

quiry directing the Secretary of State to provide information on any Presidential commitments requiring the sending of additional American troops beyond U.S. continental limits, the Secretary's reply was laid before the House, read, and referred to the Committee on Foreign Affairs which reported out the original resolution.

On Feb. 20, 1952,⁽⁹⁾ James P. Richards, of South Carolina, Chairman of the Committee on Foreign Affairs, called up a privileged resolution of inquiry (H. Res. 514) which the House adopted, as follows:⁽¹⁰⁾

Resolved, That the Secretary of State, is directed to transmit to the House of Representatives, at the earliest practicable date, full and complete information with respect to any agreements, commitments, or understandings which may have been entered into by the President of the United States and the Prime Minister of Great Britain in the course of their conversations during January 1952, and which might require the shipment of additional members of the Armed Forces of the United States beyond the continental limits of the United States or involve United States forces in armed conflict on foreign soil.

9. 98 CONG. REC. 1205, 82d Cong. 2d Sess.

10. *Id.* at p. 1216.

On Mar. 5, 1952,⁽¹¹⁾ Speaker Sam Rayburn, of Texas, laid before the House the following communication (H. Doc. No. 378) from the Secretary of State, which was read, referred to the Committee on Foreign Affairs, and ordered to be printed:

DEPARTMENT OF STATE,
Washington, D.C., March 4, 1952.
The Honorable SAM RAYBURN,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: I have been directed by the President to acknowledge receipt of House Resolution 514 and to call attention to his statement of February 20, when, at his press conference, he responded to the question, "Have any commitments been made to Great Britain on sending troops anywhere?" by a categorical "No."

Sincerely yours,
DEAN ACHESON.

§ 38. Committee on Government Operations

The Committee on Government Operations came into being on July 3, 1952,⁽¹²⁾ when the Committee on Expenditures in the Executive Departments was re-named. The latter had become a standing committee, itself, in 1927,⁽¹³⁾ at which time it assumed

11. 98 CONG. REC. 1892, 82d Cong. 2d Sess.

12. 98 CONG. REC. 9217, 82d Cong. 2d Sess.

13. 69 CONG. REC. 11, 70th Cong. 1st Sess., Dec. 5, 1927.

the jurisdiction of the Committee on Public Buildings as well as the jurisdiction of nine separate committees⁽¹⁴⁾ on expenditures in the Departments of Agriculture, Commerce and Labor, Interior, Justice, Navy, Post Office, State, Treasury, and War.

In 1973, the committee maintained seven subcommittees. In alphabetical order, these were the Subcommittees on Conservation and Natural Resources, Foreign Operations and Government Information, Government Activities, Intergovernmental Relations, Legal and Monetary Affairs, Legislation and Military Operations, and Special Studies.

The jurisdiction of the Committee on Government Operations pursuant to the 1973 rules⁽¹⁵⁾ read as follows:

(a) Budget and accounting measures, other than appropriations.

(b) Reorganizations in the executive branch of the Government.

(c) Such committee shall have the duty of—

(1) 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 con-

nection with the subject matter of such reports;

(2) studying the operation of Government activities at all levels with a view to determining its economy and efficiency;

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

(4) 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.

(d) For the purpose of performing such duties the committee, or any subcommittee thereof when authorized by the committee, is authorized to sit, hold hearings, and act at such times and places within the United States, whether or not the House is in session, is in recess, or has adjourned, to require by subpoena or otherwise the attendance of such witnesses and the production of such papers, documents, and books, and to take such testimony as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or of any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

As the precedents reveal, the jurisdiction of the committee and of its predecessor, has also extended to such subjects as conserving public lands and natural resources through the coordination of executive agencies,⁽¹⁶⁾ eliminating the

14. See 4 Hinds' Precedents §4315.

15. Rule XI clause 8, *House Rules and Manual* §691 (1973). See also Rule X clause 1(i), *House Rules and Manual* §678 (1979).

16. §38.4, *infra*.

necessity of surety bonds for certain federal employees,⁽¹⁷⁾ establishing a commission to study population trends and their resultant influence on government and the economy,⁽¹⁸⁾ and amending certain laws relating to government records.⁽¹⁹⁾

With respect to oversight responsibilities, the jurisdiction of the Committee on Government Operations may be said to overlap with that of most other standing committees. Such overlapping jurisdiction necessarily arises from the broad oversight functions assigned to the committee by the rules. In addition to giving each standing committee (with certain exceptions) general oversight responsibilities as to the application and operation of laws within its jurisdiction, Rule X clause 2(b) [*House Rules and Manual* §§ 692(a) and (b) (1979)] states that, "The Committee on Government Operations 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." Furthermore, Rule X clause 4(c)(2) [*House Rules and Manual* § 696 (1979)] states:

In addition to its duties under subparagraph (1), the Committee on Gov-

ernment Operations 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(1)(3) of Rule XI).

The Committee Reform Amendments of 1974 added the following subject areas to the jurisdiction of the Committee on Government Operations: the overall economy and efficiency of government operations and activities, including federal procurement; intergovernmental relationships between the United States and municipalities, and general revenue sharing; and the national archives.⁽²⁰⁾ The Committee Reform Amendments also eliminated the specific conferral of subpoena authority contained in clause 8(d) of Rule XI in 1973 and made the committee subject to the general conferral of subpoena authority on all committees contained in Rule XI clause 2(m) and provided additional functions for the committee [Rule X clause 2(c), *House Rules and Man-*

17. § 38.1, *infra*.

18. § 38.2, *infra*.

19. § 38.6, *infra*.

20. H. Res. 988, 120 CONG. REC. 3444-770, 93d Cong. 2d Sess., Oct. 8, 1974, effective Jan. 3, 1975.

ual § 692(c) (1979); Rule X clause 4(c), *House Rules and Manual* § 696 (1979)]:

2(c) At the beginning of each Congress, an appropriate representative of the Committee on Government Operations shall meet with appropriate representatives of each of the other committees of the House to discuss the oversight plans of such committees and to assist in coordinating all of the oversight activities of the House during such Congress. Within 60 days after the Congress convenes, the Committee on Government Operations shall report to the House the results of such meetings and discussions, and any recommendations which it may have to assure the most effective coordination of such activities and otherwise achieve the objectives of this clause.

4(c)(1) The Committee on Government Operations shall have the general function of—

(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 Operations 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(1) (3) of Rule XI).

Creating Boards, Committees, and Commissions in the Executive Branch

§ 38.1 The Committee on Expenditures in the Executive Departments (now the Committee on Government Operations) and not the Committee on Post Office and Civil Service had jurisdiction of a bill to establish and maintain a fidelity trust fund and a Federal Surety Board to operate a procedure in lieu of surety bonds for all federal employees required by law or regulation to furnish such bonds.

On Apr. 3, 1950,⁽²¹⁾ Thomas J. Murray, of Tennessee, Chairman of the Committee on Post Office and Civil Service, obtained unanimous consent to have his com-

²¹ 96 CONG. REC. 4608, 81st Cong. 2d Sess.

mittee discharged from further consideration of the bill (H.R. 7913), and to have it rereferred to the Committee on Expenditures in the Executive Departments [now the Committee on Government Operations].

§ 38.2 The Committee on Government Operations, and not the Committee on Ways and Means, has jurisdiction of measures establishing a Commission on Population Growth to study population trends and their influences on government and the economy.

On Sept. 23, 1969,⁽²²⁾ Wilbur D. Mills, of Arkansas, Chairman of the Committee on Ways and Means, obtained unanimous consent to have the bills (H.R. 9586, H.R. 10515, H.R. 13337, H.R. 13523), and a communication (Exec. Comm. No. 1000) from the executive branch outlining similar proposals, rereferred from the Committee on Ways and Means to the Committee on Government Operations.

§ 38.3 The Committee on Government Operations and not the Committee on Foreign Affairs, considered and re-

22. 115 CONG. REC. 26568, 91st Cong. 1st Sess.

ported a bill to establish a Cabinet Committee on Opportunities for Spanish-Speaking People.

On Nov. 24, 1969,⁽²³⁾ Thomas E. Morgan, of Pennsylvania, Chairman of the Committee on Foreign Affairs, obtained unanimous consent to have his committee discharged from further consideration of a bill (S. 740) to establish a Cabinet Committee on Opportunities for Spanish-Speaking People, and for other purposes, and to have it rereferred to the Committee on Government Operations. Mr. Morgan additionally obtained unanimous consent to effect a similar rereferral of numerous House bills and executive communications to establish an Interagency Committee on Mexican-American Affairs, and for other purposes.

Parliamentarian's Note: When S. 740 was reported by the Senate's Committee on Government Operations,⁽²⁴⁾ it was entitled, "A bill to establish the Interagency Committee on Mexican-American Affairs, and for other purposes." As amended and passed by the Senate,⁽²⁵⁾ S. 740 became "A bill

23. 115 CONG. REC. 35509, 91st Cong. 1st Sess.

24. 115 CONG. REC. 26684, 91st Cong. 1st Sess., Sept. 23, 1969.

25. 115 CONG. REC. 27121, 91st Cong. 1st Sess., Sept. 25, 1969.

to establish the Cabinet Committee on Opportunities for Spanish-Speaking People, and for other purposes." Thus, the simultaneous rereferrals in the House of the companion bills (i.e., to establish an Interagency Committee on Mexican-American Affairs) were appropriate.

When the House "Interagency" bills were initially introduced in the 91st Congress, the problem of committee jurisdiction was recognized. Consideration was given to both the Committee on Education and Labor and the Committee on Foreign Affairs inasmuch as all the bills dealt with the special problems of Spanish-speaking Americans and yet each measure, as drafted, could have applied to non-Americans of Mexican or other Spanish descent who were temporarily in this country (such as Mexican migrant workers).

Since S. 740, as amended by the Senate committee and passed by the Senate, sought to create a cabinet level committee on the problems of Spanish-Americans, the possibility of House consideration by the Committee on Government Operations became apparent in light of that committee's jurisdiction over "reorganization in the executive branch of the Government."⁽²⁶⁾

26. See Rule XI clause 8(b), *House Rules and Manual* §691 (1973).

On Dec. 4, 1969,⁽²⁷⁾ the Committee on Government Operations reported S. 740 with amendments (H. Rept. No. 91-699), and the Speaker referred the bill to the Union Calendar.

Executive Agencies' Coordination

§ 38.4 The Committee on Expenditures in the Executive Departments (now the Committee on Government Operations) and not the Committee on Public Lands (now the Committee on Interior and Insular Affairs) had jurisdiction of a bill to facilitate the conservation of public lands and other natural resources by coordinating the executive agencies of the government exercising functions in connection therewith.

On Feb. 18, 1936,⁽²⁸⁾ Mr. John J. Cochran, of Missouri, obtained unanimous consent to have the bill (H.R. 11046) referred to the Committee on Expenditures (now the Committee on Government Operations). The measure had been originally referred⁽²⁹⁾ to the

27. 115 CONG. REC. 36941, 91st Cong. 1st Sess.

28. 80 CONG. REC. 2337, 74th Cong. 2d Sess.

29. 80 CONG. REC. 1760, 74th Cong. 2d Sess., Feb. 10, 1936.

Committee on Public Lands (now the Committee on Interior and Insular Affairs). In so doing, Mr. Cochran noted that he had discussed the matter with the Parliamentarian, the Chairman of the Committee on Public Lands, as well as the author of the bill, Mr. J. W. Robinson, of Utah, and it was "agreeable that this be done."⁽³⁰⁾

Executive Agency Reorganization

§ 38.5 The Committee on Government Operations, and not the Committee on Agriculture, has jurisdiction of bills establishing the Rural Electrification Administration as an independent agency and restoring to the agency those functions transferred to the Secretary of Agriculture under Reorganization Plan No. 2 of 1953.

On Mar. 19, 1959,⁽³¹⁾ Mr. John W. McCormack, of Massachusetts, obtained unanimous consent to have the bills (H.R. 4147, H.R. 5746), rereferred from the Com-

30. 80 CONG. REC. 2337, 74th Cong. 2d Sess., Feb. 18, 1936.

31. 105 CONG. REC. 4692, 86th Cong. 1st Sess.

mittee on Agriculture to the Committee on Government Operations.

Government Records and Archives

§ 38.6 The Committee on Expenditures in the Executive Departments (now the Committee on Government Operations) and not the Committee on House Administration had jurisdiction of an executive communication proposing a bill to amend or repeal a multiplicity of laws relating to government records including laws related to recordkeeping requirements of various governmental agencies and functions.

On July 9, 1951,⁽¹⁾ Mr. Thomas B. Stanley, of Virginia, obtained unanimous consent to have the Committee on House Administration discharged from further consideration of a communication (Exec. Comm. No. 568), from the Administrator of the General Services Administration transmitting a proposed bill and to have the communication referred to the Committee on Expenditures in the Executive Departments (now the

1. 97 CONG. REC. 7829, 82d Cong. 1st Sess.

Committee on Government Operations).

Land Used for Federal Purposes; Intergovernmental Relationships with States

§ 38.7 The Committee on Government Operations and not the Committee on Public Works has jurisdiction of a bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in several states used for federal purposes.

On Mar. 10, 1958,⁽²⁾ Mr. George H. Fallon, of Maryland, a member of the Committee on Public Works, obtained unanimous consent to have that committee discharged from further consideration of S. 1538, and to have it re-referred to the Committee on Government Operations.

Effect of Death or Incapacity of Military Disbursing Officer

§ 38.8 The Committee on Government Operations and not the Committee on Armed Services has jurisdiction of bills to provide for the orderly transaction of the public business in the event of

2. 104 CONG. REC. 3785, 85th Cong. 2d Sess.

the death, incapacity, or separation from office of a disbursing officer of the military departments.

On July 9, 1953,⁽³⁾ Clare E. Hoffman, of Michigan, Chairman of the Committee on Government Operations, obtained unanimous consent that the Committee on Armed Services be discharged from further consideration of the identical bills (H.R. 6117, S. 2078), and, additionally, to have the bills referred to the Committee on Government Operations.⁽⁴⁾

Collecting and Accounting for Debts Owed to United States by Government Employees

§ 38.9 The Committee on Government Operations and not the Committee on Post Office and Civil Service has jurisdiction of a communication proposing a bill to provide for collection from military and civilian personnel of amounts due the United States and for accounting procedures with respect thereto.

3. 99 CONG. REC. 8359, 83d Cong. 1st Sess.

4. H.R. 6117 was reported by the Committee on Government Operations on July 15, 1953 (H. Rept. No. 845).

On Jan. 14, 1954,⁽⁵⁾ Edward H. Rees, of Kansas, Chairman of the Committee on Post Office and Civil Service, obtained unanimous consent to have his committee discharged from further consideration of a letter from the Acting Secretary of the Navy (Exec. Comm. No. 1106), proposing the legislation described above and to have it rereferred to the Committee on Government Operations.

Travel Costs for Federal Job Applicants

§ 38.10 The Committee on Government Operations, and not the Committee on Post Office and Civil Service, has jurisdiction of proposals to amend the Administrative Expenses Act to provide for the payment of certain travel costs for applicants invited by a federal agency to visit it for purposes of employment.

On Feb. 15, 1967,⁽⁶⁾ Thaddeus J. Dulski, of New York, Chairman of the Committee on Post Office and Civil Service, obtained unanimous consent to have his committee discharged from further consideration of an executive communica-

tion (Exec. Comm. No. 353), outlining the proposals specified above and to have that communication rereferred to the Committee on Government Operations.⁽⁷⁾

§ 39. Committee on House Administration

Owing its creation to the Legislative Reorganization Act of 1946,⁽⁸⁾ the Committee on House Administration was assigned jurisdiction formerly accorded the six standing Committees on Elections,⁽⁹⁾ Accounts, and Memorials,

7. See also H.R. 9020, 111 CONG. REC. 18998, 89th Cong. 1st Sess., Aug. 2, 1965, for a similar proposal which was referred to and reported by the Committee on Government Operations (H. Rept. No. 710).

8. 60 Stat. 812.

9. At one time, there were four standing Committees on Elections. The original Committee on Elections was established in the early days of the first Congress and subsequently divided into three committees about a century later [4 Hinds' Precedents §4019], because of a demanding workload; concerned exclusively with matters pertaining to the election of Members, the three committees historically dealt with the adjudication of election contests. The Committee on Election of [The] President, Vice President, and Representatives in Congress became a standing com-

5. 100 CONG. REC. 257, 83d Cong. 2d Sess.

6. 113 CONG. REC. 3466, 90th Cong. 1st Sess.