

rerefer the bill (H.R. 487), from his committee to the Committee on Post Office and Civil Service.

***Authorizing Military to Grant Employee Return Rights***

**§ 45.8 The Committee on Post Office and Civil Service and not the Committee on Armed Services has jurisdiction of proposed legislation to authorize the Secretary of Defense and the secretaries of the military departments to grant return rights of employment to career and career-conditional employees in the civil service who accept temporary overseas assignments with the defense establishment.**

On Feb. 26, 1959,<sup>(6)</sup> Carl Vinson, of Georgia, Chairman of the Committee on Armed Services, obtained unanimous consent to have an executive communication (Exec. Comm. No. 553), containing the legislative proposals described above rereferred from his committee to the Committee on Post Office and Civil Service.

<sup>6.</sup> 105 CONG. REC. 3042, 86th Cong. 1st Sess.

**§ 46. Committee on Public Works**

The Committee on Public Works was created on Jan. 2, 1947, as part of the Legislative Reorganization Act of 1946,<sup>(7)</sup> and combined the Committees on Flood Control (created in 1916),<sup>(8)</sup> Public Buildings and Grounds (created in 1837),<sup>(9)</sup> Rivers and Harbors (created in 1883),<sup>(10)</sup> and Roads (created in 1913).<sup>(11)</sup>

In 1973, the jurisdiction of the Committee on Public Works read as follows:<sup>(12)</sup>

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

(b) Measures relating to the Capitol Building and the Senate and House Office Buildings.

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

<sup>7.</sup> 60 Stat. 812.

<sup>8.</sup> 7 Cannon's Precedents § 2069.

<sup>9.</sup> 4 Hinds' Precedents § 4231.

<sup>10.</sup> *Id.* at § 4118.

<sup>11.</sup> 7 Cannon's Precedents § 2065.

<sup>12.</sup> Rule XI clause 16, *House Rules and Manual* § 713 (1973). See Rule X clause 1(p), *House Rules and Manual* § 685 (1979).

(d) Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institute.

(e) Measures relating to the purchase of sites and construction of post offices, customhouses, Federal court-houses, and Government buildings within the District of Columbia.

(f) Oil and other pollution of navigable waters.

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

(h) Public reservations and parks within the District of Columbia, including Rock Creek Park and the Zoological Park.

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

(j) Water power.

Among the other subjects upon which the committee has reported on over the years<sup>(13)</sup> are disaster relief, regional development, and relocation assistance.

As the precedents reveal, the jurisdiction of the committee and its predecessors has also extended to such matters as converting toll bridges to free bridges,<sup>(14)</sup> enabling

**13.** Terrence T. Finn, "Monographs on the Committees of the House of Representatives" (93d Cong. 2d Sess., Dec. 13, 1974), committee print, p. 124.

**14.** § 46.6, *infra*.

the Secretary of Agriculture to build national forest roads and trails,<sup>(15)</sup> providing economic development programs in conjunction with a state centennial observance,<sup>(16)</sup> providing facilities for educational institutions,<sup>(17)</sup> transferring the U.S. interest in educational and recreational facilities to the states,<sup>(1)</sup> providing school facilities for dependents of workmen on water projects,<sup>(2)</sup> establishing the jurisdiction of the Federal Works Administrator over certain school buildings,<sup>(3)</sup> authorizing the conveyance of certain Army lands,<sup>(4)</sup> creating a Division of Stream Pollution Control in the Bureau of the Public Health Service,<sup>(5)</sup> and establishing a revolving fund in the Treasury for certain regional power administrations.<sup>(6)</sup>

In 1973, the Committee on Public Works maintained six subcommittees of which five were legislative and one investigative, as follows:

#### LEGISLATIVE SUBCOMMITTEES

(1) Subcommittee on Economic Development;

**15.** § 46.16, *infra*.

**16.** § 46.8, *infra*.

**17.** §§ 46.9, 46.10, *infra*.

**1.** § 46.11, *infra*.

**2.** § 46.18, *infra*.

**3.** § 46.12, *infra*.

**4.** §§ 46.1–46.4, 46.7, *infra*.

**5.** § 46.22, *infra*.

**6.** § 46.21, *infra*.

- (2) Subcommittee on Energy;
- (3) Subcommittee on Public Buildings and Grounds;
- (4) Subcommittee on Transportation; and
- (5) Subcommittee on Water Resources.

## OVERSIGHT SUBCOMMITTEE

- (6) Subcommittee on Investigations and Review.

In the exercise of its oversight jurisdiction, the committee relies on its Subcommittee on Investigations and Review. Among the executive agencies the committee oversees completely or in part are the Corps of Engineers, the Environmental Protection Agency, the Federal Highway Administration, the General Services Administration, the National Highway Traffic Safety Administration, and the various regional economic commissions (for example, the Coastal Plains Regional Commission).

During the 92d Congress, the Subcommittee on Investigations and Review studied such matters<sup>(7)</sup> as highway safety, the impact of the postal building program on federal agencies, closure of the Fort Worth clinical research center, the federal water pollution

7. Terrence T. Finn, "Monographs on the Committees of the House of Representatives" (93d Cong. 2d Sess., Dec. 13, 1974), committee print, p. 126.

program, disaster relief, safety and security in public buildings, and (in conjunction with the Subcommittee on Energy) the energy crisis.

Under the Committee Reform Amendments of 1974, the Committee on Public Works and Transportation lost jurisdiction over parks in the District of Columbia to the Committee on Interior and Insular Affairs, but obtained jurisdiction over: transportation, including civil aviation, but excluding railroads, which remain within the jurisdiction of the Committee on Interstate and Foreign Commerce; roads and the safety thereof; water transportation subject to the jurisdiction of the Interstate Commerce Commission; and related transportation regulatory agencies with the exception of those relating to railroads.

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***Army Lands—Conveyance to State and Local Governments***

**§ 46.1 The Committee on Public Works and not the Committee on Armed Services has jurisdiction of a bill authorizing the Secretary of the Army to sell certain lands within a Corps of Engineers water project to the State of Oklahoma.**

On Apr. 21, 1953,<sup>(8)</sup> Speaker Joseph W. Martin, Jr., of Massachusetts, recognized George A. Dondero, of Michigan, Chairman of the Committee on Public Works, who proceeded to make the following statement:

Mr. Speaker, the bill H.R. 4505 was referred to the Committee on Armed Services. The bill has to do with the sale of certain land in the State of Oklahoma. I received a letter this morning from the Honorable Dewey Short, chairman of the committee, to the effect that either he would ask unanimous consent that the Committee on Armed Services be discharged from the consideration of the bill and to have the bill referred to the Committee on Public Works or that I should do so. I now make that request.

Immediately thereafter, the House granted his request by unanimous consent.<sup>(9)</sup>

**§ 46.2 The Committee on Public Works and not the Committee on Armed Services has jurisdiction of a bill authorizing the Secretary of the Army to convey certain land acquired as part of a river and harbor improvement project to the Brownsville Navigation District of Cameron County, Texas.**

8. 99 CONG. REC. 3486, 83d Cong. 1st Sess.

9. H.R. 4505 was reported by the Committee on Public Works on May 21, 1953 (H. Rept. No. 446).

On July 23, 1954,<sup>(10)</sup> Mr. Leslie C. Arends, of Illinois, obtained unanimous consent to have the bill (H.R. 9913), referred from the Committee on Armed Services to the Committee on Public Works.

**§ 46.3 The Committee on Public Works and not the Committee on Armed Services has jurisdiction of a bill authorizing the Secretary of the Army to convey certain lands in San Diego, California held in connection with a flood control project to the city of San Diego.**

On May 21, 1953,<sup>(1)</sup> George A. Dondero, of Michigan, Chairman of the Committee on Public Works, obtained unanimous consent to have the Committee on Armed Services discharged from further consideration of the bill (H.R. 1613), and to have it referred to his committee. In so doing, he noted that he had received a letter from the Chairman of the Committee on Armed Services, Dewey Short, of Missouri, in which the original referral of the bill was brought to his attention.

10. 100 CONG. REC. 11757, 83d Cong. 2d Sess.

1. 99 CONG. REC. 5322, 83d Cong. 1st Sess.

***Army Land Conveyance—Flood Control Project***

**§ 46.4** In the 89th Congress, the Committee on Public Works and not the Committee on Armed Services had jurisdiction of a bill authorizing the Secretary of the Army to convey to a third party, lands acquired by the government as part of a Corps of Engineers public works-flood control project.

On July 15, 1965,<sup>(2)</sup> Speaker John W. McCormack, of Massachusetts, recognized Mr. Robert A. Everett, of Tennessee, who made the following request:

Mr. Speaker, on January 4, 1965, H.R. 1296 was referred through error to the Committee on Armed Services. We have cleared this with the chairman of that committee, and as a member of the Committee on Public Works, I ask unanimous consent that this bill be rereferred to the Committee on Public Works.

Immediately thereafter, the House granted unanimous consent.

***Bridge Alteration; Toll Bridges***

**§ 46.5** The Committee on Public Works and not the Committee on Interstate and For-

2. 111 CONG. REC. 17002, 89th Cong. 1st Sess.

eign Commerce has jurisdiction of a bill to amend the act of June 21, 1940, relating to the alteration of certain bridges over navigable waters, so as to include highway bridges, and for other purposes.

On June 6, 1951,<sup>(3)</sup> Mr. Lindley Beckworth, of Texas, obtained unanimous consent to have the Committee on Interstate and Foreign Commerce discharged from further consideration of the bill (H.R. 3464), and to have it referred to the Committee on Public Works.

**§ 46.6** The Committee on Roads (now the Committee on Public Works), and not the Committee on Interstate and Foreign Commerce had jurisdiction of a bill to aid several states in making certain toll bridges free bridges, to authorize an appropriation for such purpose, and to make such appropriation available for matching funds apportioned under the Federal Highway Act.

On May 18, 1936,<sup>(4)</sup> Sam Rayburn, of Texas, (chairman of the

3. 97 CONG. REC. 6181, 82d Cong. 1st Sess.

4. 80 CONG. REC. 7444, 74th Cong. 2d Sess.

Committee on Interstate and Foreign Commerce, obtained unanimous consent that the bill (H.R. 12722), be rereferred from his committee to the Committee on Roads (now the Committee on Public Works).

***Authorizing Defense Homes Corporation to Convey District of Columbia Land***

**§ 46.7 The Committee on Public Works and not the Committee on Banking and Currency had jurisdiction of a bill to authorize the Defense Homes Corporation to convey certain lands in the District of Columbia to Howard University.**

On Mar. 9, 1948,<sup>(5)</sup> Jesse P. Wolcott, of Michigan, Chairman of the Committee on Banking and Currency, obtained unanimous consent to have his committee discharged from further consideration of the bill (H.R. 5509), and to have it rereferred to the Committee on Public Works.

*Parliamentarian's Note:* This bill authorized the Reconstruction Finance Corporation [RFC], to discharge the indebtedness of the Defense Homes Corporation to the RFC, and the Secretary of the

5. 94 CONG. REC. 2414, 80th Cong. 2d Sess.

Treasury to discharge the indebtedness of the RFC to the Treasury.<sup>(6)</sup>

***Economic Development Programs in Conjunction With State Centennial Observances***

**§ 46.8 Under the rules of the 89th Congress a bill providing for federal economic assistance and economic development programs as part of a state centennial observance was within the jurisdiction of the Committee on Public Works and not the Committee on the Judiciary. (This was an instance in which the Speaker took the floor in debate to explain his referral of the bill.)**

On Mar. 2, 1966,<sup>(7)</sup> the House resolved itself into the Committee of the Whole for the consideration of the bill (H.R. 9963). In the course of the debate which ensued, Chairman Charles A. Vanik, of Ohio, recognized Mr. James C. Cleveland, of New Hampshire, who noted that:<sup>(8)</sup>

This bill, to promote the economic development of the State of Alaska, by

6. H.R. 5509 was reported by the Committee on Public Works on May 11, 1948 (H. Rept. No. 1931).
7. 112 CONG. REC. 4571, 89th Cong. 2d Sess.
8. *Id.* at pp. 4572, 4573.

providing for the U.S. participation in the statewide exposition to be held in Alaska next year, provides for an authorization for appropriations from the Federal Treasury of \$5,600,000. It is disturbing to me that the bill is being sponsored to provide for a centennial celebration of Alaska when even in the purposes of the bill it is clearly stated that the money is for projects that will contribute to the economy of Alaska.

It is quite obvious that the money will be expended on industrial, agricultural, educational, research, or commercial projects or facilities which will endure in their use far beyond the life of the centennial celebration. . . .

Last fall, when the legislation was reported, many of us in the minority were unaware of the fact that the Committee on the Judiciary, which committee has jurisdiction over holidays and celebrations, had before it some 250 bills relative to holidays, celebrations, centennials, and the like. These bills encompass over five score separate proposals. Many of them provide for the expenditure of Federal funds. The Committee on Public works, which handled this legislation, does not have jurisdiction of holidays and celebrations. However, the bill was referred to the committee when it was introduced last summer.

The Chairman later recognized Mr. John W. McCormack, of Massachusetts, who explained the manner in which the bill was referred to the Committee on Public Works:<sup>(9)</sup>

Mr. Chairman, in view of the remarks made by the gentleman from

New Hampshire [Mr. Cleveland] about the reference of this bill, and over-hearing them and confining myself to that aspect of his remarks, I simply want to advise the Members of the House that in my judgment as the Speaker, this bill was properly referred to the Committee on Public Works.

In the original bill, the bill calls for the participation in the 1967 exposition, jointly with the State of Alaska through economic development projects such as industrial, agricultural, educational, research, or commercial facilities, and so forth.

Mr. Chairman, I thoroughly respect the views of my friend, the gentleman from New Hampshire [Mr. Cleveland], but I cannot be on the floor and listen to one challenge the reference of a bill that I made. I realize that I might make mistakes occasionally, but I will always make the reference of a bill that the rules call for. In my clear judgment this bill was properly referred to the Committee on Public Works.

*Parliamentarian's Note:* As the excerpts quoted above reveal, there was some concern as to how this bill was referred. As introduced the bill was primarily an economic development measure, contemplating public works to stimulate tourism and commercial development. In this form, the bill was primarily within the jurisdiction of the Committee on Public Works. As reported, however, the primary emphasis of the bill was federal recognition of and participation in the centennial celebra-

9. *Id.* at pp. 4579, 4580.

tion of the Alaska Purchase. Economic development was a secondary purpose. In this form, the bill was similar to centennial bills that are normally, under the precedents, referred to the Committee on the Judiciary. (The rule under which the bill was considered, H. Res. 741, 89th Cong. 2d Sess., H. Jour. 290, provided that it would be in order to consider the substitute amendment recommended by the Committee on Public Works, such substitute for the purpose of amendment to be considered under the five-minute rule as an original bill.)

***Federal Educational and Recreational Facilities Under Lanham Public War Housing Act***

**§ 46.9** The Committee on Public Works and not the Committee on Banking and Currency has jurisdiction of a bill to provide that schools constructed under the act entitled “An act to expedite the provision of housing in connection with national defense, and for other purposes,” approved Oct. 14, 1940, as amended, may be donated to local school agencies.

On Mar. 12, 1947,<sup>(10)</sup> Jesse P. Wolcott, of Michigan, Chairman of the Committee on Banking and Currency, obtained unanimous consent to have his committee discharged from further consideration of the bill (H.R. 2190), and to have it rereferred to the Committee on Public Works.

*Parliamentarian's Note:* The Committee on Public Buildings and Grounds—later to be incorporated into the Committee on Public Works—reported<sup>(11)</sup> what was popularly known as the “Lanham Public War Housing Act,” the act of Oct. 14, 1940 (Pub. L. No. 76-849). The legislation was designed to provide federal housing facilities for persons engaged in national defense activities and for their families in areas where an acute shortage of housing existed.

**§ 46.10** The Committee on Public Works and not the Committee on Banking and Currency has jurisdiction of bills to amend the Act of Oct. 14, 1940, as amended (1) relative to additional facilities for educational institutions; and (2) to permit the making of

10. 93 CONG. REC. 1981, 1982, 80th Cong. 1st Sess.

11. 86 CONG. REC. 11606, 76th Cong. 3d Sess., Sept. 5, 1940 (H. Rept. No. 2923).

**contributions for the maintenance and operations of school facilities.**

On Feb. 27, 1948,<sup>(12)</sup> Jesse P. Wolcott, of Michigan, Chairman of the Committee on Banking and Currency, obtained unanimous consent to have his committee discharged from further consideration of the bills (H.R. 2845 and H.R. 3545, respectively), and to have them referred to the Committee on Public Works.<sup>(13)</sup>

*Parliamentarian's Note:* The Lanham War Housing Act had as its purpose to provide housing for persons engaged in national defense activities, as by authorizing the Federal Works Administrator to provide housing for such persons and their families in areas in which acute shortages of housing existed, without complying with state statutes and municipal ordinances prescribing zoning regulations.

**§ 46.11 The Committee on Public Works and not the Committee on Banking and Currency has jurisdiction of a bill to authorize the transfer**

12. 94 CONG. REC. 1909, 80th Cong. 2d Sess.

13. The Record also discloses the identical rereferrals later in the session; see 94 CONG. REC. 4127, 80th Cong. 2d Sess., Apr. 6, 1948.

**without charge to the states and their political subdivisions of all interest of the United States in educational and recreational facilities acquired under the Act of Oct. 14, 1940, as amended.**

On Mar. 11, 1947,<sup>(14)</sup> Jesse P. Wolcott, of Michigan, Chairman of the Committee on Banking and Currency, obtained unanimous consent to have his committee discharged from further consideration of the bill (H.R. 2473), and to have it rereferred to the Committee on Public Works.

***Jurisdiction of Federal Works Administrator Over School Buildings; Rebuilding Schools Destroyed by Fire***

**§ 46.12 The Committee on Public Works and not the Committee on Banking and Currency had jurisdiction of a bill to transfer jurisdiction over certain school buildings to the Federal Works Administrator and to authorize an appropriation to rebuild a school building destroyed by fire.**

On Feb. 27, 1948,<sup>(15)</sup> Jesse P. Wolcott, of Michigan, Chairman of

14. 93 CONG. REC. 1915, 80th Cong. 1st Sess.

15. 94 CONG. REC. 1909, 80th Cong. 2d Sess.

the Committee on Banking and Currency, obtained unanimous consent to have his committee discharged from further consideration of the bill (H.R. 5433), pertaining to certain school buildings located in Vanport, Oregon, and to have the bill referred to the Committee on Public Works.<sup>(16)</sup>

***National Capital Planning Commission; Planning Kennedy Center Site***

**§ 46.13** The Committee on Public Works and not the Committee on the District of Columbia had jurisdiction of a joint resolution directing the National Capital Planning Commission to study the location and development of the John F. Kennedy Center for the Performing Arts.

On Sept. 15, 1965,<sup>(17)</sup> John L. McMillan, of South Carolina, Chairman of the Committee on the District of Columbia, obtained unanimous consent to have his committee discharged from fur-

16. The Record also discloses the identical rereferral later in the session; see 94 CONG. REC. 4127, 80th Cong. 2d Sess., Apr. 6, 1948.

H.R. 5433 was reported by the Committee on Public works on May 17, 1948 (H. Rept. No. 1967).

17. 111 CONG. REC. 23927, 89th Cong. 1st Sess.

ther consideration of the joint resolution (H.J. Res. 646), and to have it rereferred to the Committee on Public Works.<sup>(1)</sup>

***National Monument Commission; Monument Construction***

**§ 46.14** The Committee on Public Works and not the Committee on Interior and Insular Affairs has jurisdiction of a communication from the National Capital Park and Planning Association submitting a bill to create a National Monument Commission to build a monument on the Nevius Tract adjoining Arlington Cemetery.

On Aug. 15, 1951,<sup>(2)</sup> John R. Murdock, of Arizona, Chairman of the Committee on Interior and Insular Affairs, obtained unanimous consent to have his committee discharged from further consideration of the communication (Exec. Comm. No. 699), and to have it rereferred to the Committee on Public Works.

1. For a similar rereference, see 111 CONG. REC. 27803, 89th Cong. 1st Sess., Oct. 21, 1965 [H.J. Res. 659].

2. 97 CONG. REC. 10098, 82d Cong. 1st Sess.

***Road Construction or Maintenance—Creating Federal Highway Corporation to Finance Interstate Highways***

**§ 46.15** The House rejected a motion to rerefer from the Committee on Public Works to the Committee on Appropriations identical bills to create a federal highway corporation for financing the construction of the National System of Interstate Highways; to amend and supplement the Federal Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented; and for other purposes.

On Feb. 24, 1955,<sup>(3)</sup> acting by direction of the Committee on Appropriations which he chaired, Clarence Cannon, of Missouri, moved to rerefer the two identical bills (H.R. 4260 and H.R. 4261), from the Committee on Public Works to the Committee on Appropriations. Mr. Cannon having demanded a division, the question was taken and there were—ayes 87, noes 131. A request for the yeas and nays was then refused, so the motion was rejected.

3. 101 CONG. REC. 2029, 84th Cong. 1st Sess.

***National Forest Roads and Trails***

**§ 46.16** In the 87th Congress, the Committee on Public Works and not the Committee on Agriculture had jurisdiction of proposed legislation enabling the Secretary of Agriculture to construct and maintain a system of roads and trails for the national forests.

On May 7, 1962,<sup>(4)</sup> Mr. William R. Poage, of Texas, obtained unanimous consent to have a letter (Exec. Comm. No. 2000), from the Secretary of Agriculture rereferred from the Committee on Agriculture to the Committee on Public Works. The letter contained a draft bill which would authorize the Secretary to grant permanent easements for road rights-of-way through the national forests; permit him to acquire, construct, and maintain forest development roads and trails; and authorize financing of the construction by using appropriated funds, charging users of the national forests, and of the products therefrom, and through cooperative financing with public or private agencies. The proposal would not have amended title 23, "High-

4. 108 CONG. REC. 7826, 87th Cong. 2d Sess.

ways," of the United States Code or any other existing law.

***United States Code Provisions  
Relating to Highways***

**§ 46.17 Bills having the purpose of codifying and enacting into law title 23 of the United States Code, entitled "Highways," but also containing substantive revisions of certain provisions of the highway laws, were rereferred from the Committee on the Judiciary to the Committee on Public Works with the understanding that this action was not to be construed as a jurisdictional waiver by the Committee on the Judiciary over codification bills.**

On June 4, 1958,<sup>(5)</sup> by direction of the Committee on the Judiciary, Emanuel Celler, of New York, who chaired that committee, asked unanimous consent that the two bills (H.R. 12776 and H.R. 12777), be rereferred from his committee to the Committee on Public Works. Mr. Celler emphasized that such a request was "not to be construed as a waiver by the Committee on the Judiciary of any of the jurisdiction under the Leg-

islative Reorganization Act of 1946 or the United States Code," but rather was being urged "solely because of the particular circumstances with respect to the drafting of the bills."

He explained those circumstances as follows:

. . . Under section 12 of Public Law 350 of the 83d Congress, the Secretary of the Department of Commerce was directed to transmit to the Committees on Public Works of the Senate and of the House of Representatives a suggested draft of a bill or bills for a Federal Highway Act, which will include such provisions of existing law, and such changes or new provisions as the Secretary deems advisable. The Secretary submitted such a draft bill to the committees, as a result of which the bill H.R. 10488, to revise the Federal aid highway laws of the United States, was introduced and referred to the Committee on Public Works. A companion bill, S. 3151, was referred to the Senate Committee on Public Works. Through the cooperation between the counsel of the House Committee on Public Works and the law revision counsel of the Committee on the Judiciary, clerical changes have been suggested in the bill H.R. 10488 to provide for the enactment into law of title 23, United States Code "Highways." As a result, the bills H.R. 12776 and H.R. 12777 were introduced containing a number of clerical changes to achieve that purpose. These two bills are, however, essentially the same as the bill submitted by the Secretary of Commerce to the Committee on Public Works and which is now pending be-

5. 104 CONG. REC. 10164, 85th Cong. 2d Sess.

fore that committee which has set hearings for tomorrow.

Therefore, in view of these special circumstances and without any intention to waive the prerogative of the Committee on the Judiciary, I make this unanimous-consent request.

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

***School Facilities for Dependents of Workmen Engaged in a Water Conservation Project***

**§ 46.18 In the 90th Congress, the Committee on Public Works and not the Committee on Education and Labor had jurisdiction of a bill authorizing and directing the Secretary of the Army to provide school facilities for dependents of construction workers engaged in the building of a Corps of Engineers project.**

On June 17, 1968,<sup>(6)</sup> Carl D. Perkins, of Kentucky, Chairman of the Committee on Education and Labor, obtained unanimous consent to have his committee discharged from further consideration of the bill (H.R. 17487), and to have it rereferred to the Committee on Public Works.

H.R. 17487 was specifically intended to provide facilities for the

dependents of persons working on the construction of the Dworshak Dam and Reservoir project.

***Smithsonian-affiliated Buildings***

**§ 46.19 The Committee on Public Works and not the Committee on Interior and Insular Affairs has jurisdiction of a bill providing for the construction of a National Air Museum for the Smithsonian Institution.**

On July 2, 1958,<sup>(7)</sup> Clair Engle, of California, Chairman of the Committee on Interior and Insular Affairs, asked unanimous consent that the bill (S. 1985), be rereferred to the Committee on Public Works, "it having been erroneously referred to the Committee on Interior and Insular Affairs."

Immediately thereafter, unanimous consent was granted.

**§ 46.20 In the 90th Congress, the Committee on Public Works and not the Committee on House Administration reported a measure authorizing the trustees of the Smithsonian Institution to construct, with privately donated funds, an annex to the**

6. 114 CONG. REC. 17429, 90th Cong. 2d Sess.

7. 104 CONG. REC. 12941, 85th Cong. 2d Sess.

**National Gallery of Art on a site previously earmarked for that purpose by the Congress.**

On Apr. 10, 1968,<sup>(8)</sup> Omar T. Burluson, of Texas, Chairman of the Committee on House Administration, obtained unanimous consent to have his committee discharged from further consideration of the bill (H.R. 16358), and to have it rereferred to the Committee on Public Works.

*Parliamentarian's Note:* Executive Communication No 1579, transmitting a draft bill on this subject to the Congress, was not rereferred from the Committee on House Administration along with the bill since it contained information regarding the gallery which, as part of the Smithsonian, is within the jurisdiction of the Committee on House Administration. Matters pertaining to the actual construction of Smithsonian buildings are within the jurisdiction of the Committee on Public Works. Matters pertaining to the management of the Institution are within the jurisdiction of the Committee on House Administration.<sup>(9)</sup>

8. 114 CONG. REC. 9553, 90th Cong. 2d Sess.

9. The rules [Rule XI clause 16(d) *House Rules and Manual* §713 (1973)] provide that the Committee on Public Works has jurisdiction

***Revolving Funds for Regional Power Administrations***

**§46.21 In the 86th Congress, the Committee on Public Works and not the Committee on Interior and Insular Affairs had jurisdiction of proposed legislation dealing with the establishment of revolving type funds in the Treasury for the Southeastern and Southwestern Power Administrations.**

On July 2, 1959,<sup>(10)</sup> Wayne N. Aspinall, of Colorado, Chairman of the Committee on Interior and Insular Affairs, obtained unanimous consent to have his committee discharged from further consideration of an executive communication (Exec. Comm. No. 1109), and to have that communication re-

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over "measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institute."

The rules provide also [Rule XI clause 9(e), *House Rules and Manual* §693 (1973)] that the Committee on House Administration has jurisdiction "except as provided in clause 16(d) [over] matters relating to the Smithsonian Institution. . ."

10. 105 CONG. REC. 12629, 86th Cong. 1st Sess.

referred to the Committee on Public Works.

### *Stream Pollution Control*

**§ 46.22 The Committee on Rivers and Harbors (now the Committee on Public Works), and not the Committee on Interstate and Foreign Commerce had jurisdiction of a bill to create a Division of Stream Pollution Control in the Bureau of Public Health Service.**

On June 8, 1936,<sup>(11)</sup> Sam Rayburn, of Texas, Chairman of the Committee on Interstate and Foreign Commerce, obtained unanimous consent to have the bill (H.R. 12764), rereferred from his committee to the Committee on Rivers and Harbors (now the Committee on Public Works).

### *Water Resources Conservation and Development*

**§ 46.23 A Presidential message pertaining to the need for regional conservation and development of national water resources was, on motion, referred to the Committee on Rivers and Harbors (now the Committee on Public Works) after a motion to refer to the**

11. 80 CONG. REC. 9241, 74th Cong. 2d Sess.

**Committee on Flood Control was withdrawn following rejection of the previous question.**

On June 3, 1937,<sup>(12)</sup> Speaker William B. Bankhead, of Alabama, laid before the House the following message from President Franklin D. Roosevelt:

*To the Congress of the United States:*

Nature has given recurrent and poignant warnings through dust storms, floods, and droughts that we must act while there is yet time if we would preserve for ourselves and our posterity the natural sources of a virile national life. . . .

For instance, our recent experiences of floods have made clear that the problem must be approached as one involving more than great works on main streams at the places where major disasters threaten to occur. There must also be measures of prevention and control among tributaries and throughout the entire headwaters areas. A comprehensive plan of flood control must embrace not only downstream levees and floodways and retarding dams and reservoirs on major tributaries but also smaller dams and reservoirs on the lesser tributaries, and measures of applied conservation throughout an entire drainage area, such as restoration of forests and grasses on inferior lands, and encouragement of farm practices which diminish run-off and prevent erosion on arable lands. . . .

12. 81 CONG. REC. 5296, 5297, 75th Cong. 1st Sess.

It is also well to remember that improvements of our national heritage frequently confer special benefits upon regions immediately affected, and a large measure of cooperation from State and local agencies in the undertaking and financing of important projects may fairly be asked for. . . .

I think, however, that for the time being we might give consideration to the creation of seven regional authorities or agencies—one on the Atlantic seaboard; a second for the Great Lakes and Ohio Valley; a third for the drainage basin of the Tennessee and Cumberland Rivers; a fourth embracing the drainage basins of the Missouri River and the Red River of the North; a fifth embracing the drainage basins of the Arkansas, Red, and Rio Grande Rivers; a sixth for the basins of the Colorado River and rivers flowing into the Pacific south of the California-Oregon line; and a seventh for the Columbia River Basin. And, in addition, I should leave undisturbed the Mississippi River Commission, which is well equipped to handle the problems immediately attending the channel of that great river. . . .

Such regional bodies would also provide a useful mechanism through which consultation among the various governmental agencies working in the field could be effected for the development of integrated programs of related activities. Projected programs would be reported by the regional bodies annually to the Congress through the President after he has had the projects checked and revised in light of national budgetary considerations and of national planning policies. When the national planning board is established I should expect to use that agency to co-

ordinate the development of regional planning to insure conformity to national policy, but not to give to the proposed national planning board any executive authority over the construction of public works or over management of completed works. . . .

For nearly a year I have studied this great subject intensively and have discussed it with many of the Members of the Senate and the House of Representatives. My recommendations in this message fall into the same category as my former recommendation relating to the reorganization of the executive branch of the Government. I hope, therefore, that both of these important matters may have your attention at this session.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, JUNE 3, 1937.

Although William M. Whittington, of Mississippi, Chairman of the Committee on Flood Control, moved that the President's message be referred to his committee,<sup>(13)</sup> the previous question on that motion was subsequently voted down.<sup>(14)</sup> Shortly thereafter, Mr. Whittington withdrew his motion, after which Joseph J. Mansfield, of Texas, Chairman of the Committee on Rivers and Harbors (now the Committee on Public Works), moved that the message be referred to his committee. The latter motion was agreed to.<sup>(15)</sup>

13. *Id.* at p. 5297.

14. *Id.* at p. 5306.

15. *Id.* at p. 5307.

*Parliamentarian's Note:* The Committee on Flood Control and the Committee on Rivers and Harbors were both incorporated into the present day Committee on Public Works. Had Mr. Whittington not withdrawn his motion to refer, Mr. Mansfield would have been obliged to offer an amendment to that motion to accomplish his purpose.

### § 47. Committee on Science and Astronautics

The Committee on Science and Astronautics was established on July 21, 1958,<sup>(16)</sup> although it did not commence operations until January 1959. The committee was vested with jurisdiction formerly accorded a Select Committee on Astronautics and Space Exploration established the previous March,<sup>(1)</sup> as well as the subject of

16. 104 CONG. REC. 14513, 14514, 85th Cong. 2d Sess. The name of the committee was changed to the Committee on Science and Technology effective Jan. 3, 1975. H. Res. 988, 120 CONG. REC. 34447-70, 93d Cong. 2d Sess., Oct. 8, 1974.

1. After the new standing committee was created, no Members were elected to it during the remainder of the second session of the 85th Congress. The Members appointed to the select

science scholarships and matters relating to the Bureau of Standards (transferred from the Committee on Interstate and Foreign Commerce).<sup>(2)</sup>

It should be noted that, initially, the committee's primary purpose was to oversee the National Aeronautics and Space Administration (NASA) and the non-military national space program.<sup>(3)</sup> Indeed,

[O]ne of the major legislative problems involved in creating NASA was to distinguish the aeronautical and space activities to be conducted by NASA from those to be conducted by the Department of Defense. This distinction was made in the Act by *excluding* "activities peculiar to or primarily associated with the development of weapons systems, military operations, or the defense of the United States (including the research and development necessary to make effective provision for the defense of the United States) . . ." (42 U.S. Code, sec. 2451(b)).<sup>(4)</sup>

The jurisdiction of the Committee on Science and Astronau-

committee continued to serve on that committee until the end of the session.

2. *House Rules and Manual* §719 (1973). See *House Rules and Manual* §687 (1979).
3. Spencer M. Beresford, "Monographs on the Committees of the House of Representatives" (93d Cong. 2d Sess., Dec. 13, 1974), committee print, p. 135.
4. *Id.* at p. 136.