)(1), its former subparagraphs (1) through (3) were redesignated as (1)(A) through (1)(C), and a new paragraph (d)(2) was added to require approval by the Committee for monetary settlements of certain employment claims (H. Res. 5, Jan. 7, 1997, p. —). The 104th Congress also prohibited the

establishment or continuation of any legislative service organization (as that term had been understood in the 103d Congress) and directed the Committee on House Oversight to take such steps as were necessary to ensure an orderly termination and accounting for funds of any legislative service organization in existence on January 3, 1995 (sec. 222, H. Res. 6, Jan. 4, 1995, p. —).

(e)(1) The Committee on Standards of Official Conduct is authorized: (A) to recommend to the House from time to time such administrative actions as it may deem appropriate to establish or enforce standards of official conduct for Members, officers, and employees of the House, and any letter of reproof or other administrative action of the committee pursuant to an investigation under subdivision (B) shall only be issued or implemented as a part of a report required by such subdivision; (B) to investigate, subject to subparagraph (2) of this paragraph, any alleged violation, by a Member, officer, or employee of the House, of the Code of Official Conduct or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities, and after notice and hearing (unless the right to a hearing is waived by the Member, officer, or employee), shall report to the House its findings of fact and recommendations, if any, upon the final disposition of any such investigation, and such action as the committee may deem appropriate in the circumstances; (C) to report to the appropriate Federal or State authorities, either with the approval of the House or by an affirma-

§ 698. Standards of Official Conduct; additional duties.

tive vote of two-thirds of the members of the committee, any substantial evidence of a violation, by a Member, officer, or employee of the House, of any law applicable to the performance of his duties or the discharge of his responsibilities, which may have been disclosed in a committee investigation; (D) to give consideration to the request of any Member, officer, or employee of the House for an advisory opinion with respect to the general propriety of any current or proposed conduct of such Member, officer, or employee and, with appropriate deletions to assure the privacy of the individual concerned, to publish such opinion for the guidance of other Members, officers, and employees of the House; and (E) to give consideration to the request of any Member, officer, or employee of the House for a written waiver in exceptional circumstances with respect to clause 4 of rule XLIII.

(2)(A)(i) No resolution, report, recommendation, or advisory opinion relating to the official conduct of a Member, officer, or employee of the House shall be made by the Committee on Standards of Official Conduct, and, except as provided by subdivision (ii), no investigation of such conduct shall be undertaken by such committee, unless approved by the affirmative vote of a majority of the members of the committee.

(ii)(I) Upon the receipt of information offered as a complaint that is in compliance with this rule and the committee rules, the chairman and ranking minority member may jointly appoint

members to serve as an investigative subcommittee.

(II) The chairman and ranking minority member of the committee may jointly gather additional information concerning alleged conduct which is the basis of a complaint or of information offered as a complaint until they have established an investigative subcommittee or the chairman or ranking minority member has placed on the committee agenda the issue of whether to establish an investigative subcommittee.

(B) Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual Member, officer, or employee of the House of Representatives only—

(i) upon receipt of information offered as a complaint, in writing and under oath, made by a Member of the House and transmitted to the committee by such Member, or

(ii) upon receipt of information offered as a complaint, in writing and under oath, from an individual not a Member of the House provided that a Member of the House certifies in writing to the committee that he or she believes the information is submitted in good faith and warrants the review and consideration of the committee.

If a complaint is not disposed of within the applicable time periods set forth in the rules of the Committee on Standards of Official Conduct,

then the chairman and ranking minority member shall jointly establish an investigative subcommittee and forward the complaint, or any portion thereof, to that subcommittee for its consideration. However, if, at any time during those periods, either the chairman or ranking minority member places on the agenda the issue of whether to establish an investigative subcommittee, then an investigative subcommittee may be established only by an affirmative vote of a majority of the members of the committee.

(C) No investigation shall be undertaken by the committee of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation; nor shall any investigation be undertaken by the committee of any alleged violation which occurred before the third previous Congress unless the committee determines that the alleged violation is directly related to any alleged violation which occurred in a more recent Congress.

(D) A member of the committee shall be ineligible to participate, as a member of the committee, in any committee proceeding relating to his or her official conduct. In any case in which a member of the committee is ineligible to act as a member of the committee under the preceding sentence, the Speaker of the House shall designate a Member of the House from the same political party as the ineligible member of the committee to act as a member of the committee in any committee proceeding relating to the official conduct of such ineligible member.

(E) A member of the committee may disqualify himself from participating in any investigation of the conduct of a Member, officer, or employee of the House upon the submission in writing and under oath of an affidavit of disqualification stating that he cannot render an impartial and unbiased decision in the case in which he seeks to disqualify himself. If the committee approves and accepts such affidavit of disqualification, the chairman shall so notify the Speaker and request the Speaker to designate a Member of the House from the same political party as the disqualifying member of the committee to act as a member of the committee in any committee proceeding relating to such investigation.

(F) No information or testimony received, or the contents of a complaint or the fact of its filing, shall be publicly disclosed by any Committee or staff member unless specifically authorized in each instance by a vote of the full Committee.

(3)(A) Notwithstanding clause 2(g)(1) of rule XI, each meeting of the Committee on Standards of Official Conduct or any subcommittee thereof shall occur in executive session, unless the committee or subcommittee by an affirmative vote of a majority of its members opens the meeting to the public.

(B) Notwithstanding clause 2(g)(2) of rule XI, hearings of an adjudicatory subcommittee or sanction hearings held by the Committee on Standards of Official Conduct shall be held in open session unless the subcommittee or com-

mittee, in open session by an affirmative vote of a majority of its members, closes all or part of the remainder of the hearing on that day to the public.

(4) Before any member, officer, or employee of the Committee on Standards of Official Conduct, including members of any subcommittee of the committee selected pursuant to clause 6(a)(3) and shared staff, may have access to information that is confidential under the rules of the committee, the following oath (or affirmation) shall be executed:

“I do solemnly swear (or affirm) that I will not disclose, to any person or entity outside the Committee on Standards of Official Conduct, any information received in the course of my service with the committee, except as authorized by the committee or in accordance with its rules.”

Copies of the executed oath shall be retained by the Clerk of the House as part of the records of the House. This subparagraph establishes a standard of conduct within the meaning of subparagraph (1)(B). Breaches of confidentiality shall be investigated by the Committee on Standards of Official Conduct and appropriate action shall be taken.

(5)(A) If a complaint or information offered as a complaint is deemed frivolous by an affirmative vote of a majority of the members of the Committee on Standards of Official Conduct, the committee may take such action as it, by an af-

firmative vote of a majority of its members, deems appropriate in the circumstances.

(B) Complaints filed before the One Hundred Fifth Congress may not be deemed frivolous by the Committee on Standards of Official Conduct.

The investigative authority contained in paragraph (e) was first conferred upon the Committee in the 90th Congress (H. Res. 1099, Apr. 3, 1968, p. 8802). Effective January 3, 1975, the former requirement in paragraph (e)(2)(A) that seven committee members must authorize an investigation was changed to permit a majority of the Committee to provide that authorization (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). Paragraph (e)(2)(A) was further amended in the 105th Congress to permit the chairman and ranking minority member, with respect to a properly filed complaint, to gather additional information or to establish an investigative subcommittee (sec. 11, H. Res. 168, Sept. 18, 1997, p. —). Paragraph (e)(2)(E) was added in the 95th Congress (H. Res. 5, Jan. 4, 1977, pp. 53–70), to provide a mechanism for a committee member to disqualify himself from participating in an investigation, and paragraph (e)(2)(F) was added in the 96th Congress (H. Res. 5, Jan. 15, 1979, p. 8).

Clause 4(e) was amended in several particulars by the Ethics Reform Act of 1989 (P.L. 101–194): (1) paragraph (e)(1)(A) was amended to enable a letter of reproof or other administrative action of the Committee to be implemented as part of a report to the House, with no action required of the House; (2) subparagraph (1)(B) was amended to require the Committee to report to the House its findings of fact and any recommendations respecting the final disposition of a matter in which it votes to undertake an investigation; (3) a new subparagraph (1)(E) was added to empower the Committee to consider requests that the rule restricting the acceptance of gifts be waived in exceptional circumstances; and (4) subparagraph (2)(C) was amended to set a general limitation on actions for committee consideration of ethics matters.

In the beginning of the 105th Congress a new subparagraph (3) was added at the end of clause 4(e) to establish a Select Committee on Ethics only to resolve an inquiry originally undertaken by the standing Committee on Standards of Official Conduct in the 104th Congress (H. Res. 5, Jan. 7, 1997, p. —). The Select Committee filed one report to the House (H. Rept. 105–1, H. Res. 31, Jan. 21, 1997, p. —). The current form of subparagraph (3) was adopted later in the 105th Congress (sec. 5, H. Res. 168, Sept. 18, 1997, p. —).

Additional amendments to paragraph (e) were adopted in the 105th Congress as follows: (1) subparagraphs (4) and (5) were adopted (sec. 6 and sec. 19, H. Res. 168, Sept. 18, 1997, p. —); (2) paragraph (e)(2)(B) was amended to address the disposition of a complaint after expiration of periods set forth in the Committee rules and to specify parameters for the

filing of complaints by non-Members (sec. 11, H. Res. 168, Sept. 18, 1997, p. —); and (3) paragraph (e)(1)(C) was amended to permit the Committee to report to the appropriate authorities substantial evidence of a violation of law by an affirmative vote of two-thirds of the members of the Committee (sec. 18, H. Res. 168, Sept. 18, 1997, p. —).

The Ethics Reform Act of 1989 (P.L. 101–194) contains free-standing provisions requiring: (1) that the respective party caucuses nominate seven majority and seven minority members [although in the 104th Congress only five returning majority and five returning minority members were initially elected (H. Res. 41, H. Res. 42, Jan. 20, 1995, p. —), and in the 105th Congress only the chairman and ranking minority member were elected initially pending recommendations by a 12-member bipartisan task force informally appointed by the Majority and Minority Leaders to conduct a comprehensive review of the House ethics process (H. Res. 12, Jan. 7, 1997, p. —; H. Res. 44, Feb. 10, 1997, p. —)]; (2) that the Committee adopt rules establishing investigative and adjudicative subcommittees; and (3) that the Committee adopt rules establishing an Office on Advice and Education (see sec. 803(b), (c), (d), and (i), P.L. 101–194, 2 U.S.C. 29d). The texts of those provisions are set forth below. Section 803(b), (c), and (d) should be read in light of H. Res. 168, adopted in the 105th Congress and described later in this annotation.

“SEC. 803. REFORMS RESPECTING THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT.—

* * *

“(b) COMMITTEE COMPOSITION.—The respective party caucus or conference of the House of Representatives shall each nominate to the House of Representatives at the beginning of each Congress 7 members to serve on the Committee on Standards of Official Conduct.

“(c) INVESTIGATIVE SUBCOMMITTEES.—The Committee on Standards of Official Conduct shall adopt rules providing—

“(1) for the establishment of a 4 or 6-member investigative subcommittee (with equal representation from the majority and minority parties) whenever the committee votes to undertake any investigation;

“(2) that the senior majority and minority members on an investigative subcommittee shall serve as the chairman and ranking minority member of the subcommittee; and

“(3) that the chairman and ranking minority member of the full committee may only serve as non-voting, ex officio members on an investigative subcommittee.

“Clause 5(d) of rule XI of the Rules of the House of Representatives shall not apply to any investigative subcommittee.

“(d) ADJUDICATORY SUBCOMMITTEES.—The Committee on Standards of Official Conduct shall adopt rules providing—

“(1) that upon the completion of an investigation, an investigative subcommittee shall report its findings and recommendations to the committee;

“(2) that, if an investigative subcommittee by majority vote of its membership adopts a statement of alleged violation, the remaining members of the committee shall comprise an adjudicatory subcommittee to hold a disciplinary hearing on the violation alleged in the statement;

“(3) that any statement of alleged violation and any written response thereto shall be made public at the first meeting or hearing on the matter which is open to the public after the respondent has been given full opportunity to respond to the statement in accordance with committee rules, but, if no public hearing or meeting is held on the matter, the statement of alleged violation and any written response thereto shall be included in the committee’s final report to the House of Representatives as required by clause 4(e)(1)(B) of rule X of the Rules of the House of Representatives;

“(4) that a quorum for an adjudicatory subcommittee for the purpose of taking testimony and conducting any business shall consist of a majority of the membership of the subcommittee plus one; and

“(5) that an adjudicatory subcommittee shall determine, after receiving evidence, whether the counts in the statement have been proved and shall report its findings to the committee.

“Clause 5(d) of rule XI of the Rules of the House of Representatives shall not apply to any adjudicatory subcommittee.

* * *

“(i) ADVICE AND EDUCATION.—(1) The Committee on Standards of Official Conduct shall establish within the Committee an Office on Advice and Education (hereinafter in this subsection referred to as the ‘Office’) under the supervision of the chairman.

“(2) The Office shall be headed by a director who shall be appointed by the chairman, in consultation with the ranking minority member, and shall be comprised of such staff as the chairman determines is necessary to carry out the responsibilities of the Office.

“(3) The primary responsibilities of the Office shall include:

“(A) Providing information and guidance to Members, officers and employees of the House regarding any laws, rules, regulations, and other standards of conduct applicable to such individuals in their official capacities, and any interpretations and advisory opinions of the committee.

“(B) Submitting to the chairman and ranking minority member of the committee any written request from any such Member, officer or employee for an interpretation of applicable laws,

rules, regulations, or other standards of conduct, together with any recommendations thereon.

“(C) Recommending to the committee for its consideration formal advisory opinions of general applicability.

“(D) Developing and carrying out, subject to the approval of the chairman, periodic educational briefings for Members, officers and employees of the House on those laws, rules, regulations, or other standards of conduct applicable to them.

“(4) No information provided to the Committee on Standards of Official Conduct by a Member, officer or employee of the House of Representatives when seeking advice regarding prospective conduct of such Member, officer or employee may be used as the basis for initiating an investigation under clause 4(e)(1)(B) of rule X of the Rules of the House of Representatives, if such Member, officer or employee acts in accordance with the written advice of the committee.”.

In the 105th Congress a 12-member bipartisan task force was informally appointed by the Majority and Minority Leaders to conduct a comprehensive review of the House ethics process. At the same time an order of the House was adopted imposing a moratorium on filing or processing ethics complaints and on raising certain questions of privilege under rule IX with respect to official conduct. The moratorium was imposed in the expectation that the recommendations of the task force would include changes relating to the Committee on Standards of Official Conduct and the process by which the House enforces standards of official conduct (Feb. 12, 1997, p. —). The moratorium was extended through September 10, 1997 (July 30, 1997, p. —). On September 18, 1997, the House adopted the recommendations of the task force with certain amendments (H. Res. 168, 105th Cong., p. —), which included not only changes to the standing rules of the House but also free-standing directives to the Committee on Standards of Official Conduct. The texts of those free-standing provisions are set forth below.

“H. RES. 168

* * *

“SEC. 3. COMMITTEE AGENDAS.

“The Committee on Standards of Official Conduct shall adopt rules providing that the chairman shall establish the agenda for meetings of the committee, but shall not preclude the ranking minority member from placing any item on the agenda.

“SEC. 4. COMMITTEE STAFF.

“(a) COMMITTEE RULES.—The Committee on Standards of Official Conduct shall adopt rules providing that:

“(1)(A) The staff is to be assembled and retained as a professional, nonpartisan staff.

“(B) Each member of the staff shall be professional and demonstrably qualified for the position for which he is hired.

“(C) The staff as a whole and each member of the staff shall perform all official duties in a nonpartisan manner.

“(D) No member of the staff shall engage in any partisan political activity directly affecting any congressional or presidential election.

“(E) No member of the staff or outside counsel may accept public speaking engagements or write for publication on any subject that is in any way related to his or her employment or duties with the committee without specific prior approval from the chairman and ranking minority member.

“(F) No member of the staff or outside counsel may make public, unless approved by an affirmative vote of a majority of the members of the committee, any information, document, or other material that is confidential, derived from executive session, or classified and that is obtained during the course of employment with the committee.

“(2)(A) All staff members shall be appointed by an affirmative vote of a majority of the members of the committee. Such vote shall occur at the first meeting of the membership of the committee during each Congress and as necessary during the Congress.

“(B) Subject to the approval of Committee on House Oversight, the committee may retain counsel not employed by the House of Representatives whenever the committee determines, by an affirmative vote of a majority of the members of the committee, that the retention of outside counsel is necessary and appropriate.

“(C) If the committee determines that it is necessary to retain staff members for the purpose of a particular investigation or other proceeding, then such staff shall be retained only for the duration of that particular investigation or proceeding.

“(3) Outside counsel may be dismissed prior to the end of a contract between the committee and such counsel only by an affirmative vote of a majority of the members of the committee.

“(4) Only subparagraphs (C), (E), and (F) of paragraph (1) shall apply to shared staff.

“(b) ADDITIONAL COMMITTEE STAFF.—In addition to any other staff provided for by law, rule, or other authority, with respect to the Committee on Standards of Official Conduct, the chairman and ranking minority member each may appoint one individual as a shared staff member from his or her personal staff to perform service for the committee. Such shared staff may assist the chairman or ranking minority member on any subcommittee on which he serves.

“SEC. 5. MEETINGS AND HEARINGS.

* * *

“(b) COMMITTEE RULES.—The Committee on Standards of Official Conduct shall adopt rules providing that—

“(1) all meetings of the committee or any subcommittee thereof shall occur in executive session unless the committee or subcommittee by an affirmative vote of a majority of its members opens the meeting or hearing to the public; and

“(2) any hearing held by an adjudicatory subcommittee or any sanction hearing held by the committee shall be open to the public unless the committee or subcommittee by an affirmative vote of a majority of its members closes the hearing to the public.

* * *

“SEC. 7. PUBLIC DISCLOSURE.

“The Committee on Standards of Official Conduct shall adopt rules providing that, unless otherwise determined by a vote of the committee, only the chairman or ranking minority member, after consultation with each other, may make public statements regarding matters before the committee or any subcommittee thereof.

* * *

“SEC. 10. REQUIREMENTS TO CONSTITUTE A COMPLAINT.

“The Committee on Standards of Official Conduct shall amend its rules regarding complaints to provide that whenever information offered as a complaint is submitted to the committee, the chairman and ranking minority member shall have 14 calendar days or 5 legislative days, whichever occurs first, to determine whether the information meets the requirements of the committee’s rules for what constitutes a complaint.

“SEC. 11. DUTIES OF CHAIRMAN AND RANKING MINORITY MEMBER REGARDING PROPERLY FILED COMPLAINTS.

“(a) COMMITTEE RULES.—The Committee on Standards of Official Conduct shall adopt rules providing that whenever the chairman and ranking minority member jointly determine that information submitted to the committee meets the requirements of the committee’s rules for what constitutes a complaint, they shall have 45 calendar days or 5 legislative days, whichever is later, after the date that the chairman and ranking minority member determine that information filed meets the requirements of the committee’s rules for what constitutes a complaint, unless the committee by an affirmative vote of a majority of its members votes otherwise, to—

“(1) recommend to the committee that it dispose of the complaint, or any portion thereof, in any manner that does not require action by the House, which may include dismissal of the complaint or resolution of the complaint by a letter to the Member, officer, or employee of the House against whom the complaint is made;

“(2) establish an investigative subcommittee; or

“(3) request that the committee extend the applicable 45-calendar day or 5-legislative day period by one additional 45-calendar day pe-

riod when they determine more time is necessary in order to make a recommendation under paragraph (1).

* * *

“(c) DISPOSITION OF PROPERLY FILED COMPLAINTS BY CHAIRMAN AND RANKING MINORITY MEMBER IF NO ACTION TAKEN BY THEM WITHIN PRESCRIBED TIME LIMIT.—The Committee on Standards of Official Conduct shall adopt rules providing that if the chairman and ranking minority member jointly determine that information submitted to the committee meets the requirements of the committee rules for what constitutes a complaint, and the complaint is not disposed of within the applicable time periods under subsection (a), then they shall establish an investigative subcommittee and forward the complaint, or any portion thereof, to that subcommittee for its consideration. However, if, at any time during those periods, either the chairman or ranking minority member places on the agenda the issue of whether to establish an investigative subcommittee, then an investigative subcommittee may be established only by an affirmative vote of a majority of the members of the committee.

* * *

“SEC. 12. DUTIES OF CHAIRMAN AND RANKING MINORITY MEMBER REGARDING INFORMATION NOT CONSTITUTING A COMPLAINT.

“The Committee on Standards of Official Conduct shall adopt rules providing that whenever the chairman and ranking minority member jointly determine that information submitted to the committee does not meet the requirements for what constitutes a complaint set forth in the committee rules, they may—

“(1) return the information to the complainant with a statement that it fails to meet the requirements for what constitutes a complaint set forth in the committee’s rules; or

“(2) recommend to the committee that it authorize the establishment of an investigative subcommittee.

“SEC. 13. INVESTIGATIVE AND ADJUDICATORY SUBCOMMITTEES.

“The Committee on Standards of Official Conduct shall adopt rules providing that—

“(1)(A) investigative subcommittees shall be comprised of 4 Members (with equal representation from the majority and minority parties) whenever such subcommittee is established pursuant to the rules of the committee; and

“(B) adjudicatory subcommittees shall be comprised of the members of the committee who did not serve on the investigative subcommittee (with equal representation from the majority and minority parties) whenever such subcommittee is established pursuant to the rules of the committee;

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“(2) at the time of appointment, the chairman shall designate one member of the subcommittee to serve as chairman and the ranking minority member shall designate one member of the subcommittee to serve as the ranking minority member of the investigative subcommittee or adjudicatory subcommittee; and

“(3) the chairman and ranking minority member of the committee may serve as members of an investigative subcommittee, but may not serve as non-voting, ex officio members.

“SEC. 14. STANDARD OF PROOF FOR ADOPTION OF STATEMENT OF ALLEGED VIOLATION.

“The Committee on Standards of Official Conduct shall amend its rules to provide that an investigative subcommittee may adopt a statement of alleged violation only if it determines by an affirmative vote of a majority of the members of the committee that there is substantial reason to believe that a violation of the Code of Official Conduct, or of a law, rule, regulation, or other standard of conduct applicable to the performance of official duties or the discharge of official responsibilities by a Member, officer, or employee of the House of Representatives has occurred.

“SEC. 15. SUBCOMMITTEE POWERS.

“(a) SUBPOENA POWER.—

* * *

“(2) COMMITTEE RULES.—The Committee on Standards of Official Conduct shall adopt rules providing that an investigative subcommittee or an adjudicatory subcommittee may authorize and issue subpoenas only when authorized by an affirmative vote of a majority of the members of the subcommittee.

“(b) EXPANSION OF SCOPE OF INVESTIGATIONS.—The Committee on Standards of Official Conduct shall adopt rules providing that an investigative subcommittee may, upon an affirmative vote of a majority of its members, expand the scope of its investigation approved by an affirmative vote of a majority of the members of the committee.

“(c) AMENDMENTS OF STATEMENTS OF ALLEGED VIOLATION.—The Committee on Standards of Official Conduct shall adopt rules to provide that—

“(1) an investigative subcommittee may, upon an affirmative vote of a majority of its members, amend its statement of alleged violation anytime before the statement of alleged violation is transmitted to the committee; and

“(2) if an investigative subcommittee amends its statement of alleged violation, the respondent shall be notified in writing and shall have 30 calendar days from the date of that notification to file an answer to the amended statement of alleged violation.

“SEC. 16. DUE PROCESS RIGHTS OF RESPONDENTS.

“The Committee on Standards of Official Conduct shall amend its rules to provide that—

“(1) not less than 10 calendar days before a scheduled vote by an investigative subcommittee on a statement of alleged violation, the subcommittee shall provide the respondent with a copy of the statement of alleged violation it intends to adopt together with all evidence it intends to use to prove those charges which it intends to adopt, including documentary evidence, witness testimony, memoranda of witness interviews, and physical evidence, unless the subcommittee by an affirmative vote of a majority of its members decides to withhold certain evidence in order to protect a witness, but if such evidence is withheld, the subcommittee shall inform the respondent that evidence is being withheld and of the count to which such evidence relates;

“(2) neither the respondent nor his counsel shall, directly or indirectly, contact the subcommittee or any member thereof during the period of time set forth in paragraph (1) except for the sole purpose of settlement discussions where counsels for the respondent and the subcommittee are present;

“(3) if, at any time after the issuance of a statement of alleged violation, the committee or any subcommittee thereof determines that it intends to use evidence not provided to a respondent under paragraph (1) to prove the charges contained in the statement of alleged violation (or any amendment thereof), such evidence shall be made immediately available to the respondent, and it may be used in any further proceeding under the committee’s rules;

“(4) evidence provided pursuant to paragraph (1) or (3) shall be made available to the respondent and his or her counsel only after each agrees, in writing, that no document, information, or other materials obtained pursuant to that paragraph shall be made public until—

“(A) such time as a statement of alleged violation is made public by the committee if the respondent has waived the adjudicatory hearing; or

“(B) the commencement of an adjudicatory hearing if the respondent has not waived an adjudicatory hearing;

“but the failure of respondent and his counsel to so agree in writing, and therefore not receive the evidence, shall not preclude the issuance of a statement of alleged violation at the end of the period referred to in paragraph (1);

“(5) a respondent shall receive written notice whenever—

“(A) the chairman and ranking minority member determine that information the committee has received constitutes a complaint;

“(B) a complaint or allegation is transmitted to an investigative subcommittee;

“(C) that subcommittee votes to authorize its first subpoena or to take testimony under oath, whichever occurs first; and

“(D) an investigative subcommittee votes to expand the scope of its investigation;

“(6) whenever an investigative subcommittee adopts a statement of alleged violation and a respondent enters into an agreement with that subcommittee to settle a complaint on which that statement is based, that agreement, unless the respondent requests otherwise, shall be in writing and signed by the respondent and respondent’s counsel, the chairman and ranking minority member of the subcommittee, and the outside counsel, if any;

“(7) statements or information derived solely from a respondent or his counsel during any settlement discussions between the committee or a subcommittee thereof and the respondent shall not be included in any report of the subcommittee or the committee or otherwise publicly disclosed without the consent of the respondent; and

“(8) whenever a motion to establish an investigative subcommittee does not prevail, the committee shall promptly send a letter to the respondent informing him of such vote.

“SEC. 17. COMMITTEE REPORTING REQUIREMENTS.

“The Committee on Standards of Official Conduct shall amend its rules to provide that—

“(1) whenever an investigative subcommittee does not adopt a statement of alleged violation and transmits a report to that effect to the committee, the committee may by an affirmative vote of a majority of its members transmit such report to the House of Representatives; and

“(2) whenever an investigative subcommittee adopts a statement of alleged violation, the respondent admits to the violations set forth in such statement, the respondent waives his or her right to an adjudicatory hearing, and the respondent’s waiver is approved by the committee—

“(A) the subcommittee shall prepare a report for transmittal to the committee, a final draft of which shall be provided to the respondent not less than 15 calendar days before the subcommittee votes on whether to adopt the report;

“(B) the respondent may submit views in writing regarding the final draft to the subcommittee within 7 calendar days of receipt of that draft;

“(C) the subcommittee shall transmit a report to the committee regarding the statement of alleged violation together with any views submitted by the respondent pursuant to subparagraph (B), and the committee shall make the report together with the respondent’s views available to the public before the commencement of any sanction hearing; and

“(D) the committee shall by an affirmative vote of a majority of its members issue a report and transmit such report to the House of Representatives, together with the respondent’s views

previously submitted pursuant to subparagraph (B) and any additional views respondent may submit for attachment to the final report; and

“(3) members of the committee shall have not less than 72 hours to review any report transmitted to the committee by an investigative subcommittee before both the commencement of a sanction hearing and the committee vote on whether to adopt the report.

* * *

“SEC. 20. TECHNICAL AMENDMENTS.

“The Committee on Standards of Official Conduct shall—

“(1) clarify its rules to provide that whenever the committee votes to authorize an investigation on its own initiative, the chairman and ranking minority member shall establish an investigative subcommittee to undertake such investigation;

“(2) revise its rules to refer to hearings held by an adjudicatory subcommittee as adjudicatory hearings; and

“(3) make such other amendments to its rules as necessary to conform such rules to this resolution.

“SEC. 21. EFFECTIVE DATE.

“This resolution and the amendments made by it apply with respect to any complaint or information offered as a complaint that is or has been filed during this Congress.”

On occasions where the House has directed the Committee to conduct specific investigations by separate resolution, it has authorized the Committee to take depositions with one Member present, notwithstanding clause 2(h)(1) of rule XI, to serve subpoenas within or without the United States, and to participate by special counsel in relevant judicial proceedings (see H. Res. 252, 95th Cong., Feb. 9, 1977, pp. 3966–75; H. Res. 608, Mar. 27, 1980, pp. 6995–98; H. Res. 254, June 30, 1983, p. 18279), and to investigate persons other than Members, officers and employees with expanded subpoena authority (see H. Res. 1054, 94th Cong., Mar. 3, 1976, pp. 5165–68). By unanimous consent the Committee was authorized to receive evidence and take testimony before a quorum of one of its Members for the remainder of the second session of the 100th Congress (Oct. 13, 1988, p. 30467). By resolutions considered as questions of the privileges of the House, the Committee has been directed to investigate illegal solicitation of political contributions in the House Office Building by unnamed sitting Members (July 10, 1985, p. 18397); to review GAO audits of the operations of the “bank” in the Office of the Sergeant-at-Arms (Oct. 3, 1991, p. 25435), to disclose the names and pertinent account information of Members and former Members found to have abused the privileges of that entity (Mar. 12, 1992, p. —), and to disclose further account information respecting Members and former Members having checks held by that entity (Mar.

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§ 699a

Rule X, clause 4.

12, 1992, p. —); and to investigate violations of confidentiality by staff engaged in the investigation of the operation and management of the Office of the Postmaster (July 22, 1992, p. —). In compliance with one such direction of the House, the Acting Chairman of the Committee on Standards of Official Conduct inserted in the Record names and pertinent account information of Members and former Members found to have abused the privileges of the “bank” in the Office of the Sergeant-at-Arms (H. Res. 393, Apr. 1, 1992, p. —).

Under clause 4(e)(2)(D) a member of the Committee on Standards of Official Conduct is ineligible to participate in a Committee proceeding relating to that member’s official conduct. Upon notification to the Speaker of such ineligibility, the Speaker designates another Member of the same political party as the ineligible member to serve on the Committee during proceedings relating to that conduct (Speaker O’Neill, Feb. 5, 1980, p. 1908; July 23, 1996, p. —). Under clause 4(e)(2)(E), a member of the Committee may be recused from serving on the Committee during proceedings relating to a pending investigation by submitting an affidavit of disqualification to the Committee stating that the member cannot render an impartial and unbiased decision relating to that investigation. If the Committee accepts the affidavit, the chairman notifies the Speaker and requests the Speaker to designate another Member from the same political party as the disqualified member to serve on the Committee during proceedings relating to that investigation (Speaker O’Neill, Mar. 18, 1980).

The committee has compiled statutory and rule-based ethical standards in the *House Ethics Manual* (102d Cong., 2d Sess.). In the *Manual*, the Committee incorporates its advisory opinions issued under clause 4(e)(1)(D) of rule X, together with advisory opinions issued by the former Select Committee on Ethics, in its discussions of various ethical issues, including gifts, outside income, financial disclosure, staff rights and duties, official allowances and franking, casework considerations, campaign financing and practices, and involvement with official and unofficial organizations.

(f)(1) Each standing committee of the House shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, insure that appropriations for continuing programs and activities of the Federal Government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. For the

§ 699a. Annual appropriations.

purposes of this paragraph a Government agency includes the organizational units of government listed in clause 7(c) of rule XIII.

(2) Each standing committee of the House shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

The provisions of paragraph (f) derive from section 253(c) of the Legislative Reorganization Act of 1970 (84 Stat. 1140), and were made part of the rules in the 92d Congress (H. Res. 5, Jan. 22, 1971, p. 144).

(g) Each standing committee of the House shall, not later than 6 weeks after the President submits his budget, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions, and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year. The views and estimates submitted by the Committee on Ways and Means under the preceding sentence shall include a specific recommendation, made after holding public hearings, as to the appropriate level of the public debt which should be set forth in the concurrent resolution on the budget referred to in such sentence and serve as

§ 699b. Concurrent
resolution on Budget.

the basis for an increase or decrease in the statutory limit on such debt under the procedures provided by rule XLIX.

(h) As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, each standing committee of the House (after consulting with the appropriate committee or committees of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 302 of the Congressional Budget Act of 1974.

(i) Each standing committee of the House which is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

The requirements of paragraphs (g), (h), and (i) were originally contained in sections 301(c), 302(b), and 310(c) respectively of the Congressional Budget Act of 1974 (P.L. 93-344, July 12, 1974), and were incorporated into this rule effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). The requirement in paragraph (g) that the Committee on Ways and Means include a specific recommendation as to the appropriate level of the public debt in its views and estimates submitted to the Committee on the Budget was added in the 96th Congress by Public Law 96-78 (93 Stat. 589) and was originally intended to apply to concurrent resolutions on the budget for fiscal years beginning on or after October 1, 1980. However, in the 96th Congress the provisions of that public law

amending the rules of the House were made applicable to the third concurrent resolution on the budget for fiscal year 1980 as well as the first concurrent resolution on the budget for fiscal 1981 (H. Res. 642, Apr. 23, 1980, pp. 8789–90). In the 99th Congress the requirement in paragraph (g) for submissions to the Committee on the Budget by March 15 was changed to February 25 by section 232(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177, Dec. 12, 1985). In the 105th Congress a conforming change was made to paragraph (g) by the Budget Enforcement Act of 1997 (sec. 10104, P.L. 105–33). Paragraph (h) was amended by the Budget Enforcement Act of 1990 (tit. XIII, P.L. 101–508) to conform to the enactment of title VI of the Budget Act. It was again amended by the Budget Enforcement Act of 1997 (sec. 10118, P.L. 105–33) to conform to the subsequent repeal of title VI.

Referral of Bills, Resolutions, and Other Matters to Committees

5. (a) Each bill, resolution, or other matter which relates to a subject listed under any standing committee named in clause 1 shall be referred by the Speaker in accordance with the provisions of this clause.

§ 700. Referral procedures.

(b) Every referral of any matter under paragraph (a) shall be made in such manner as to assure to the maximum extent feasible that each committee which has jurisdiction under clause 1 over the subject matter of any provision thereof will have responsibility for considering such provision and reporting to the House with respect thereto. Any precedents, rulings, and procedures in effect prior to the 94th Congress shall be applied with respect to referrals under this clause only to the extent that they will contribute to the achievement of the objectives of this clause.

(c) In carrying out paragraphs (a) and (b) with respect to any matter, the Speaker shall designate a committee of primary jurisdiction; but

also may refer the matter to one or more additional committees, for consideration in sequence (subject to appropriate time limitations), either on its initial referral or after the matter has been reported by the committee of primary jurisdiction; or may refer portions of the matter to one or more additional committees (reflecting different subjects and jurisdictions) for the consideration only of designated portions; or may refer the matter to a special ad hoc committee appointed by the Speaker with the approval of the House (with members from the committees having jurisdiction) for the specific purpose of considering that matter and reporting to the House thereon; or may make such other provisions as may be considered appropriate.

This clause became effective as part of the rules on January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). Prior to that time a bill or resolution could not be divided for reference among two or more committees, although it contained matter properly within the jurisdiction of several committees (IV, 4361). Paragraph (c) was amended on January 4, 1977 (H. Res. 5, pp. 53–70) to authorize the Speaker to place an appropriate time limit for consideration by the first committee or committees to which referred. In the 104th Congress paragraph (c) was again amended to require the Speaker to initially designate a committee of primary jurisdiction in each referral of a measure to more than one committee (sec. 205, H. Res. 6, Jan. 4, 1995, p. —). A paragraph (e) was added to the clause on January 4, 1977 (H. Res. 5, pp. 53–70) to abolish the legislative jurisdiction in the House of the Joint Committee on Atomic Energy. The legislative jurisdiction of the Joint Committee was divided among the Committees on Armed Services (now National Security) (military applications of nuclear energy), Interior and Insular Affairs (now Resources) (regulation of the domestic nuclear energy industry, since transferred to the Committee on Commerce in the 104th Congress), Foreign Affairs (now International Relations) (nonproliferation of nuclear energy and international nuclear export agreements), Interstate and Foreign Commerce (now Commerce) (the same jurisdiction over nuclear energy as exercised over other energy), and Science and Technology (now Science) (nondefense nuclear research and development). In addition, the Committee on Interstate and Foreign

Commerce (now Commerce) was given oversight jurisdiction over all laws, programs, and government activities affecting nuclear energy. Paragraph (e) was deleted entirely in the 97th Congress (H. Res. 5, Jan. 5, 1981, p. 98). At the same time the House deleted paragraph (d) which formerly required the Congressional Research Service of the Library of Congress to prepare factual descriptions of each bill or resolution introduced in the House to be published in the Congressional Record.

An order of the House that no organizational or legislative business be conducted on certain days (first by provision of a concurrent resolution, but extended by unanimous consent) was considered not to deprive Members of the privilege of introducing bills and resolutions during pro forma sessions on those days, such measures being numbered on the day introduced but not noted in the Record or referred to committee until the day on which business was resumed (H. Con. Res. 260, 102d Cong., Nov. 26, 1991, p. 35840; see Jan. 22, 1992, p. —, and Jan. 28, 1992, p. —).

Pursuant to his authority under this clause, subject to paragraph (c), the Speaker may refer a bill to a special ad hoc committee appointed by him with the approval of the House (from the members of the committees with legislative jurisdiction) for consideration and report on that particular bill (Speaker Albert, Apr. 22, 1975, p. 11261); may jointly refer a report of a select committee filed with the Clerk to standing committees of the House for their study (Speaker Albert, Feb. 16, 1976, p. 3158); may divide a communication or bill for reference where the proposition is divisible by jurisdiction (Speaker Albert, Feb. 4, 1975, p. 2253); may refer a bill to more than one committee for their respective consideration of such provisions of the bill as fall within their jurisdiction (Speaker Albert, Feb. 25, 1976, p. 4315); may sequentially refer a bill reported from a committee to other committees for a time certain for consideration of such portions of the bill as fall within their respective jurisdictions (Speaker Albert, Apr. 9, 1976, p. 10265; May 17, 1976, p. 14093); or may limit a sequential referral to matters having a direct effect on subjects within the committee's jurisdiction (Speaker O'Neill, June 7, 1983, p. 14699); and may extend the time period of a sequentially referred bill and may refer the bill to yet another committee under the same sequential referral conditions (Speaker Albert, June 1, 1976, p. 16588); may divide a matter for initial reference to committees and set (pursuant to the clause as amended in the 95th Congress) appropriate time limitations on the initial reference to each committee (Speaker O'Neill, Feb. 16, 1977, p. 4532); may sequentially refer a bill reported by one committee, with a committee amendment, to another committee for consideration of the bill and amendment of the previous committee (Speaker O'Neill, Oct. 13, 1977, p. 33716); may sequentially refer to a third committee a portion of an amendment in the nature of a substitute recommended by one of two committees to which the bill had been referred, after the second committee reports the bill (Speaker O'Neill, May 22, 1985, p. 13126); may refer sequentially to two committees only a portion of the amendment reported by the primary committee for

consideration of such provisions within that portion as fall within their respective jurisdictions (Speaker Wright, Sept. 9, 1987, p. 23648); may discharge a reported bill from the Union Calendar for sequential reference to another committee (Speaker O'Neill, Apr. 27, 1978, p. 11742; June 19, 1986, p. 14741; June 12, 1990, p. 13670); may discharge a committee from the further consideration of a bill not reported by it within the time period for which the bill was referred by the Speaker and place the bill on the appropriate calendar (May 8, 1978, p. 12924); may jointly refer designated portions of a bill to a second committee while referring the entire bill to another committee (Speaker O'Neill, Mar. 3, 1982, p. 3155); may delimit the period for sequential consideration of a bill in terms of legislative days (June 30, 1988, p. 16597); may sequentially refer a bill without day (Sept. 27, 1988, p. 25827); may sequentially refer a bill back to the first-reporting committee when it is reported from the second-reporting committee with a nongermane amendment within the jurisdiction of the first committee and not within the bounds of the initial referral (Oct. 4, 1988, p. 28242); and may refer a bill primarily to one committee (as now required by paragraph (c)) while also referring it initially to additional committees for time periods to be subsequently determined when the primary committee reports, in each case for consideration of matters within their respective jurisdictions (Speaker Gingrich, Jan. 4, 1995, p. —). A bill initially referred to more than one committee and reported by the primary committee with an amendment in the nature of a substitute may be sequentially referred to yet another committee for consideration of specified portions of the introduced bill (Sept. 12, 1995, p. —).

The Speaker announced a new application of his authority on sequential referrals in the 97th Congress, namely that the sequential referral of any bills or resolutions from a committee initially reporting a bill would be based upon the subject matter contained in any amendment recommended by the reporting committee, as well as upon the original text of the bill or resolution (Speaker O'Neill, Jan. 5, 1981, pp. 115, 116), or, as announced in the 100th Congress, in certain cases, based only upon the text of a reported substitute amendment in lieu of original text (Speaker Wright, Jan. 6, 1987, p. 22). In the 96th Congress, the Speaker had followed a more restrictive policy, permitting a sequential committee to review (1) those portions of introduced text within its jurisdiction and (2) those portions of an amendment within its jurisdiction when the introduced version also dictated a sequential referral to the committee (Speaker O'Neill, Apr. 15, 1980, p. 7760). The Speaker first exercised the authority to base referrals on committee amendments by sequentially referring a bill reported from the Committee on Public Works and Transportation, relating only to Corps of Engineers water projects as introduced but amended in committee to address general water resource policy affecting irrigation and reclamation projects and soil conservation programs, to the Committees on Agriculture and Interior and Insular Affairs for consideration of provisions of the committee amendment within their jurisdiction (Speaker O'Neill,

May 20, 1981, p. 10361). Thus the Speaker may sequentially refer a reported bill to another committee solely for consideration of provisions of the first committee's amendment within its jurisdiction and not for consideration of the entire bill (Apr. 5, 1982, p. 6580), may sequentially refer a reported bill to two other committees for different periods of time, solely for consideration of designated sections of the first committee's recommended amendment (May 18, 1982, p. 10418; Aug. 1, 1985, p. 22681), may discharge from the Union Calendar and sequentially refer to another committee a bill solely for consideration of designated portions of the first committee's amendment (May 21, 1982, p. 11169), and may sequentially refer a bill which has been initially referred to several committees but reported only by one, for consideration of the reporting committee's amendment (June 17, 1982, p. 14069; Sept. 5, 1990, p. 23477), and may sequentially refer a bill referred to more than one committee when the first committee reports, for a period ending a number of days after the next committee reports (Speaker O'Neill, Aug. 1, 1985, p. 22681), or after all committees report (June 10, 1988, p. 14079).

On the last day of an expiring sequential referral, a committee has until midnight to file its report with the Clerk (Oct. 9, 1991, p. 26045).

Before paragraph (c) was amended in the 104th Congress to require the Speaker to designate a committee of primary jurisdiction, the Speaker announced at the convening of the 98th Congress that he would exercise his authority, in situations which warranted it, to designate a primary committee among those to which a bill was jointly referred, and to impose time limits on committees having a secondary interest following the report of the primary committee under a joint referral (Speaker O'Neill, Jan. 3, 1983, p. 54; Jan. 5, 1993, p. —). The Speaker may exercise this authority by referring a bill concurrently to two committees, with a time limit on one of the committees ending within a certain period after the other committee reports to the House (Jan. 27, 1983, p. 937; Feb. 2, 1983, p. 1492; Apr. 9, 1987, p. 8665) or with a time limit on one committee ending with a date certain (Speaker O'Neill, July 31, 1985, p. 21936). In the 98th Congress, the Speaker exercised his authority under this clause to sequentially refer a joint resolution making continuing appropriations, reported as privileged by the Committee on Appropriations pursuant to clause 4(a) of rule XI, to the committee having legislative jurisdiction over a legislative provision in the resolution, without a time limitation on the sequential referral (H.J. Res. 367, Sept. 22, 1983, p. 25523).

Pursuant to the Speaker's authority under clause 2 of rule XXIV, relating to messages from the Senate, he has discretionary authority to refer from the Speaker's table to standing committees, Senate amendments to House-passed bills, under any conditions permitted under clause 5 of rule X for introduced bills; he may for example impose a time limitation for consideration only of a portion of the Senate amendment, not germane to the original House bill, by the standing committee with subject-matter jurisdiction, without referring the remainder of the Senate amendment to the House

committee with jurisdiction over the original House bill (Speaker O'Neill, H.R. 31, Mar 26, 1981, p. 5397). Beginning with the 98th Congress, the Speaker announced a policy of referring nongermane Senate amendments under certain conditions (Jan. 3, 1983, p. 54; Jan. 5, 1993, p. —).

Resolutions authorizing the Speaker to establish an ad hoc committee for the consideration of a particular bill under paragraph (c) of this clause, and extending the reporting date for such a committee, are privileged when offered from the floor at the Speaker's request (Speaker Albert, Apr. 22, 1975, p. 11261, Jan. 26, 1976, p. 876; Speaker O'Neill, Jan. 11, 1977, pp. 894–98; Apr. 21, 1977, pp. 11550–56).

The Speaker may refer to an ad hoc committee, established with the approval of the House, bills, resolutions, and other matters (including messages and communications) for the purpose of considering such matters and reporting to the House thereon, and the resolution creating such a committee may specify whether referrals to such a committee shall be by initial or sequential reference or by any of the other methods provided by this clause (H. Res. 508, Apr. 21, 1977, pp. 11550–56; Speaker O'Neill, July 11, 1977, p. 22183, July 20, 1977, p. 24167). Further, under clause 5(c), the Speaker may divide a bill into two or more parts for initial reference to different committees and may also jointly refer a portion of the bill to some of those committees, and may set appropriate time limitations for reporting by every standing committee to which the bill is initially referred (Speaker O'Neill, May 2, 1977, p. 13184).

Clause 4 of rule XXII provides the mechanism for changes of referrals erroneously made.

Election and Membership of Committees; Chairmen; Vacancies; Select and Conference Committees

6. (a)(1) The standing committees specified in clause 1 shall be elected by the House within the seventh calendar day beginning after the commencement of each Congress, from nominations submitted by the respective party caucuses. It shall always be in order to consider resolutions recommended by the respective party caucuses to change the composition of standing committees.

(2) One-half of the members of the Committee on Standards of Official Conduct shall be from

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the majority party and one-half shall be from the minority party. No Member shall serve as a member of the Committee on Standards of Official Conduct for more than two Congresses in any period of three successive Congresses (disregarding for this purpose any service performed as a member of such committee for less than a full session in any Congress), except that a Member having served on the committee for two Congresses shall be eligible for election to the committee as chairman or ranking minority member for one additional Congress. Not less than two Members from each party shall rotate off the committee at the end of each Congress.

(3)(A) At the beginning of each Congress—

(i) the Speaker (or his designee) shall designate a list of 10 Members from the majority party; and

(ii) the Minority Leader (or his designee) shall designate a list of 10 Members from the minority party;

who are not members of the Committee on Standards of Official Conduct and who may be assigned to serve as a member of an investigative subcommittee of that committee during that Congress. Members so chosen shall be announced to the House.

(B) Whenever the chairman and ranking minority member of the Committee on Standards of Official Conduct jointly determine that Members designated under subdivision (A) should be assigned to serve on an investigative subcommittee of that committee, they shall each select the

same number of Members of his respective party from the list to serve on that subcommittee.

The old rule entrusting the appointment of committees to the Speaker was adopted in 1789 and amended in 1790 and in 1860 (IV, 4448–4476). Committees are now elected on resolution offered from the floor (VIII, 2171) and it is in order to move the previous question on each resolution (VIII, 2174). The resolution is not divisible (clause 6 of rule XVI), and is privileged (VIII, 2179, 2183). The requirement that nominations to standing committees be submitted by the respective party caucuses was made part of the rules effective January 3, 1975, by the Committee Reform Amendments of 1974 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). That same resolution also eliminated the designations in the rules of the numbers of Members comprising the standing committees, thereby permitting the House to establish committee size by the numbers of Members elected to each committee pursuant to this paragraph. The role of the party caucuses in presenting privileged resolutions to the House electing Members to committees is discussed in detail in Deschler's Precedents, vol. 4, ch. 17, sec. 9. In the 99th Congress the requirement for early election of standing committees within the first seven calendar days and the conferral of privileged status on resolutions from the party caucuses to change the composition of standing committees were added in subparagraph (1) by section 227 of the Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99–177, Dec. 12, 1985).

Prior to the 93d Congress, the rule that established the size of the Committee on Standards of Official Conduct at 12 Members also required that six Members be elected from the majority and six from the minority party. Effective in the 93d Congress, the ratio of the Committee was codified in the first sentence of subparagraph (2) (H. Res. 988, Oct. 8, 1974, p. 34470). The Ethics Reform Act of 1989 added a sentence to limit service on the Committee to three Congresses in any period of five successive Congresses (disregarding service performed for less than a full session in any Congress) (P.L. 101–194, Nov. 30, 1989). The current limitation on service on the Committee was adopted in the 105th Congress (sec. 2, H. Res. 168, Sept. 18, 1997, p. —). Subparagraph (3) also was adopted in the 105th Congress (sec. 1, H. Res. 168, Sept. 18, 1997, p. —).

(b)(1) Membership on standing committees during the course of a Congress shall be contingent on continuing membership in the party caucus or conference that nominated Members for election to such committees. Should a Member cease to be a member of a particular party caucus or con-

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ference, said Member shall automatically cease to be a member of a standing committee to which he was elected on the basis of nomination by that caucus or conference. The chairman of the relevant party caucus or conference shall notify the Speaker whenever a Member ceases to be a member of a party caucus or conference and the Speaker shall notify the chairman of each standing committee on which said Member serves, that in accord with this rule, the Member's election to such committee is automatically vacated.

(2)(A) No Member, Delegate, or Resident Commissioner may serve simultaneously as a member of more than two standing committees or four subcommittees of the standing committees of the House, except that ex officio service by a chairman and ranking minority member of a committee on each of its subcommittees by committee rule shall not be counted against the limitation on subcommittee service. Service on an investigative subcommittee of the Committee on Standards of Official Conduct pursuant to paragraph (a)(3) shall not be counted against the limitation on subcommittee service. Any other exception to these limitations must be approved by the House upon the recommendation of the respective party caucus or conference.

(B) For the purposes of this subparagraph, the term "subcommittee" includes any panel (other than a special oversight panel of the Committee on National Security), task force, special subcommittee, or any subunit of a standing commit-

tee that is established for a cumulative period longer than six months in any Congress.

The requirement that membership on standing committees be contingent on continuing membership in a party caucus or conference, along with the mechanism for the automatic vacating of a Member's election to committee should his party relationship cease, was added to the rules in the 98th Congress (H. Res. 5, Jan. 3, 1983, p. 34). In the 104th Congress, paragraph (b)(2) was added to limit each Member to two full committee assignments and four subcommittee assignments, absent House approval of any exception upon recommendation of the respective party caucus (sec. 204, H. Res. 6, Jan. 4, 1995, p. —; see H. Res. 11, Jan. 4, 1995, p. —). Paragraph (b)(2) was amended in the 105th Congress to except special service on an investigative subcommittee of the Committee on Standards of Official Conduct from the limitation on subcommittee service (sec. 1, H. Res. 168, Sept. 18, 1997, p. —).

The Speaker lays before the House communications relative to the removal of a Member from committee pursuant to this clause (see, *e.g.*, Sept. 11, 1984, p. 24790; Feb. 22, 1989, p. 2500; May 10, 1995, p. —). The earlier practice was, and the most recent practice is, for the minority party to handle committee assignments for third-party Members (VIII, 2184–2185; H. Res. 11, Jan. 4, 1995, p. —). During the 102d and 103d Congresses, the majority leadership took that responsibility by separate resolution for a Member who had joined neither major party caucus (see, H. Res. 45, Jan. 24, 1991, p. 2171); however, during the 104th Congress, when control of the House shifted, the minority leadership retained responsibility for the committee assignments of such third-party Member.

(c) One of the Members of each standing committee shall be elected by the House, from nominations submitted by the majority party caucus, at the commencement of each Congress, as chairman thereof. No Member may serve as the chairman of the same standing committee, or as the chairman of the same subcommittee thereof, for more than three consecutive Congresses, beginning with the One Hundred Fourth Congress (disregarding for this purpose any service for less than a full session in any Congress). In the temporary absence of the chairman, the Member next in rank in the

§ 701c. Committee
chairmen.

order named in the election of the committee, and so on, as often as the case shall happen, shall act as chairman; and in case of a permanent vacancy in the chairmanship of any such committee the House shall elect another chairman.

The requirement that nominations for chairmen be submitted by the majority party caucus was made part of the rules effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470). The sentence addressing temporary and permanent vacancies in chairmanships was first adopted on April 5, 1911 (VIII, 2201), and was continued in the Legislative Reorganization Act of 1946 (60 Stat. 812). The 104th Congress added the sentence setting term limits for committee and subcommittee chairmen (sec. 103(b), H. Res. 6, Jan. 4, 1995, p. —). In the 102d Congress a resolution included as a matter properly incidental to its election of the chairman of a standing committee a proviso that his powers and duties be exercised by the vice chairman until otherwise ordered by the House (H. Res. 43, Jan. 24, 1991, p. 2169; Feb. 6, 1991, p. 3198). In the 103d Congress a privileged resolution, offered at the direction of the Democratic Caucus, authorized a named acting chairman to exercise the powers and duties of a chairman of a standing committee until otherwise ordered by the House (H. Res. 396, Mar. 23, 1994, p. —).

(d) No committee of the House shall have more than five subcommittees (except the Committee on Appropriations, which shall have no more than thirteen; the Committee on Government Reform and Oversight, which shall have no more than seven; and the Committee on Transportation and Infrastructure, which shall have no more than six).

§ 701d. Requirement for subcommittees.

The present form of this paragraph was adopted in the 104th Congress (sec. 101(b), H. Res. 6, Jan. 4, 1995, p. —), replacing a requirement that all standing committees having more than 20 members (except the Committee on the Budget) establish at least four subcommittees (H. Res. 5, Jan. 14, 1975, p. 20).

(e) All vacancies in standing committees shall be filled by election by the House from nomina-

tions, submitted by the respective party caucus or conference.

This paragraph was first adopted in the 62d Congress (VIII, 2178). At the beginning of the 80th Congress it was amended to prevent a Member from serving on more than one standing committee, except that Members elected to serve on the Committees on District of Columbia or Un-American Activities (renamed the Committee on Internal Security and jurisdiction redefined on Feb. 19, 1969, p. 3723) could be elected to serve on not more than two standing committees, and that Members of the majority party, serving on the Committee on Expenditures in the Executive Departments (changed to Committee on Government Operations July 3, 1952, p. 9217) or House Administration could be elected to serve on not more than two standing committees. This limitation was continued through the 80th, 81st, and part of the 82d Congresses until July 3, 1952 (p. 9217) when it was modified so that Members elected to serve on the Committees on the District of Columbia, Government Operations, Un-American Activities, or House Administration could be elected to serve on not more than two standing committees. It was restored to its original form by amendment on January 13, 1953 (pp. 368–69) so that there was no limitation in House rules on the number of committees to which a Member may be elected until the 104th Congress added paragraph (b)(2) (see § 701b, *supra*). Party caucuses or conferences have also placed restrictions on committee assignments. The role of the respective party caucus or conference in making nominations to fill vacancies in standing committees was made part of the rule in the 98th Congress (H. Res. 5, Jan. 3, 1983, p. 34).

Form of resolution electing a Member to a committee and fixing his rank thereon (Jan. 23, 1947, p. 536; H. Res. 157, May 25, 1995, p. —). The House by unanimous consent fixed the relative rank of two Members on a committee where an error had been made on the original appointment (Jan. 20, 1947, p. 481). The House has filled a vacancy on a standing committee (H. Res. 43, Jan. 24, 1991, p. 2169) with a Member subsequently designated by his party caucus as “temporary” (in order to avoid caucus limitations on committee assignments) (Feb. 5, 1991, p. 2814).

(f) The Speaker shall appoint all select and conference committees which shall be ordered by the House from time to time. At any time after an original appointment, the Speaker may remove Members or appoint additional Members to select and conference committees. In appointing members to conference committees the Speaker shall ap-

§ 701e. Select and conference committees.

point no less than a majority of members who generally supported the House position as determined by the Speaker. The Speaker shall name Members who are primarily responsible for the legislation and shall, to the fullest extent feasible, include the principal proponents of the major provisions of the bill as it passed the House.

The provision of paragraph (f) relating to select committees was adopted in 1880, and the provision in that paragraph relating to conference committees was first adopted in 1890, although the practice of leaving the appointment of conference committees to the Speaker had existed from the earliest years of the House's history (IV, 4470; VIII, 2192).

Prior to 1880 the House might take from the Speaker the appointment of a select committee (IV, 4448, 4470; VIII, 2192) and on several occasions did so in fact (IV, 4471–4476).

In the earlier usage of the House the Member moving a select committee was appointed its chairman (II, 1275, III, 2342, IV, 4514–4516); but except for matters of ceremony, the inconvenience and even impropriety of the usage has caused it often to be disregarded in modern practice (IV, 4517–4523, 4671).

It is within the discretion of the Chair as to whom he appoints as conferees (June 24, 1932, p. 13876; July 8, 1947, p. 8469), and a motion to instruct the Speaker as to the number and composition of a conference committee on the part of the House is not in order (VIII, 2193, 3221). The Speaker may fill a vacancy on a conference committee by appointment but may not accept a resignation from a conference committee absent an order of the House (Nov. 4, 1987, p. 30808).

Effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470), the Speaker was required to appoint a majority of members who generally supported the House position, as determined by him, to all conference committees.

The last sentence of paragraph (f) was added in the 95th Congress (H. Res. 5, Jan. 4, 1977, pp. 53–70). Under that paragraph as amended, the Speaker must appoint as conferees Members who are "primarily responsible for the legislation," but the exercise of his additional discretionary authority under that clause to (1) determine whether a majority of the conferees generally supported the House position and (2) to appoint to the maximum extent feasible the principal proponents of major provisions of the House-passed bill, is not subject to challenge on a point of order (Speaker O'Neill, Oct. 12, 1977, pp. 33434–35), and is not necessarily affected by a vote on a nonbinding motion to instruct House conferees (May 9, 1990, p. 9830). On June 21, 1977, Speaker O'Neill first exercised his

discretionary authority to appoint a principal proponent of an adopted floor amendment as an additional limited conferee on that issue (p. 20132).

The second sentence of paragraph (f), authorizing the Speaker to add or remove conferees after his initial appointment, was added in the 103d Congress (H. Res. 5, Jan. 5, 1993, p. —).

The Speaker may appoint conferees from committees (1) which have not reported a measure, (2) which have jurisdiction over provisions of a nongermane Senate amendment to a House amendment to a Senate bill originally narrower in scope (Speaker O'Neill, Nov. 28, 1979, p. 33904), or (3) which have jurisdiction over provisions of an original Senate bill where the House amendment was narrower in scope (Speaker O'Neill, July 28, 1980, p. 19875; July 11, 1985, p. 18545). The Speaker may also appoint one who, although not a member of the committee of jurisdiction, is a principal proponent of the measure (Speaker Gingrich, Feb. 1, 1995, p. —). The Speaker has appointed as sole conferees on a nongermane portion of a Senate bill or amendment only members from the committee having jurisdiction over the subject matter thereof (Speaker O'Neill, Aug. 27, 1980, pp. 23548–49; July 24, 1986, p. 17644), and also members from such committees as additional rather than exclusive conferees on other nongermane portions of the Senate bill (July 24, 1986, p. 17644). Where a comprehensive matter is committed to conference, the Speaker may appoint separate groups of conferees from several committees for concurrent or exclusive consideration of provisions within their respective jurisdictions (Feb. 7, 1990, p. 1522; May 9, 1990, p. 9830). Pursuant to paragraph (f) the Speaker may by the terms of his appointment empower a group of exclusive conferees to report in total disagreement (June 10, 1988, p. 14077; Sept. 20, 1989, p. 20955). In the 102d Congress the Speaker reiterated his announced policy of simplifying conference appointments by noting on the occasion of a relatively complex appointment that, inasmuch as conference committees are “select committees” that dissolve when their report is acted upon, conference appointments should not be construed as jurisdictional precedent (Speaker Foley, June 3, 1992, p. —).

(g) Membership on select and joint committees during the course of a Congress shall be contingent on continuing membership in the party caucus or conference the Member was a member of at the time of his appointment to a select or joint committee. Should a Member cease to be a member of that caucus or conference, said Member shall automatically cease to be a member of any select or joint committee to which he is assigned. The

§ 701f. Party membership as basis for appointment.

chairman of the relevant party caucus or conference shall notify the Speaker whenever a Member ceases to be a member of a party caucus or conference and the Speaker shall notify the chairman of each select or joint committee on which said Member serves, that in accord with this rule, the Member's appointment to such committee is automatically vacated.

This party membership requirement for select and joint committees analogous to paragraph (b) was added in the 98th Congress (H. Res. 5, 1983, Jan. 3, 1983, p. 34).

(h) The Speaker may appoint the Resident Commissioner from Puerto Rico and Delegates to the House to any select committee and to any conference committee.

§ 701g. Delegates and Resident Commissioner.

Effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470), the Speaker was authorized to appoint the Resident Commissioner from Puerto Rico and Delegates to be conferees by the addition of paragraph (h); that paragraph was further amended in the 96th Congress (H. Res. 5, Jan. 15, 1979, pp. 7-16) to authorize the Speaker to appoint the Resident Commissioner from Puerto Rico and Delegates to select committees as well, and was further amended in the 103d Congress to authorize the Speaker to appoint Delegates and the Resident Commissioner to serve at any conference (H. Res. 5, Jan. 5, 1993, p. —).

A paragraph (i) of this clause was incorporated into the rules effective January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34470), to provide for a permanent Select Committee on Aging appointed by the Speaker pursuant to paragraph (f). That provision was stricken in the 103d Congress (H. Res. 5, Jan. 5, 1993, p. —).