

American and subversive activities by requiring registration of Communist organizations.

On Aug. 22, 1950,⁽⁹⁾ the Committee on Un-American Activities reported the bill (H.R. 9490), which was then referred to the Union Calendar. This measure became the Subversive Activities Control Act of 1950.⁽¹⁰⁾

§ 42. Committee on Interstate and Foreign Commerce

The House first established a Committee on Commerce and Manufactures in 1795.⁽¹¹⁾ The committee was split in 1819, and one of the offspring of that split, the Committee on Commerce, was renamed in 1892—becoming the Committee on Interstate and Foreign Commerce.⁽¹²⁾

During the course of its history, the committee has undergone a number of jurisdictional changes. Until 1883, it had reported the rivers and harbors appropriation bill.⁽¹³⁾ In 1935, jurisdiction over

9. 96 CONG. REC. 13062, 81st Cong. 2d Sess.

10. 64 Stat. 987.

11. 4 Hinds' Precedents § 4096.

12. 4 Hinds' Precedents § 4096.

13. 4 Hinds' Precedents § 4096.

measures dealing with water transportation, the Coast Guard, lifesaving service, lighthouses, lightships, ocean derelicts, the Coast and Geodetic Survey, and the Panama Canal was transferred to the Committee on Merchant Marine and Fisheries.⁽¹⁴⁾ At the same time, the Committee on Interstate and Foreign Commerce received exclusive jurisdiction over measures pertaining to radio.⁽¹⁾ In 1947, by virtue of the Legislative Reorganization Act of 1946, the committee's jurisdiction was expanded to include most of its current responsibilities. In 1958, however, matters relating to the Bureau of Standards, standardization of weights and measures, and the metric system became the responsibility of the Committee on Science and Astronautics.⁽²⁾

The jurisdiction of the Committee on Interstate and Foreign Commerce pursuant to the 1973 rules read as follows:⁽³⁾

14. Rule XI clause 12, *House Rules and Manual* §704 (1973). See Rule X clause 1(l), *House Rules and Manual* §681 (1979).

1. Rule XI clause 12, *House Rules and Manual* §704 (1973). See Rule X clause 1(l), *House Rules and Manual* §681 (1979).

2. 104 CONG. REC. 14513, 85th Cong. 2d Sess., July 21, 1958.

3. Rule XI clause 12, *House Rules and Manual* §704 (1973). See Rule X

(a) Interstate and foreign commerce generally.

(b) Civil aeronautics.

(c) Inland waterways.

(d) Interstate oil compacts and petroleum and natural gas, except on the public lands.

(e) Public health and quarantine.

(f) Railroad labor and railroad retirement and unemployment, except revenue measures relating thereto.

(g) Regulation of interstate and foreign communications.

(h) Regulation of interstate and foreign transportation, except transportation by water not subject to the jurisdiction of the Interstate Commerce Commission.

(i) Regulation of interstate transmission of power, except the installation of connections between Government water-power projects.

(j) Securities and exchanges.

(k) Weather Bureau.

Among the major pieces of legislation which the committee has reported out and which require periodic legislative activity are the following:

(1) Airport and Airway Development Act of 1970.

(2) Clean Air Act.

(3) Communications Act of 1934.

(4) Campaign Contributions Reform Act (Title I, Federal Elections Campaign Act of 1971).

(5) Communications Satellite Act of 1962.

(6) Controlled Substances Act of 1970.

clause 1(l), *House Rules and Manual* 681 (1979).

(7) Community Mental Health Centers Act.

(8) Emergency Rail Services Act of 1970.

(9) Fair Packaging and Labeling Act.

(10) Federal Aviation Act of 1958.

(11) Federal Cigarette Labeling and Advertising Act.

(12) Federal Food, Drug, and Cosmetic Act.

(13) Federal Hazardous Substances Act.

(14) Federal Power Act.

(15) Federal Railroad Safety Act of 1970.

(16) Federal Trade Commission Act.

(17) Flammable Fabrics Act.

(18) National Emissions Standards Act.

(19) Natural Gas Act.

(20) National Traffic and Motor Vehicle Safety Act of 1966.

(21) Public Health Service Act.

(22) Rail Passenger Service Act of 1970.

(23) Railroad Retirement Act of 1935.

(24) Securities and Exchange Act of 1934.

(25) Securities Investor Protection Act of 1970.

(26) War Claims Act of 1948.

In addition to its nonlegislative Subcommittee on Investigations, the Committee on Interstate and Foreign Commerce, in 1973, consisted of four legislative subcommittees with the following responsibilities:

SUBCOMMITTEE ON COMMERCE AND FINANCE

(a) Interstate and foreign commerce generally (including Federal Trade Commission and labeling);

- (b) Securities and exchanges;
- (c) Motor vehicle safety;
- (d) Newsprint, pulp and paper, and brand names;
- (e) Trading With the Enemy and War Claims Acts; and
- (f) Travel and tourism.

SUBCOMMITTEE ON COMMUNICATIONS
AND POWER

- (a) Interstate and foreign communications;
- (b) Weather Bureau;
- (c) Petroleum and natural gas (including interstate oil compacts); and
- (d) Interstate electric power.

SUBCOMMITTEE ON PUBLIC HEALTH
AND ENVIRONMENT

- (a) Public health and quarantine;
- (b) Food and drugs;
- (c) Hospital construction;
- (d) Mental health and research; and
- (e) Air pollution.

SUBCOMMITTEE ON TRANSPORTATION
AND AERONAUTICS

- (a) Interstate and Foreign Transportation;
- (b) Civil aeronautics (including Federal Aviation Administration and Civil Aeronautics Board);
- (c) Inland waterways;
- (d) Railroad retirement and unemployment; and
- (e) Railroad labor.

The committee's jurisdiction also extends to bills authorizing the construction of marine hospitals and the acquisition of sites therefor, the establishment of quarantine stations, the spread of

leprosy and other contagious diseases, measures declaring whether or not streams are navigable and for preventing or regulating hindrances to navigation (except bridges and dams that are part of river improvements), bills regulating railroads in their interstate commerce relations, bills relating to commercial travelers as agents of interstate commerce, the branding of articles going into such commerce, the prevention of the carriage of indecent and harmful pictures or literature, the protection of game through prohibition of interstate transportation, and to a certain extent, the regulation of the export of livestock, meat, and other agricultural products.⁽⁴⁾

Moreover, as the precedents reveal, the jurisdiction of the committee and its predecessors has included such other legislative matters as creating civil remedies in federal courts for certain violations of commercial ethics,⁽⁵⁾ providing aid to engineering and industrial research,⁽⁶⁾ authorizing loan guarantees to institutions of higher education for development of telecommunications systems,⁽⁷⁾

4. All of the foregoing are cited in the *House Rules and Manual* §§ 705, 706 (1973). See also Rule X clause 1(l), *House Rules and Manual* § 681 (1979).

5. § 42.3, *infra*.

6. § 42.4, *infra*.

7. § 42.8, *infra*.

assisting in the financing of the arctic winter games in Alaska,⁽⁸⁾ constructing hospitals in Indian communities,⁽⁹⁾ imposing safety standards on government-purchased vehicles,⁽¹⁰⁾ dealing with war claims of American nationals against foreign countries,⁽¹¹⁾ and foreign nationals' war claims against the United States.⁽¹²⁾

The Committee Reform Amendments of 1974 vested in the Committee on Interstate and Foreign Commerce jurisdiction over consumer affairs and consumer protection, health and health facilities except those supported by payroll deductions, and biomedical research and development; the committee lost jurisdiction over civil aeronautics (to the Committee on Public Works and Transportation), civil aviation research and development and the National Weather Service (to the Committee on Science and Technology), and trading with the enemy (to the Committee on Foreign Affairs).⁽¹³⁾

In the 95th Congress, the committee obtained "the same juris-

8. §42.1, *infra*.

9. §42.7, *infra*.

10. §42.10, *infra*.

11. §§42.12, 42.13, *infra*.

12. §42.14, *infra*.

13. H. Res. 988, 120 CONG. REC. 34447-70, 93d Cong. 2d Sess., Oct. 8, 1974, effective Jan. 3, 1975.

diction 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," and obtained the special oversight function of reviewing and studying all laws, programs, and government activities relating to nuclear energy. See the "Memorandum of Understanding" relating to this jurisdiction and to that of the Committee on Interior and Insular Affairs inserted by Mr. Jonathan B. Bingham, of New York, during debate on the adoption of the rules in the 95th Congress.⁽¹⁴⁾

Arctic Winter Games—Financing

§ 42.1 In the 92d Congress, the Committee on Interstate and Foreign Commerce, and not the Committee on Interior and Insular Affairs, was given jurisdiction of a bill to assist in financing by the Secretary of Commerce of the arctic winter games in Alaska in 1974.

On June 7, 1972,⁽¹⁵⁾ Wayne N. Aspinall, of Colorado, Chairman of

14. H. Res. 5, 123 CONG. REC. 64, 95th Cong. 1st Sess., Jan. 4, 1977.

15. 118 CONG. REC. 19935, 92d Cong. 2d Sess.

the Committee on Interior and Insular Affairs, obtained unanimous consent to have his committee discharged from further consideration of the bill (S. 2988), and to have it rereferred to the Committee on Interstate and Foreign Commerce.

Civil Aeronautics

§ 42.2 In the 91st Congress, the Committee on Interstate and Foreign Commerce, with the concurrence of the Committee on Ways and Means, was given jurisdiction over legislative proposals providing for the expansion and improvement of airports and related facilities, even where such proposals included amendments to the Internal Revenue Code and the imposition of user charges on passengers and property transported by air; but the Committee on Ways and Means reserved the right to consider the tax features of such legislative proposals separately.

On June 18, 1969,⁽¹⁶⁾ Speaker John W. McCormack, of Massachusetts, recognized Wilbur D. Mills, of Arkansas, Chairman of

16. 115 CONG. REC. 16301, 91st Cong. 1st Sess.

the Committee on Ways and Means, who made the following request:

Mr. Speaker, I ask unanimous consent that Executive Communication No. 863, received from the Secretary of Transportation on June 17, relating to the future of air transportation, and referred to the Committee on Ways and Means, be referred to the Committee on Interstate and Foreign Commerce because the chairman of the Committee on Interstate and Foreign Commerce and the chairman of the Committee on Ways and Means understand that the tax provisions contained in that message will be handled by the Committee on Ways and Means.

Immediately thereafter, unanimous consent was granted.

Parliamentarian's Note: Executive Communication No. 863, which proposed the enactment of an Aviation Facilities Expansion Act and included extensive amendments to the Internal Revenue Code was initially referred to the Committee on Ways and Means because of the tax features contained therein. Following discussions between the Chairmen of the Committee on Ways and Means and the Committee on Interstate and Foreign Commerce, the communication was rereferred to the Committee on Interstate and Foreign Commerce. After the rereference, the Chairman of that committee, Harley O. Staggers, of West Virginia, introduced a bill

(H.R. 12374), on June 24, 1969,⁽¹⁷⁾ embodying the proposals contained in the draft bill submitted with Executive Communication No. 863. H.R. 12374 was referred to the Committee on Interstate and Foreign Commerce. A precedent for this agreement between the two committees was a similar arrangement which had been worked out with respect to the Federal Aid Highway Act of 1959,⁽¹⁸⁾ where title II was considered by the Committee on Ways and Means although the primary jurisdiction over the program fell within the Committee on Public Works.

Unfair Trade Practices

§ 42.3 In the 87th Congress, the Committee on Interstate and Foreign Commerce, and not the Committee on the Judiciary, had jurisdiction of bills creating civil remedies (including injunctions), in the federal courts for misleading or false advertising, dilution of trademark or trade name distinctiveness, or violation of commercial ethics.

On June 4, 1962,⁽¹⁹⁾ Speaker John W. McCormack, of Massa-

17. 115 CONG. REC. 17138, 91st Cong. 1st Sess.

18. See § 29.4 supra.

19. 108 CONG. REC. 9601, 87th Cong. 2d Sess.

chusetts, recognized Emanuel Celler, of New York, Chairman of the Committee on the Judiciary, who made the following request:

Mr. Speaker, I ask unanimous consent that H.R. 10038, to provide civil remedies to persons damaged by unfair commercial activities in or affecting commerce, and H.R. 10124, be referred to the Committee on Interstate and Foreign Commerce. They were improperly referred to the Committee on the Judiciary. The subject matter of these bills should be properly before the Committee on Interstate and Foreign Commerce.

A previous bill, H.R. 4590, which is superseded by H.R. 10038, had been referred to the Committee on Interstate and Foreign Commerce, and the present bill should likewise fall within that category.

Shortly thereafter, the House agreed by unanimous consent to Mr. Celler's request.

Parliamentarian's Note: H.R. 10038 and H.R. 10124 were identical bills based on language in H.R. 4590, which as Mr. Celler indicated, had been originally referred to the Committee on Interstate and Foreign Commerce.

Engineering and Industrial Research

§ 42.4 In the 75th Congress, the Committee on Interstate and Foreign Commerce and not the Committee on Education (now the Committee on Edu-

cation and Labor), had jurisdiction of a bill to aid engineering and industrial research in connection with colleges and schools of engineering in the several state and territorial universities and colleges.

On Apr. 2, 1937,⁽²⁰⁾ Mr. Fritz G. Lanham, of Texas, a member of the Committee on Education (now the Committee on Education and Labor), obtained unanimous consent to have his committee discharged from further consideration of the bill (H.R. 5531), and to have it rereferred to the Committee on Interstate and Foreign Commerce.

Federal Alcohol Administration Act

§ 42.5 The Committee on interstate and Foreign Commerce and not the Committee on Ways and Means has jurisdiction of a bill to amend the Federal Alcohol Administration Act to regulate commerce in distilled spirits.

On June 18, 1948,⁽²¹⁾ Mr. Daniel A. Reed, of New York, a member of the Committee on Ways and

20. 81 CONG. REC. 3090, 75th Cong. 1st Sess.

21. 94 CONG. REC. 8918, 80th Cong. 2d Sess.

Means, obtained unanimous consent to have that committee discharged from further consideration of the bill (H.R. 5849), and to have it rereferred to the Committee on Interstate and Foreign Commerce.

Holding Companies

§ 42.6 The Committee on Interstate and Foreign Commerce has jurisdiction of a concurrent resolution directing the Federal Trade Commission to investigate and report back to the Congress on propaganda regarding federal legislation on the subject of holding companies.

On Mar. 14, 1935,⁽¹⁾ Speaker Joseph W. Byrns, of Tennessee, recognized Mr. Sam Rayburn, of Texas, a member of the Committee on Interstate and Foreign Commerce, who asked unanimous consent that the House immediately consider Senate Concurrent Resolution No. 12, which read as follows:

Resolved by the Senate (the House of Representatives concurring), That the Federal Trade Commission be, and it is hereby, directed to make an investigation and report its conclusions to the Congress as to the propaganda which is now going on over the Nation re-

1. 79 CONG. REC. 3623, 74th Cong. 1st Sess.

garding Federal legislation on the subject of holding companies, and to inform the Congress the origin, magnitude, purpose, methods, and expense of said propaganda.

Reserving the right to object, Mr. Bertrand H. Snell, of New York, initiated the following exchange:

. . . [H]as the gentleman [Mr. Rayburn] taken up this resolution with the members of his committee?

MR. RAYBURN: The resolution would not have gone to the Committee on Interstate and Foreign Commerce in my opinion. I think it would have gone to the Rules Committee.

MR. SNELL: Has it been taken up with the Rules Committee?

MR. RAYBURN: No.

MR. SNELL: It seems to me a matter as important as this ought to be taken up with some committee and should have some little consideration. I do not know that I shall object, but I really think if it is a matter that should go to the Interstate and Foreign Commerce Committee that the ranking minority member of that committee should have an opportunity to be here, or at least have been notified before it was brought out on the floor.

MR. RAYBURN: It is my impression it would not go to that committee.

MR. SNELL: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state it.

MR. SNELL: What committee would this resolution naturally go to?

THE SPEAKER: The Committee on Interstate and Foreign Commerce.

Mr. Rayburn's unanimous-consent request was objected to.⁽²⁾

2. *Id.* at p. 3626.

And, on the following day,⁽³⁾ the Speaker referred the measure to the Committee on Interstate and Foreign Commerce.

Hospital Construction in Indian Communities

§ 42.7 The Committee on Interstate and Foreign Commerce and not the Committee on Interior and Insular Affairs has jurisdiction of a bill to provide for the construction of Indian hospitals and to provide for grants to assist in the construction of community hospitals which will serve Indians and non-Indians jointly.

On Feb. 6, 1957,⁽⁴⁾ Clair Engle, of California, Chairman of the Committee on Interior and Insular Affairs, obtained unanimous consent to have his committee discharged from the further consideration of the bill (H.R. 2021) and for its rereference to the Committee on Interstate and Foreign Commerce.

3. 79 CONG. REC. 3776, 74th Cong. 1st Sess., Mar. 15, 1935.

4. 103 CONG. REC. 1585, 85th Cong. 1st Sess.

Loan Guarantees to Educational Institutions Developing Telecommunications Systems

§ 42.8 While the Committee on Education and Labor has reported legislation of this type, the Committee on Interstate and Foreign Commerce, having consistently handled legislation relating to noncommercial educational broadcasting facilities pursuant to its jurisdiction under the rules over interstate communications, was held to have jurisdiction of a proposal adding a new section to the Higher Education Facilities Act of 1963 authorizing loan guarantees to institutions of higher education for development and use of educational delivery (telecommunications) systems on and off campus.

On Oct. 28, 1971,⁽⁵⁾ the House resolved itself into the Committee of the Whole for the further consideration of a bill (H.R. 7248), to amend and extend the Higher Education Act of 1965 and other acts dealing with higher education. In the course of that consideration a jurisdictional ques-

5. 117 CONG. REC. 38036, 92d Cong. 1st Sess.

tion arose over part C of title VII of a proposed committee [Committee on Education and Labor] amendment to H.R. 7248.

The relevant sections pertained to the governmental guarantee of certain loans to institutions of higher education for the purpose of encouraging the development and use of educational delivery (i.e., telecommunications) systems. Of particular pertinence were the following provisions:⁽⁶⁾

PART C—GUARANTEE OF LOANS FOR EDUCATIONAL DELIVERY SYSTEMS

Sec. 721. Title III of the Higher Education Facilities Act of 1963 is amended by adding at the end thereof the following new section:

“GUARANTEE OF LOANS FOR EDUCATIONAL DELIVERY SYSTEMS

“Sec. 310. (a) To encourage institutions of higher education to develop and use educational delivery systems which, through technological means, permit carrying on educational programs of the institution in locations away from the campus and out of the presence of the institution's instructional personnel, the Secretary may guarantee, in accordance with the provisions of this section, the payment of the principal and accrued interest on loans made to eligible borrowers (as defined in subsection (k)) to acquire, install, and operate such systems. . . .

“(k) For purposes of this section—

“(1) The term ‘eligible borrower’ means an institution of higher edu-

6. *Id.* at p. 38076.

cation or a nonprofit organization established and operated with the active participation of one or more institutions of higher education for the sole purpose of acquiring, installing, or operating an educational delivery system.

“(2) The terms ‘acquiring’ and ‘installing’ mean the procurement and placement in position for service (including planning therefor) of the technological facilities and equipment needed for the operation of the educational delivery system, including any new or remodeled facilities and equipment required by the system for the production, processing, and transmission of electronic signals. Such terms include the construction or repair of facilities needed to house equipment, and space, facilities, and equipment at receiving installations, except where such receiving installations are equipped and operated by an eligible borrower as a part of a ‘remote’ campus, distributing, or displaying educational materials (whether in an electronic manner, or otherwise).

“(3) The term ‘operating’ means the use of services of staff and technical personnel, the acquisition of necessary supplies, the maintenance of a debt service reserve, and other activities necessary to operate the educational delivery system, but does not include the provision of educational services.

“(4) The term ‘educational delivery system’ includes any system which by technological means, enables a teaching classroom to be extended to reach students in remote locations, and, specifically, includes a telecommunication system which provides a network of communications via electronic means over distance, including radio and television in broadcast, closed-circuit, or

point-to-point service, data transmission, computers, and other electronic devices involving the use of the electromagnetic spectrum and including apparatus necessary for the production and processing of such electronic transmissions such as audio or video recording equipment, cameras, microphones, control consoles, microwave equipment, transmitters, towers, translators and repeaters, but does not include the apparatus required for reception, distribution at the receiving installation, or display of signals so transmitted.”

Harley O. Stagers, of West Virginia, Chairman of the Committee on Interstate and Foreign Commerce, raised a jurisdictional point of order, as follows: ⁽⁷⁾

Mr. Chairman,⁽⁸⁾ part C of title VII would provide for loan guarantees for educational delivery systems. To show the nature of those systems, I would refer the Members to section 310(b)(3)—page 175, beginning at line 19—which refers to instances where these delivery systems may require licenses issued by the Federal Communications Commission and to the definition of “educational delivery system” in section 310(k)(4)—appearing at page 180, beginning line 23—where these systems are defined to include telecommunications systems, and radio and television broadcasting systems.

Mr. Chairman, I would also point out to the Members that the jurisdiction of the Interstate and Foreign Commerce Committee, insofar as edu-

7. *Id.* at p. 38077.

8. James C. Wright, Jr. (Tex.).

cational broadcasting facilities are concerned, has not laid fallow. In support of this statement I would point to the provisions of subpart A of part IV of title III of the Communications Act of 1934 which provides for grants for educational radio and television broadcasting facilities.

These provisions were originally enacted in 1962 and have been amended at least twice since that time. Since enactment of the Educational Radio and Television Broadcasting Facilities Act of 1962, over \$100 million has been authorized to be appropriated for the construction of such facilities.

For these reasons, Mr. Chairman, I think that the point of order lies on this portion.

Responding to the point of order, Mr. John R. Dellenback, of Oregon, noted that:⁽⁹⁾

. . . [T]here is no attempt in part C to amend any statute which is within the jurisdiction of the Committee on Interstate and Foreign Commerce. There is reference on the bottom of page 175, as my good friend has made clear, to the Federal Communications Commission. But if you look at the language of that reference there is no attempt there to change the powers of the Commission, and there is no attempt here to amend any law whatsoever; there is merely a reference to a situation which might possibly exist. It makes clear that where the system requires the use of the frequency spectrum under jurisdiction of the FCC, that Commission will issue the required license, and so on.

9. 117 CONG. REC. 38077, 38078, 92d Cong. 1st Sess.

So far as that is concerned, of course, any laws that affect the powers of the FCC and any laws that affect the licenses are not within the jurisdiction of the Committee on Education and Labor, but there is no attempt to deal with such laws.

The basic sweep of this particular part C does not go, as you see, to the amendment of any such statutes, and it does not deal with just such a subject as television, but where they are talking about the possible use of tape recorders or talking about the possible use of computer hookups, or talking about a television license, but not dealing with the control of those licenses, but merely dealing with the utilization of telephone lines. And we have hosts of bills which deal with the utilization of equipment that is affected by other statutes than the statute before this body, that provide them, or before another committee.

So, Mr. Chairman, I would say that we are not here dealing with the amendment of any statute within the control of the Committee on Interstate and Foreign Commerce, that we are merely striving to make available to educational institutions throughout the country the broad sweep of potential equipment and assistance which will aid in the educational processes with which the institutions applying for loans are properly concerned, and with which this committee is properly concerned. And that is all that part C deals with.

The Chairman explained his ruling, as follows:

The gentleman from West Virginia (Mr. Staggers) has raised a point of

order against section 721 of title VII beginning on page 174, line 3, through page 181, line 13, on the ground that the subject matter of this section is within the jurisdiction of the Committee on Interstate and Foreign Commerce and not that of the Committee on Education and Labor.

Section 721 in the present bill would add a new section to title III of the Higher Education Facilities Act of 1963 to authorize the Secretary of Health, Education, and Welfare to guarantee loans to institutions of higher education and related nonprofit corporations for development and use of educational delivery systems to transmit what takes place in a classroom and on the campus to remote locations on or off the campus.

The Chair observes that on pages 180 and 181 the educational delivery system is so designed as to include a telecommunication system which provides a network of communications via electronic means over distances, and includes radio and television and other electronic devices.

The Chair notes that while the Higher Education Facilities Act of 1963, and amendments thereto, have been reported by the Committee on Education and Labor, that committee in section 721 of the present bill is attempting to add a completely new section to that act to incorporate therein a subject which has heretofore been within the jurisdiction of the Committee on Interstate and Foreign Commerce—that subject being the approval, installation, and operation of broadcasting facilities.

Clause 12(g) of rule XI⁽¹⁰⁾ confers upon the Committee on Interstate and

Foreign Commerce jurisdiction over the regulation of interstate and foreign communications. Under that clause, the Committee on Interstate and Foreign Commerce has considered legislation authorizing grants for noncommercial educational broadcasting facilities to public institutions of higher education.

As the gentleman from West Virginia has stated, the original legislation enacted in 1962, and subsequent amendments thereto, were reported by the Committee on Interstate and Foreign Commerce.

Therefore, the Chair holds that the subject of Federal loans for television facilities on and off campus for institutions of higher education is within the jurisdiction of the Committee on Interstate and Foreign Commerce.

The Chair therefore sustains the point of order and the language identified in the point of order is stricken from the committee amendment.

Parliamentarian's Note: This bill was being considered under a special rule permitting jurisdictional points of order to be raised against portions of the Committee on Education and Labor's amendment in the nature of a substitute within the jurisdiction of other House committees.

Physical Fitness and Training Programs as Public Health Measures

§ 42.9 The Committee on Interstate and Foreign Commerce and not the Committee on

10. See Rule X clause 1(l) (5), *House Rules and Manual* § 681 (1979).

Armed Services has jurisdiction of a concurrent resolution expressing the sense of the Congress that a civilian physical fitness and training program should be established in the interest of national security.

On June 27, 1951,⁽¹¹⁾ Carl Vinson, of Georgia, Chairman of the Committee on Armed Services, obtained unanimous consent to have his committee discharged from further consideration of the concurrent resolution (H. Con. Res. 19), and to have it rereferred to the Committee on Interstate and Foreign Commerce.

Safety Standards on Government-purchased Vehicles

§ 42.10 In the 86th Congress, the Committee on Interstate and Foreign Commerce and not the Committee on Government Operations had rereferred to it a bill to require passenger-carrying motor vehicles purchased for use by the federal government to meet certain safety standards.

On Feb. 16, 1959,⁽¹²⁾ Mr. Kenneth A. Roberts, of Alabama, ob-

11. 97 CONG. REC. 7254, 82d Cong. 1st Sess.

12. 105 CONG. REC. 2420, 86th Cong. 1st Sess.

tained unanimous consent to have the bill (H.R. 1341), rereferred from the Committee on Government Operations to the Committee on Interstate and Foreign Commerce.⁽¹³⁾

U.S. Travel Data

§ 42.11 The Committee on Interstate and Foreign Commerce and not the Committee on Post Office and Civil Service has jurisdiction of a bill authorizing an annual appropriation to enable the Secretary of Commerce to compile and make available information and statistical data relating to travel within the United States.

On Feb. 14, 1951,⁽¹⁴⁾ Thomas J. Murray, of Tennessee, Chairman of the Committee on Post Office and Civil Service, obtained unanimous consent to have his committee discharged from further consideration of the bill (H.R. 1898), and to have it rereferred to the Committee on Interstate and Foreign Commerce.

13. H.R. 1341 was reported by the Committee on Interstate and Foreign Commerce on July 27, 1959 (H. Rept. No. 715).

14. 97 CONG. REC. 1255, 82d Cong. 1st Sess.

War Claims

§ 42.12 The Committee on Interstate and Foreign Commerce and not the Committee on Foreign Affairs has jurisdiction of a bill creating a commission to examine and render final decisions on all claims by American nationals who were members of the Armed Forces of the United States and who were prisoners of war of Germany, Italy, or Japan, for payment of awards.

On Mar. 21, 1947,⁽¹⁵⁾ “after conferring with the chairman of the Committee on Foreign Affairs as well as the chairman of the Committee on Interstate and Foreign Commerce,” Mr. James E. Van Zandt, of Pennsylvania, sought unanimous consent that the bill (H.R. 1000), which had been referred to the Committee on Foreign Affairs, “be transferred to the Committee on Interstate and Foreign Commerce.” Immediately thereafter, the House granted this request.

Parliamentarian’s Note: The War Claims Act of 1948 (50 USC App. §§2001 et seq.) permits claims by U.S. nationals for loss of property located in foreign coun-

tries during war. Such claims are adjudicated by the Foreign Claims Settlement Commission and are satisfied out of the War Claims Fund which consists of sums covered into the Treasury pursuant to section 39 of the Trading with the Enemy Act (50 USC App. §39). These are proceeds from properties of Germany or Japan or their nationals retained by the United States after World War II. While the Committee Reform Amendments of 1974 transferred jurisdiction over the Trading with the Enemy Act from the Committee on Interstate and Foreign Commerce to the Committee on Foreign Affairs, including claims under that act (50 USC App. §§1-44) by persons (not only U.S. nationals) for property in the custody of the alien property custodian seized from an enemy or an ally thereof under the provisions of that act, there was no indication that the Committee on Interstate and Foreign Commerce has been stripped of jurisdiction over the War Claims Act.

§ 42.13 The Committee on Interstate and Foreign Commerce and not the Committee on Ways and Means has jurisdiction of a bill to change the order of priority for payment out of the German special deposit account

15. 93 CONG. REC. 2417, 80th Cong. 1st Sess.

[amending the Settlement of War Claims Act].

On July 16, 1947,⁽¹⁶⁾ Speaker Joseph W. Martin, Jr., of Massachusetts, recognized Mr. Daniel A. Reed, of New York, who stated that he had introduced the bill (H.R. 4213), on the previous day and that "Through error it was referred to the Committee on Ways and Means." Accordingly, Mr. Reed asked unanimous consent that the latter committee be discharged from further consideration of the bill and that it be referred to the Committee on Interstate and Foreign Commerce.

Immediately thereafter, the House granted unanimous consent to effect this rereferral.

§ 42.14 The Committee on Interstate and Foreign Commerce and not the Committee on Foreign Affairs has jurisdiction of House joint resolutions authorizing the Secretary of State to repay German and Japanese citizens, subjects, corporations, or associations whose property was taken by the United States since Dec. 18, 1941.

On July 13, 1955,⁽¹⁷⁾ by direction of the Committee on Foreign

16. 93 CONG. REC. 9049, 80th Cong. 1st Sess.

17. 101 CONG. REC. 10440, 84th Cong. 1st Sess.

Affairs, James P. Richards, of South Carolina, Chairman of that committee, asked unanimous consent that House Joint Resolutions 264, 265, 268, and 272, which had been referred to the Committee on Foreign Affairs be rereferred to the Committee on Interstate and Foreign Commerce. The joint resolutions all entitled "to improve the relations of the United States with Western Germany and Japan"⁽¹⁸⁾ were identical. Each authorized the Secretary of State "following as nearly as . . . feasible those [procedures] used as a result of the Treaty of Peace with Italy, to pay amounts equal in value to all property and interest taken by the United States since Dec. 18, 1941, from Germany or Japan, or any citizen or subject thereof, or any corporation or association organized under the laws thereof."

In advancing this request, Mr. Richards noted that:

. . . Preliminary hearings by an ad hoc subcommittee of the Foreign Affairs Committee developed that these resolutions are similar in purpose to H.R. 6730,⁽¹⁹⁾ a measure sponsored by

18. 101 CONG. REC. 4093, 84th Cong. 1st Sess., Mar. 30, 1955; 101 CONG. REC. 3892, 84th Cong. 1st Sess. Mar. 28, 1955.

19. "A bill to amend the Trading With the Enemy Act, as amended, and the War Claims Act of 1948, as amend-

the administration which was introduced June 8, 1955, and referred to the Committee on Interstate and Foreign Commerce.

The House granted the request.

§ 43. Committee on the Judiciary

The Committee on the Judiciary has been a standing committee of the House since 1813, when it was concerned exclusively with matters pertaining to judicial proceedings. The breadth of its jurisdiction grew considerably in the 20th century. In 1947,⁽¹⁾ the committee annexed most of the jurisdiction of the former Committees on Claims, Immigration and Naturalization, Patents, Revision of the Laws, and War Claims.

The jurisdiction of the Committee on the Judiciary pursuant to the 1973 rules read as follows:⁽²⁾

- (a) Judicial proceedings, civil and criminal generally.
- (b) Apportionment of Representatives.

ed"; 101 CONG. REC. 7932, 84th Cong. 1st Sess., June 8, 1955.

1. This change in jurisdiction was the result of the Legislative Reorganization Act of 1946, 60 Stat. 812.
2. Rule XI clause 13, *House Rules and Manual* §707 (1973). See Rule X clause 1(m), *House Rules and Manual* § 682 (1979).

(c) Bankruptcy, mutiny, espionage, and counterfeiting.

- (d) Civil liberties.
- (e) Constitutional amendments.
- (f) Federal courts and judges.
- (g) Holidays and celebrations.
- (h) Immigration and naturalization.
- (i) Interstate compacts generally.
- (j) Local courts in the Territories and possessions.

(k) Measures relating to claims against the United States.

(l) Meetings of Congress, attendance of Members and their acceptance of incompatible offices.

- (m) National penitentiaries.
- (n) Patent Office.
- (o) Patents, copyrights, and trademarks.
- (p) Presidential succession.
- (q) Protection of trade and commerce against unlawful restraints and monopolies.
- (r) Revision and codification of the Statutes of the United States.
- (s) State and Territorial boundary lines.

There were seven subcommittees in 1973, and the jurisdiction of each was specified in the committee's own Rule VIII:

Rule VIII. Jurisdiction of Subcommittees.—The jurisdiction of the seven standing Subcommittees shall, subject to alteration as other Subcommittees are created, be as follows:

SUBCOMMITTEE ON INTERNATIONAL LAW AND CITIZENSHIP

- (a) Immigration and naturalization.
- (b) Deportation, extradition, and crimes committed outside the United States.