

Following extended debate, the resolution was ultimately agreed to,⁽⁵⁾ and the rules were amended, accordingly.

§ 3.—Authorizing Investigations

As of 1973, only four standing committees possessed standby authority under the rules⁽⁶⁾ to sit and act and to hold hearings at such times and places within the United States as the committees deemed necessary. The powers to subpoena or otherwise require the attendance and testimony of witnesses and to compel the production of papers and documents were also limited under the standing rules to those same four committees. Accordingly, investigative authority was granted to all other standing, as well as special or select⁽⁷⁾ committees by means of in-

5. *Id.* at p. 3746.

6. Committee on Appropriations, Rule XI clause 2(b), *House Rules and Manual* §679 (1973); Committee on Government Operations, Rule XI clause 8(d), *House Rules and Manual* §691 (1973); Committee on Internal Security, Rule XI clause 11 (b), *House Rules and Manual* §703A (1973); and Committee on Standards of Official Conduct, Rule XI clause 19(h), *House Rules and Manual* §720 (1973).

7. For treatment of special and select committee investigations, see Ch. 15, *supra*.

dividual resolutions⁽⁸⁾ reported from the Committee on Rules. While these circumstances were to change in 1975,⁽⁹⁾ the need to obtain such specific authorizations prior to undertaking an investigation was an historic fact for most committees for more than a century.

Investigation of Alleged Subversives in Government

§ 3.1 The House approved a resolution authorizing the Committee on Appropriations to investigate allegations that certain persons employed by the federal government were unfit for continued employment because of subversive affiliations. The resolution also provided that any legislation approved by the committee as a result

8. There were instances where two committees received investigative authority in one resolution. See § 3.9, *infra*.

9. See Rule XI clause 2(m), *House Rules and Manual* §718 (1977) and further editions of this work. The Committee Reform Amendments of 1974, H. Res. 988, 93d Cong. 2d Sess., gave all committees listed under Rule X the power to conduct investigations within the United States and to issue subpoenas, effective Jan. 3, 1975.

of its investigation could be incorporated in any general or special appropriation measure emanating from the committee notwithstanding the House rule against the inclusion of legislation in appropriation bills.

On Feb. 9, 1943,⁽¹⁰⁾ Mr. Adolph J. Sabath, of Illinois, a member of the Committee on Rules submitted the following privileged resolution (H. Res. 105) and asked for its immediate consideration:

Resolved, That the Committee on Appropriations, acting through a special subcommittee thereof appointed by the chairman of such committee for the purposes of this resolution, is authorized and directed to examine into any and all allegations or charges that certain persons in the employ of the several executive departments and other executive agencies are unfit to continue in such employment by reason of their present association or membership in or with organizations whose aims or purposes are or have been subversive to the Government of the United States. Such examination shall be pursued with the view of obtaining all available evidence bearing upon each particular case and reporting to the House the conclusions of the committee with respect to each such case in the light of the factual evidence obtained. The committee, for the purposes of this resolution, shall have the right to re-

port at any time by bill, amendment, or otherwise, its findings and determination. Any legislation approved by the committee as a result of this resolution may be incorporated in any general or special appropriation measure emanating from such committee or may be offered as a committee amendment to any such measure notwithstanding the provisions of clause 2 of rule XXI.⁽¹¹⁾

For the purposes of this resolution, such committee or any subcommittee thereof is hereby authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

With the following committee amendment:

Page 2, line 4, after the period, strike out all of the language following up to the period in line 6.⁽¹²⁾

11. See *House Rules and Manual* §834 (1973).

12. The language to be struck under the committee amendment consisted of the resolution's third sentence—

10. 89 CONG. REC. 734, 78th Cong. 1st Sess.

The House, by a two-thirds vote¹³ agreed to consider the measure immediately. Following debate, the committee amendment was adopted,⁽¹³⁾ and the resolution, as amended, was agreed to.

Investigations of Executive Agency [Veterans' Administration]

§ 3.2 The House authorized a standing committee, the Committee on World War Veterans' Legislation (now, the Committee on Veterans' Affairs), to investigate the Veterans' Administration.

On Mar. 27, 1945,⁽¹⁴⁾ Mr. Roger C. Slaughter, of Missouri, by direction of the Committee on Rules, called up and asked for the immediate consideration of the following resolution (H. Res. 192):

Resolved, That the Committee on World War Veterans' Legislation, acting as a whole or by subcommittee, is authorized and directed to conduct an investigation of the Veterans' Administration with a particular view to determining the efficiency of the adminis-

granting the committee "the right to report at any time by bill, amendment or otherwise, its findings and determination."

13. 89 CONG. REC. 742, 78th Cong. 1st Sess.

14. 91 CONG. REC. 2871, 79th Cong. 1st Sess.

tration and operation of Veterans' Administration facilities.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), as soon as practicable during the present Congress, the results of its investigation, together with such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such records, documents, and papers, to administer oaths, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member.

As Mr. Slaughter explained, two investigatory resolutions had been under consideration by the Committee on Rules, and:

It was the judgment of the Rules Committee, however, that [one of the two proposals] was somewhat too sweeping in character and embraced subjects that, at least in the judgment of the committee, should not be taken up at this time. After a full and frank discussion of these two resolutions it was concluded to report the so-called Rankin resolution which provides for an investigation of the Veterans' Bureau by the committee that has juris-

diction of that Bureau and by the committee which presumptively is the committee best advised as to the operation of the Veterans' Administration.

Shortly thereafter,⁽¹⁵⁾ the resolution was agreed to on a roll call vote.⁽¹⁶⁾

Defining Extent of Probe

§ 3.3 The House authorized the Committee on the District of Columbia to conduct investigations within its jurisdiction as set forth in the House rules.

On Mar. 6, 1973,⁽¹⁷⁾ by direction of the Committee on Rules, Mr. Richard Bolling, of Missouri, a member of that committee, called up and asked for the immediate consideration of the following resolution (H. Res. 162):

Resolved, That, effective January 3, 1973, the Committee on the District of Columbia, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction as set forth in clause 5 of

rule XI⁽¹⁸⁾ of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

Sec. 2. (a) For the purpose of making such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act, subject to clause 31 of rule XI⁽¹⁹⁾ of the Rules of the House of Representatives, during the present Congress at such times and places within the United States, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person

15. *Id.* at p. 2881.

16. Duties of the Committee on World War Veterans' Legislation were assumed by the Committee on Veterans' Affairs which was established in 1947. See Rule X clause 1(u), *House Rules and Manual* § 690 (1979).

17. 119 CONG. REC. 6385, 93d Cong. 1st Sess.

18. This provision defines the jurisdiction of the Committee on the District of Columbia as extending to "all measures relating to the municipal affairs" of the city, in general, "other than appropriations therefor [Rule XI clause 5(a) (1973)]." The remaining clauses [5(b)–5(i)] clarify what subjects are included therein. See Rule XI clause 5, *House Rules and Manual* § 685 (1973).

19. This provision requires all but five standing committees to obtain "special leave" in order to sit "while the House is reading a measure for amendment under the five-minute rule." See Rule XI clause 31, *House Rules and Manual* § 739 (1973).

designated by such chairman or member. The chairman of the committee, or any member designated by him, may administer oaths to any witness.

(b) Pursuant to clause 238 of rule XI⁽²⁰⁾ of the Rules of the House of Representatives, the committee shall submit to the House, not later than January 2, 1975, a report on the activities of that committee during the Congress ending at noon on January 3, 1975.

Immediate consideration of the resolution was agreed to by a two-thirds vote,⁽¹⁾ and shortly thereafter, the resolution, itself, was agreed to.

Parliamentarian's Note: Prior to the effective date of House Resolution 988, 93d Cong. 2d Sess., which gave all committees listed under Rule X the power to conduct investigations and issue subpoenas, only specified committees had such permanent authority under the rules. Other committees were authorized by separate resolution, of which the above is typical, to conduct investigations. The present rule is contained in Rule

20. This reference (to "clause 238") appears to be a typographical error in the Record, and most likely refers to § 738 of Rule XI [i.e., Rule XI clause 30, *House Rules and Manual* § 738 (1973)] which requires certain salary and accounting information to be reported by each committee to the Clerk's office biannually.

1. 119 CONG. REC. 6386, 93d Cong. 1st Sess.

XI clause 2(m), *House Rules and Manual* § 718 (1979).

Expansion of Investigations Beyond U.S. Borders

§ 3.4 The House authorized the Committee on Public Works to send abroad a limited number of its members and staff (1) to attend the United Nations Conference on the Human Environment being held in Sweden; and (2) to inspect, on the return trip, various projects relating to public works, resource usage, and pollution control in specified foreign lands.

On June 1, 1972,⁽²⁾ by direction of the Committee on Rules, Mr. Spark M. Matsunaga, of Hawaii, called up and asked for the immediate consideration of House Resolution 985, which read, in part as follows:

Resolved, That notwithstanding the provisions of H. Res. 142, Ninety-second Congress,⁽³⁾ the Committee on

2. 118 CONG. REC. 19486, 92d Cong. 2d Sess.

3. H. Res. 142 [117 CONG. REC. 4604, 4605, 92d Cong. 1st Sess., Mar. 2, 1971] as amended and agreed to by the House, was an investigatory and funding authorization which permitted the Public Works Committee for the purposes of its studies to "sit and act . . . at such times and

Public Works is authorized to send not more than three members of such committee as congressional adviser and alternates to the United States delegation to the United Nations Conference on the Human Environment (such adviser having been designated by the Speaker of the House and appointed by the Secretary of State), and not more than two staff assistants, to attend the conference to be held in Stockholm, Sweden, during June 5 through June 16, inclusive; and in returning to the United States, also to inspect various projects and programs of significant national and international importance relating to public works, resource management and development, and anti-pollution in the Netherlands, Germany, Scandinavia, and the United Kingdom.

Notwithstanding the provisions of H. Res. 142 of the Ninety-second Congress, first session, local currencies owned by the United States shall be made available to the members of the Committee on Public Works of the House of Representatives and employees engaged in carrying out their official duties for the purpose of carrying out the authority as set forth in this resolution, to travel outside the United States.⁽⁴⁾

places within the United States, Commonwealths, territories and possessions thereof, Canada, Mexico, and those Central American and South American countries in which the Pan American Highway is located . . . as it deems necessary. [Sec. 2. (a)].”

4. H. Res. 142 had limited committee use of local currencies owned by the United States to the countries speci-

Two proposed committee amendments⁽⁵⁾ were agreed to, after which the resolution was briefly debated and agreed to.⁽⁶⁾

§ 3.5 The House authorized a limited number of members from the Committee on Post Office and Civil Service (which had been limited by prior resolution to domestic investigations) to study civilian manpower usage by the Department of Defense in Far Eastern and Western European countries.

On Oct. 19, 1966,⁽⁷⁾ by direction of the Committee on Rules, Mr. Claude D. Pepper, of Florida, called up and asked for the immediate consideration of the following resolution (H. Res. 1048):

Resolved, That (a) notwithstanding the provisions of H. Res. 245, Eighty-ninth Congress,⁽⁸⁾ the Committee on

fied in the immediately preceding footnote.

5. The amendments did not materially affect the quoted passages. The first specified the departure date [June 3]; and, the second specified the date of return [June 23].
6. 118 CONG. REC. 19487, 92d Cong. 2d Sess.
7. 112 CONG. REC. 27713, 89th Cong. 2d Sess.
8. H. Res. 245 [111 CONG. REC. 6242, 89th Cong. 1st Sess., Mar. 29, 1965] provided investigative and travel au-

Post Office and Civil Service is authorized to send not more than two members, and not more than two staff assistants, of such committee to such Far Eastern and Western European countries as the committee may determine, for the purpose of conducting studies with respect to the policies, operations, activities, and administration by the Department of Defense of the United States Government of the civilian manpower requirements, utilization, and employment policies of the Department in such countries, with particular reference to—

(1) the determination of the appropriate means of ascertaining the number of civilian employees needed by the Department of Defense in such countries, including the utilization of United States civil service employees, the direct hiring by the Department of Defense of foreign nationals, and the indirect hiring by the Department of Defense of foreign nationals through the government of the foreign countries concerned;

(2) the determination of whether sound manpower utilization policies are being applied by the Department of Defense in such countries; and

(3) the propriety of the use by the Department of Defense of personnel

thorizations for the Committee on Post Office and Civil Service. As amended, the measure provided that "Funds authorized are for expenses incurred in the committee's activities within the United States and . . . local currencies owned by the United States in foreign countries shall not be made available . . . for expenses of [committee] members or other Members or employees traveling abroad."

furnished by private contractors in such countries.

(b) Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Post Office and Civil Service of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code, except that—

(1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964;

(2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; and

(3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

(c) Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Shortly thereafter, the resolution was agreed to.

§ 3.6 The House authorized the Speaker to appoint certain members from a standing committee to attend an international conference in Geneva—thereby extending the geographic bounds of that committee’s investigatory authorization.

On May 29, 1963,⁽⁹⁾ by direction of the Committee on Rules, Mr. B. F. Sisk, of California, called up and asked for the immediate consideration of the following resolution (H. Res. 368):

Resolved, That the Speaker of the House of Representatives is hereby authorized to appoint a member from the majority and a member from the minority of the Committee on Education and Labor to attend the International Labor Organization Conference in Geneva, Switzerland, between June 1, 1963, and June 30, 1963.

He is further authorized to appoint as alternates a member from the majority and a member from the minority of the said committee.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the aforesaid delegates and alternates from the Committee on Education and Labor of the

9. 109 CONG. REC. 9799, 88th Cong. 1st Sess.

House of Representatives engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, (1) That no member of said committee shall receive or expend local currencies for subsistence in an amount in excess of the maximum per diem rates approved for oversee travel as set forth in the Standardized Government Travel Regulations, as revised and amended by the Bureau of the Budget; (2) that no member of said committee shall receive or expend an amount for transportation in excess of actual transportation costs;⁽¹⁰⁾ (3) no appropriated funds shall be expended: for the purpose of defraying expenses of members of said committee in any country where counterpart funds are available for this purpose.

That each member of said committee shall make to the chairman of said committee an itemized report showing

10. The language of this paragraph was necessitated by the passage of H. Res. 103 [109 CONG. REC. 1553, 88th Cong. 1st Sess., Jan. 31, 1963] earlier in the session. H. Res. 103 was an investigatory and fund-authorizing measure for the Committee on Education and Labor which provided, among other things that “Funds authorized are for expenses incurred in the committee’s activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Education and Labor for expenses of its members or other Members or employees traveling abroad.”

the number of days visited in each country whose local currencies were spent, the amount of per diem furnished and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the U.S. Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

In the debate which ensued, Mr. Sisk noted that a "somewhat similar resolution" had been looked upon "with some concern"⁽¹¹⁾ when it was brought to the floor several days earlier. He explained that the resolution under consideration, however, was a simpler measure. These remarks prompted the following exchange:⁽¹²⁾

MR. [OMAR T.] BURLESON [of Texas]: The reason for this resolution is the simple fact that the Education and Labor Committee does not have authorization to travel outside the continental limits of the United States. This authority was not included in their authorizing legislation permitting money to be appropriated to the committee for

11. On May 14, 1963 [109 CONG. REC. 8512-20, 88th Cong. 1st Sess.], the House entertained consideration of, and ultimately chose to reject [*id.* at p 8520] a resolution (H. Res. 340) authorizing the Committee on Education and Labor to send four of its members to the identical conference.
12. 109 CONG. REC. 9800, 88th Cong. 1st Sess.

the conduct of their committee business. Is that correct?

MR. SISK: The gentleman is exactly right and I think very clearly states the need for this resolution.

MR. BURLESON: There was some misunderstanding at the time this matter was on the floor a few days ago. There was obviously some confusion as to the necessity for this resolution to be brought before us. I thought it was well to develop this point.

Debate continued briefly on the resolution after which it was agreed to—yeas 278, nays 52—by roll call vote.⁽¹³⁾

§ 3.7 By unanimous consent the House considered and agreed to a resolution ordered reported but not formally filed by the Committee on Rules, amending a previously adopted resolution to provide for geographic extension of the investigative authority of the Committee on Interstate and Foreign Commerce during the 85th Congress.

On Mar. 14, 1957,⁽¹⁴⁾ Howard W. Smith, of Virginia, Chairman of the Committee on Rules, sought to call up House Resolution 197 to extend the territorial jurisdiction of the Committee on Interstate and Foreign Commerce.

The following exchange took place:

13. *Id.* at p. 9802.
14. 103 CONG. REC. 3722, 85th Cong. 1st Sess.

MR. SMITH of Virginia: Mr. Speaker, yesterday I spoke to the Speaker about a minor resolution reported from the Committee on Rules. May I be recognized on behalf of the Committee on Rules to call up this resolution for consideration?

THE SPEAKER: ⁽¹⁵⁾ The Chair will recognize the gentleman from Virginia.

MR. SMITH of Virginia: Mr. Speaker, by direction of the Committee on Rules I present a privileged resolution and ask unanimous consent for its immediate consideration.

The Clerk read as follows:

HOUSE RESOLUTION 197

Resolved, That House Resolution 99, 85th Congress, is amended by striking out the words "within the United States" where they appear on lines 19 and 20, page 3, of said engrossed resolution, and inserting in lieu thereof the words "within the United States, its Territories and possessions, and the Commonwealth of Puerto Rico."

MR. [JOSEPH W.] MARTIN [Jr., of Massachusetts]: Mr. Speaker, reserving the right to object, will the gentleman explain the resolution.

MR. SMITH of Virginia: Yes. Mr. Speaker, the Committee on Rules so far this session has not granted foreign travel privileges to any committee. We have, however, included in the resolution the right to visit any offshore territories and possessions. Inadvertently that was omitted from the resolution of the Interstate and Foreign Commerce Committee and this merely corrects that oversight. It is unanimously approved by the Committee on Rules.

MR. MARTIN: Mr. Speaker, I withdraw my reservation of objection.

THE SPEAKER: Is there objection to the request of the gentleman from Virginia?

There was no objection.

The resolution was agreed to and a motion to reconsider was laid on the table.

§ 3.8 In the 92d Congress, the House, by privileged resolution reported from the Committee on Rules, authorized the Committee on Ways and Means to conduct investigations within its jurisdiction, to hold hearings, to travel outside the United States, and to use counterpart funds.

On Nov. 5, 1971,⁽¹⁶⁾ by direction of the Committee on Rules, Mr. Richard Bolling, of Missouri, a member of that committee, called up the privileged resolution (H. Res. 597) described above. In the course of the ensuing discussion, Mr. Bolling yielded some of his time to Wilbur D. Mills, of Arkansas, Chairman of the Committee on Ways and Means, who proceeded to explain the need for the resolution, as follows:⁽¹⁷⁾

MR. MILLS: . . . [I]n all fairness to the membership of the House, this idea did not originate with the committee. We do not want to take credit for it.

We were asked by the Commissioners of the European Common Mar-

15. Sam Rayburn (Tex.).

16. 117 CONG. REC. 39513, 92d Cong. 1st Sess.

17. *Id.* at p. 39514.

ket through an official invitation to visit some sessions of the European Common Market in order to discuss problems of trade between the European Common Market and the United States. This was, we thought, a matter that we could not treat lightly. We discussed it in committee. I think the committee was unanimous in its feeling that we should at least consider the invitation. It was not possible for us, because of the schedule of the committee, to avail ourselves of the opportunity to go at the time first suggested by the commissioners. That was the first week of November of this year—this week, in fact.

Now they are asking us to consider the possibility of being there for some 3 or 4 days sometime during the month of January. No decision has yet been made, and in all frankness, I am not certain yet that the committee or a part of the committee will actually go. But in the event we do go, it is necessary for us to have this permission from the House in order to do so.

Shortly thereafter, the resolution was agreed to.

Parliamentarian's Note: Counterpart funds are local currencies owned by the United States which, under 22 USC §1754(b) may be made available to committees of Congress studying the application, administration and execution of laws, or parts of laws, the subject matter of which is within their jurisdiction.

Resolution Authorizing Investigation by Two Committees

§ 3.9 The House in one resolution authorized two standing

committees, the Committee on Military Affairs and the Committee on Naval Affairs [each later combined into the Committee on Armed Services] to investigate, with subpoena authority, the progress of the national defense program insofar as it related to matters within the jurisdiction of each committee.

On Apr. 2, 1941,⁽¹⁸⁾ Speaker Sam Rayburn, of Texas, recognized Mr. Howard W. Smith, of Virginia, who, by direction of the Committee on Rules, called up and asked for the immediate consideration of the following resolution:⁽¹⁹⁾

HOUSE RESOLUTION 162

Resolved, That the Committee on Military Affairs and the Committee on Naval Affairs, respectively, each acting as a whole or by subcommittee, are authorized and directed to conduct thorough studies and investigations of the progress of the national-defense program insofar as it relates to matters coming within the jurisdiction of such committees, respectively, with a view to determining whether such program is being carried forward efficiently, expeditiously, and economically.

The Committee on Military Affairs and the Committee on Naval Affairs shall report to the House during the

18. 87 CONG. REC. 2898, 77th Cong. 1st Sess.

19. *Id.* at p. 2899.

present Congress the results of their studies and investigations, together with such recommendations for legislation as they deem desirable.

For the purposes of this resolution, the respective committees, or any subcommittees thereof, are authorized to hold such hearings, to sit and act during the present Congress at such times and places whether or not the House is in session, has recessed, or has adjourned, to require the attendance of such witnesses and the production of such books, papers, and documents by subpoena or otherwise, and to take testimony, as it deems necessary. Subpoenas may be issued under the signature of the chairman of the respective committees and shall be served by any person designated by such chairmen. The chairman of each committee or any member thereof may administer oaths to witnesses.

A clerical error in the measure was corrected by unanimous consent, whereupon brief debate ensued, and the resolution was agreed to⁽²⁰⁾ on a roll call vote—yeas 327, nay 1.

Parliamentarian's Note: In 1947, the Committee on Military Affairs and the Committee on Naval Affairs were combined to establish the Committee on Armed Services pursuant to the Legislative Reorganization Act of 1946.⁽¹⁾

20. *Id.* at p. 2907.

1. See Rule XI clause 3, *House Rules and Manual* §682 (1973).

Specificity in Investigative Resolutions

§ 3.10 The House authorized the standing Committee on Veterans' Affairs to conduct an investigation of veterans' programs and benefits, specifying the subjects of compensation and pensions, hospitalization and medical care, insurance, housing and business loans, education and training, and the furnishing of burial allowances.

On Feb. 5, 1957,⁽²⁾ Howard W. Smith, of Virginia, Chairman of the Committee on Rules, called up House Resolution 64 and asked for its immediate consideration. The resolution, in pertinent part, contained the following language:

Resolved, That the Committee on Veterans' Affairs, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study of the following programs of benefits for veterans and their dependents and survivors:

- (1) The programs of compensation and pension;
- (2) The programs of hospitalization, domiciliary care, medical and dental care and treatment, and furnishing of prosthetic appliances;
- (3) The insurance and indemnity programs;

2. 103 CONG. REC. 1554, 85th Cong. 1st Sess.

(4) The housing and business loan programs, and the program of furnishing assistance for the acquisition of specially adapted housing;

(5) The programs of education and training (including vocational rehabilitation);

(6) The furnishing of burial allowances; and

(7) The furnishing of unemployment compensation under the Veterans' Readjustment Assistance Act of 1952; with a view to determining whether or not such programs are being conducted economically, efficiently, in the best interests of the Government and the beneficiaries of such programs, and in such a manner as to avoid the misuse of Government funds; whether or not such programs adequately serve the needs and protect the welfare of the beneficiaries of such programs; and whether changes in the law or in the administration and operation of the programs either will lead to greater efficiency and economy or will make such programs more adequately serve the needs of the beneficiaries of such programs.

Following House agreement to proposed committee amendments,⁽³⁾ the resolution was agreed to.

§ 3.11 The House specified matters for investigation by the standing Committee on

3. In the excerpt quoted above, the words "and directed" were struck and the resolution was (retroactively) made "effective from January 4, 1957."

Interior and Insular Affairs through passage of an authorizing resolution.

On Feb. 5, 1957,⁽⁴⁾ by direction of the Committee on Rules, Mr. James W. Trimble, of Arkansas, called up for immediate consideration a resolution (H. Res. 94) which read, in part, as follows:

Resolved, That the Committee on Interior and Insular Affairs may make investigations and studies into the following matters within its jurisdiction: In Alaska—the aboriginal and possessory rights of the Eskimos, Aleuts, and Indians in and to the public lands; in Hawaii—the operation of the Hawaiian Homes Commission under the Hawaiian Homes Commission Act of 1920, and the return of federally held lands to local authority and/or private ownership; in the Trust Territory of the Pacific Islands and Pacific-flag areas—the provisions and local conditions for an organic act for the trust territory; legislation concerning American Samoa; operation and administration of the Organic Act of Guam; and legislation affecting the civilian population of the Ryukyu Islands; in Puerto Rico—the return of federally held lands to local authority; in the Virgin Islands—the operation and administration of the Revised Organic Act of 1954 and the Virgin Islands Corporation; in the continental United States, Hawaii, Alaska, and the Virgin Islands—the operation and administration of the units of the national park system; in the continental

4. 103 CONG. REC. 1557, 85th Cong. 1st Sess.

United States and Alaska—the mineral resources of the public lands and mining interests generally, including but not limited to the condition, problems, and needs of the mining and minerals industries; the proposed long-range domestic minerals programs to be submitted by the Secretary of the Interior, with the approval of the President, during the first session of the 85th Congress; mineral resources surveys, exploration, development, production, and conservation minerals research, including coal research, required to improve the position of domestic minerals industries; the administration and operation of Public Law 633 (84th Cong., 2d sess.) with a view to determining the extent to which the intent of Congress to provide interim assistance to those mining industries producing tungsten, fluorspar, asbestos, and columbium-tantalum bearing ores, has been carried out; the administration and operation of Public Law 167 (84th Cong., 1st sess.) known as the Multiple Surface Use Act, and Public Law 359 (84th Cong., 1st sess.), known as the Mining Claims Restoration Act; proposed changes in the general mining laws, and the mineral leasing laws, including the laws which govern the development, utilization, and conservation of the oil, gas, and associated petroleum resources of the public lands and outer Continental Shelf of the United States and Alaska; in the continental United States—irrigation and reclamation projects proposed for authorization, including but not limited to the San Luis project in California, the Fryingpan-Arkansas project in Colorado, the San Angelo project in Texas, the Norman project in Oklahoma, the Garrison Dam diversion

project in North Dakota, the Mid-State project in Nebraska, developments in the Middle and Upper Snake River Basin in Idaho, developments in the Columbia Basin in the vicinity of Wenatchee and Spokane in Washington, and developments in the Rio Grande River Basin in New Mexico, projects proposed for construction under the Small Reclamation Projects Act of 1956; disposal of Federal interests in the towns of Boulder City, Nev., and Coulee Dam, Wash., and policies relating to the establishment of such Federal cities at future damsites; applicability to Federal agencies and activities of State and Territorial laws governing the control, appropriation and use of water; in the United States and Alaska—the administration and operation of the laws governing the development, utilization, and conservation of the surface and subsurface resources of the public lands administered by the Bureau of Land Management and the forest reserves created out of the public domain; on various Indian and native lands and reservations in the United States and Alaska—for the purpose of improving the management of the Bureau of Indian Affairs; the administration and operation of the Indian health program; and for the purpose of planning the ultimate release of the Indians from Federal wardship.

After agreement to proposed committee amendments,⁽⁵⁾ the resolution was agreed to.

5. Only one amendment affected the quoted portion of the resolution. It was made “effective from January 4, 1957.”

§ 3.12 The House authorized the Committee on Banking and Currency to investigate prices of lumber and plywood, and conferred special subpoena authority for the purpose of carrying out the investigation.

On Aug. 14, 1972,⁽⁶⁾ by direction of the Committee on Rules, Mr. William M. Colmer, of Mississippi, called up for immediate consideration the following resolution (H. Res. 1037):

Resolved, That the Committee on Banking and Currency, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study of the high price of lumber and plywood.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained

6. 118 CONG. REC. 28076, 92d Cong. 2d Sess.

from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him . . . and may be served by any person designated by such chairman or member.

The committee shall report to the House on or before November 1972 the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

Shortly after agreeing to two proposed amendments,⁽⁷⁾ the House agreed to the resolution.⁽⁸⁾

Rejection of Authorizing Resolution

§ 3.13 The House rejected a resolution authorizing the Committee on Banking and Currency to make certain investigations.

On June 15, 1955,⁽⁹⁾ the following resolution (H. Res. 210) was reported from the Committee on Rules and called up by Mr. W. Homer Thornberry, of Texas, who asked for its immediate consideration:

Resolved, That the Committee on Banking and Currency, acting as a

7. The combined effect of the amendments was to strike out the words "and directed" and to insert at that point the words "and requested".
8. 118 CONG. REC. 28077, 92d Cong. 2d Sess.
9. 101 CONG. REC. 8310, 84th Cong. 1st Sess.

whole or by subcommittee, is authorized and directed to conduct full and complete studies and investigations and make inquiries with respect to any matter or matters concerning (1) the composition, operation, and activities of the Federal Open Market Committee, (2) the fluctuation in rates of interest and prices of securities issued by the United States and the effect of such fluctuations on the public debt, general price level, employment, the cost of State and municipal financing, and other segments of the national economy, (3) the various types of Government securities, manner of issue, method of payment, maturities, character of investors, and amount and degree of speculation therein, and (4) the various proposals for Federal assistance (other than grants) in the financing of State, county, and municipal (or instrumentalities thereof) highway and school programs.

Following debate, the previous question was ordered, and, on a yea and nay vote, there were yeas 178, nays 214. So the resolution was rejected.⁽¹⁰⁾

§ 3.14 A resolution authorizing the Committee on Education and Labor to send four Members to the International Labor Organization Conference in Geneva, and one designated member of that group to conduct further studies in Europe, specifying the travel permitted at gov-

10. *Id.* at p. 8322.

ernment expense, and permitting the use of local currencies for official business, was rejected by the House.

On May 14, 1963,⁽¹¹⁾ by direction of the Committee on Rules, Mr. B. F. Sisk, of California, called up House Resolution 340 and asked for its immediate consideration. The Clerk then read the resolution, as follows:⁽¹²⁾

Resolved, That, notwithstanding the provisions of H. Res. 103, Eighty-eighth Congress, the Committee on Education and Labor is hereby authorized to send two of its majority members and two of its minority members to attend the International Labor Organization Conference in Geneva, Switzerland, during June 1963.

It is *Resolved*, further, That Congressman James Roosevelt, who will be one of the majority members of the Committee on Education and Labor attending the International Labor Organization Conference, is hereby authorized to proceed from Geneva to Greece; Israel; Rome, Italy; and Paris, France, for the purpose of studying labor-management relations in said countries, and then return from Paris, via London, England, to the United States.

Notwithstanding section 1754 of title 22, United States Code, or any other provisions of law, local currencies owned by the United States shall be made available to the committee members engaged in carrying out their offi-

11. 109 CONG. REC. 8512, 88th Cong. 1st Sess.

12. *Id.* at pp. 8512, 8513.

cial duties under section 190(d) of title 2, United States Code: . . .

The yeas and nays were demanded, and ordered, and there were—yeas 153, nays 217, answered “present” 1. Hence, the resolution was rejected.⁽¹³⁾

§ 4. Committee Expenses; Use of Contingent Fund

Funds for compensation of standing committees' professional and clerical staff are carried in the annual legislative appropriations acts, which also place money in the contingent fund of the House. Each committee, other than the Committee on Appropriations,⁽¹⁴⁾ and (more recently) the Committee on the Budget,⁽¹⁵⁾ must obtain authorization for the payment of those expenses not covered by the legislative appropriation acts from the contingent fund of the House. The Committee Reform Amendments of 1974 (H. Res. 988, 93d Cong. effective Jan. 3, 1975), in clause 1(b), Rule XI provided authorization for all com-

13. *Id.* at p. 8520.

14. Rule XI clause 5(a), *House Rules and Manual* § 732(a) (1979).

15. See Rule XI clause 5(a), *House Rules and Manual* § 732(a) (1979). This exemption emanated from the Congressional Budget Act of 1974 (88 Stat. 297) and dates from July 12, 1974.

mittees to conduct investigations within their jurisdictions and to incur expenses subject to the adoption of expense resolutions reported from the Committee on House Administration.

The rules provide⁽¹⁶⁾ that such an authorization initially shall be procured by one primary expense resolution providing funds for the payment of all the committee's expenses for the year from the contingent fund. The resolution may not be considered in the House unless a printed report on the resolution has been available to Members for at least one calendar day prior to consideration. The report, itself, must:

(1) state the total amount of the funds to be provided to the committee under the primary expense resolution for all anticipated activities and programs of the committee; and

(2) to the extent practicable, contain such general statements regarding the estimated foreseeable expenditures for the respective anticipated activities and programs of the committee as may be appropriate to provide the House with basic estimates with respect to the expenditure generally of the funds to be provided to the committee under the primary expense resolution.

In practice, each standing committee goes before the Committee on House Administration with its

16. Rule XI clause 5(a), *House Rules and Manual* § 732(a) (1979).