

# D.C. COMMITTEE ORGANIZATION MEETING

Y 4. D 63/1:103-1

D.C. Committee Organization Meeting... ING

BEFORE THE

## COMMITTEE ON THE DISTRICT OF COLUMBIA HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

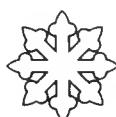
ON

FULL COMMITTEE ORGANIZING MEETING

FEBRUARY 24, 1993

**Serial No. 103-1**

Printed for the use of the  
Committee on the District of Columbia



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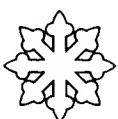
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COMMITTEE ON THE DISTRICT OF COLUMBIA

FORTNEY PETE STARK, CALIFORNIA, *Chairman*

|  |                                 |
|--|---------------------------------|
| ALAN D. WHEAT, Missouri                        | THOMAS J. BLILEY, JR., Virginia |
| JIM McDERMOTT, Washington                      | DANA ROHRABACHER, California    |
| ELEANOR HOLMES NORTON, District of<br>Columbia | JIM SAXTON, New Jersey          |
| SANDER M. LEVIN, Michigan                      | CASS BALLENGER, North Carolina  |
| JOHN LEWIS, Georgia                            |                                 |
| WILLIAM J. JEFFERSON, Louisiana                |                                 |

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BRODERICK D. JOHNSON, *Staff Director*

DENNIS G. SMITH, *Minority Staff Director*

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(III)



## ORGANIZATION MEETING

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**Wednesday, February 24, 1993**

**HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE DISTRICT OF COLUMBIA,  
*Washington, D.C.***

The committee met, pursuant to call, at 10:12 a.m., in room 1310-A, Longworth House Office Building, Hon. Pete Stark presiding.

Members present: Representatives Wheat, McDermott, Norton, Levin, Lewis, Jefferson, Bliley, Rohrabacher, Saxton and Ballenger.

Majority staff present: Dietra L. Ford, senior legislative associate, and Dale MacIver, senior staff counsel.

Minority staff present: Dennis G. Smith, staff director; David E. Anderson, chief counsel; Ron Hamms, senior legislative associate; Rick Dykema, Laurie Bink, and Ashley McArthur, staff assistants.

William G. Wren, GPO publication specialist.

Chairman STARK. I presume that we can start the full committee organizing meeting.

The Chair would like to welcome two of our new members on the Democratic side, Congressmen John Lewis of Georgia and William Jefferson of Louisiana. We are pleased to have you gentlemen with us.

I would like to yield at his time to Tom Bliley, our ranking Republican member, to introduce his new member or members.

Mr. BLILEY. With us today is Cass Ballenger from North Carolina and attending an Armed Services meeting at this time is Jim Saxton, who will also join us this year.

Chairman STARK. I want to welcome all of you to the committee.

The agenda and the files for each member are quite straightforward. The caucuses of the two parties have met and made the selections for subcommittee Chairs, ranking members and subcommittee memberships.

The committee rules suggested for the 103d Congress are identical to those for the last session, except for minor, nonsubstantive changes. A total budget, which will be submitted to the House Administration and Subcommittee on Accounts later today, matches the amount approved for 1992. That would constitute our business today.

I would entertain a motion to approve the committee rules from the 102d Congress with minor amendments noted in our files.

Mr. BLILEY. So moved.

Chairman STARK. I ask if Mr. Bliley had any comments.

Mr. BLILEY. No; they are fine.

I so move the adoption.

Chairman STARK. All in favor, please signify by saying aye.

[A chorus of ayes.]

Chairman STARK. Opposed, no.

[No response.]

Chairman STARK. The ayes have it and the rules are approved.

The Chair would entertain a motion to approve the budget, the subcommittees, their jurisdictions, Chairs and members as included in your files.

Mr. BLILEY. So moved.

Chairman STARK. Would all in favor please signify by saying aye.

[A chorus of ayes.]

Chairman STARK. Those opposed, signify by saying no.

[No response.]

Chairman STARK. The ayes have it. The budget, subcommittee's jurisdiction, Chairs and members, as included in the record, are approved.

Is there any further business to come before the committee this morning?

Mr. BLILEY. I have an opening statement, Mr. Chairman.

Chairman STARK. Mr. Bliley.

Mr. BLILEY. First, I want to congratulate you on your election as the chairman of the committee and I look forward to working with you.

Mr. Chairman, I would submit the full statement for the record.

Chairman STARK. Without objection, it will appear in the record.

Mr. BLILEY. I would point out that, for the first time, the ratios have changed. I do not think it is going to be any particular problem. Usually, our biggest problem is getting a quorum to do business. Maybe with smaller subcommittees we can fulfill that part a little easier.

So, with that, I yield back the balance of my time.

[CHAIRMAN'S NOTE: The gentleman from Virginia should be informed that the D.C. Committee majority conforms to the House majority efforts to reform the House committee system by limiting subcommittee size to 60 percent of the size of the full committee.

Because the D.C. Committee majority/minority ratio was set by the House at 7 to 4 not including the Delegate for the District of Columbia and the D.C. Committee majority is required to keep at least that ratio, the minority would be entitled to two members on a seven-member subcommittee.

In practice the majority has not filled its slots on subcommittees and the ratio is 4 to 2.]

[The prepared statement of Mr. Bliley follows:]

Opening Statement  
by  
Rep. Thomas J. Bliley, Jr.  
Organizational Meeting of the  
Committee on the District of Columbia

February 24, 1993

Thank you Mr. Chairman. Let me first congratulate you on your election as Chairman of the House Committee on the District of Columbia. It has been a pleasure to serve with you over the past 12 years and I look forward to working with you as the Chairman.

I would also like to welcome the Committee's previous members back, including Mr. Rohrabacher who is beginning his third term on the Committee, Mr. Wheat, Mr. McDermott, Mr. Levin, and the Delegate from the District of Columbia, Ms.

Norton.

Let me also welcome our two new Republican members, Jim Saxton from New Jersey and Cass Ballenger from North Carolina and the two new Democratic members, Mr. Lewis and Mr. Jefferson. Although new to this Committee, these two gentleman are veteran members of Congress and promise to bring fresh ideas to the oversight of the Nation's Capital. We all are committed to the fulfillment of our constitutional responsibilities.

I look forward to working with each of you to help solve the problems which face this great capital city. It is not always popular to balance the federal interest with local interest, but it is a labor in which we all can take great pride.

Mr. Chairman, as you well know, most of the work on this Committee is conducted on a nonpartisan basis. When the

Mayor asked for additional authority to wrestle the District's budget under control, Republicans worked as hard as the Majority to swiftly grant her that authority. When the Mayor asked for expedited Congressional approval of more than 40 Council acts, Republicans and Democrats alike responded. We increased the federal payment to the District by \$200 million through bipartisan efforts. We established a formula for the federal payment on a bipartisan basis.

Today, the Republicans are rewarded for their efforts by having their membership on each of the three subcommittees reduced. Republicans make up 40 percent of the membership of the House of Representatives. But on the subcommittees of the Committee on the District of Columbia, Republicans will have only two out of seven votes which is less than 30 percent.

Last year, the Majority had five votes on each

subcommittee and the Minority had three. In fact, this ratio had not been changed, until today, since 1981. In November 1992, Republicans gained ten additional seats in the House, yet we are losing representation on the D. C. subcommittees. To add insult to injury, the Minority was informed only yesterday of this change.

No one gets any credit or even polite applause from their constituents for work on this Committee. There are no rewards for our efforts here. I acknowledge that the Majority can make this change and can adopt any rules they like. That is the power and prerogative of the Majority. But let me caution my colleagues that getting a great deal of our work done depends on cooperation and, quite often, agreement to waive very important rules.

There is indeed much work to be done and I hope to work

with all of you in a cooperative and productive, but also fair manner.

Chairman STARK. I want to thank the distinguished gentleman for his remarks and appreciate his cooperation.

I guess the Chair would suggest to the members that, the distinguished gentleman has identified, perhaps, the major problem in facilitating the smooth working of the committee. It will be the Chair's intention to accommodate the members in any and every way possible. If it benefits the members and makes it easier for us to have quorums for particular meetings close to the floor, if we can find a suitable room in which to do it after votes that we know will require our attendance there and, thereby, cut down the intrusions on our other busy schedules, the Chair will attempt to do that.

The members could help the Chair by indicating whether in some cases they would be willing on occasion to hold a committee at 9 o'clock, to precede other committee meetings or votes that we might have or later in the afternoon. I would be very happy to accommodate. We will try and let the members have the complete schedule and the agendas of any meetings ahead of time.

[The meeting was adjourned at 11 o'clock by the chairman.]

[The following additional material was subsequently received for the record:]

**103RD CONGRESS**  
**ORGANIZATIONAL MEETING**  
**COMMITTEE ON THE DISTRICT OF COLUMBIA**

**1310A Longworth HOB      Wednesday, February 24, 1993      10:00 a.m.**

**AGENDA**

**COMMITTEE ORGANIZATION FOR THE 103RD CONGRESS:**

- I.      Call to Order and Opening Remarks
- II.     Number and Jurisdiction of the Subcommittees
- III.    Subcommittees (Draft Roster Attached)
  - a.     Size and Ratio of Majority/Minority Members
  - b.     Announcement of Election of Subcommittee Chairs
  - c.     Assignment of Members to Subcommittees
    - 1.     Majority
    - 2.     Minority
- IV.    Approval of Committee Rules (Draft Attached)
- V.     Other Business
- VI.    Adjournment

**COMMITTEE ON THE DISTRICT OF COLUMBIA  
103RD CONGRESS**

**Majority Members (7)\***

Pete Stark, Chair  
 Alan Wheat  
 Jim McDermott  
 Eleanor Holmes Norton  
 Sander Levin  
 John Lewis  
 William Jefferson  
 VACANCY

**Minority Members (4)**

Thomas J. Bliley, Jr., Ranking  
 Dana Rohrabacher  
 Jim Saxton  
 Cass Ballenger

\*Delegate does not count in committee or subcommittee ratios

**PROPOSED SUBCOMMITTEE ASSIGNMENTS**

**FISCAL AFFAIRS AND HEALTH**

**Examples of Jurisdiction:**

- Federal Payment Formula and Budget Autonomy
- Borrowing, Tax Policies
- Transfer of St. Elizabeth's Hospital
- Pension Funds
- Health System, Forest Haven

**Majority Members**

Jim McDermott, Washington, Chairman  
 Sander Levin, Michigan  
 William J. Jefferson, Louisiana  
 Alan D. Wheat, Missouri  
 Eleanor Holmes Norton, D. C.

**Minority Members (2)**

Cass Ballenger, Ranking  
 Jim Saxton

**GOVERNMENT OPERATIONS AND METROPOLITAN AFFAIRS****Examples of Jurisdiction:**

- Metrorail; Metrobus
- National Capital Planning Commission
- Zoning, Planning, Economic Development
- Home Rule Changes
- Sewer and Water Changes
- Workmen's Compensation Agency
- Personnel System

**Majority Members**

Alan Wheat, Missouri, Chairman  
 Pete Stark, California  
 John Lewis, Georgia  
 William J. Jefferson, Louisiana  
 VACANCY

**Minority Members (2)**

Jim Saxton, Ranking  
 Dana Rohrabacher

**JUDICIARY AND EDUCATION****Examples of Jurisdiction:**

- Court System and Appointment of Judges
- Corporation Counsel, U.S. Attorney
- Denial of Civil Rights and Services
- Criminal Code Revision
- Transfer of Marshal Service
- D. C. Code and Municipal Code Publication
- Education
- Manpower

**Majority Members**

Eleanor Holmes Norton, D. C., Chair  
 John Lewis, Georgia  
 Pete Stark, California  
 Jim McDermott, Washington  
 VACANCY

**Minority Members (2)**

Dana Rohrabacher, Ranking  
 Cass Ballenger

## COMMITTEE ON THE DISTRICT OF COLUMBIA

BUDGET CATEGORY SUMMARY

|   | <u>1992 EXPENDED</u> | <u>1992 ALLOCATION</u> | <u>1993 PROPOSED</u> |
|---|----------------------|------------------------|----------------------|
| Salaries<br>(from attachment #1)        | \$211,000            | \$279,035              | \$263,035            |
| Overtime                                | 0                    | 1,000                  | 0                    |
| Travel<br>(from attachment #2)          | 1,030                | 3,000                  | 10,000               |
| Witness Fees                            | 710                  | 3,000                  | 3,000                |
| Consultant Fees<br>(from attachment #3) | 0                    | 3,000                  | 8,000                |
| Equipment<br>(from attachment #4)       | 38,818 *             | 41,000                 | 46,000               |
| Stationary and Supplies                 | 0                    | 0                      | 0                    |
| Telephone and Telegraph                 | 5,757                | 6,000                  | 6,000                |
| Outside Computer Charges<br>(non-HIS)   | 0                    | 0                      | 0                    |
| Publications                            | 5,461                | 5,000                  | 5,000                |
| Miscellaneous                           | 0                    | 0                      | 0                    |
| Other: Training                         | 51                   | 1,000                  | 1,000                |
| <b>TOTALS</b>                           | <b>\$262,827</b>     | <b>\$342,035</b>       | <b>\$342,035</b>     |

\* New Equipment ordered 12/28/92

**CONFORMING D C COMMITTEE RULES TO HOUSE REQUIREMENTS FOR COMMITTEES**

1. Committee staffs. Rule N 2.(C) on pay should be changed to conform with House Rule XI Clause 6.(c) as follows:

"N 2 (C) Each employee on the professional staff, and each employee on the clerical staff, of the committee, is entitled to pay at a single per annum gross rate, to be fixed by the Chair, which does not exceed the

[highest rate of basic pay, as in effect from time to time, of level V of the Executive Schedule in section 5316 of title 5, United States Code, except that 2 professional staff members of the committee shall be entitled to pay at a single per annum gross rate to be fixed by the Chair, which does not exceed the highest rate of basic pay, as in effect from time to time, of level IV of the Executive Schedule, section 5315 of title 5, United States Code]

maximum rate of pay, as in effect from time to time, under applicable provisions of law."

(Explanation - The language deleted above was deleted from the House rule by H Res 5, Jan 3, 1989)

2. Nonpartisan staffs. Language in House Rule XI Clause 6 (i) was unintentionally deleted from committee rule N 2 (G) in the 1979 reprinting of committee rules. An amendment should be made as follows:

"N 2 (G) Notwithstanding paragraphs (A)(2) and (B)(2), the committee may employ nonpartisan staff, in lieu of or in addition to committee staff designated exclusively for the majority or minority party, upon an affirmative vote of a majority of the members of the majority party and a majority of the members of the minority party."

3. Timeliness of points of order of no quorum. Although the new House rule on timeliness of points of order in committee makes it clear, an amendment to committee rules should be made as follows:

"S. No point of order [,other than a point of order that a quorum is not present,] against the hearings or business procedures of the committee shall be sustained unless it is made in a timely fashion...etc."

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UNITED STATES HOUSE OF REPRESENTATIVES

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COMMITTEE ON  
THE DISTRICT OF COLUMBIA

FORTNEY PETE STARK, Chairman

COMMITTEE RULES



ONE HUNDRED THIRD CONGRESS

FEBRUARY 24, 1993

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## MEMBERS OF THE DISTRICT OF COLUMBIA COMMITTEE

---

FORTNEY PETE STARK, CALIFORNIA, *Chairman*

RONALD V. DELLUMS, CALIFORNIA

ALAN D. WHEAT, MISSOURI

JIM McDERMOTT, WASHINGTON

ELEANOR HOLMES NORTON, DELEGATE,

DISTRICT OF COLUMBIA

JOHN LEWIS, GEORGIA

WILLIAM J. JEFFERSON, LOUISIANA

---

THOMAS J. BLILEY, JR., VIRGINIA

DANA ROHRABACHER, CALIFORNIA

JIM SAXTON, NEW JERSEY

CASS BALLINGER, NORTH CAROLINA

BRODERICK D. JOHNSON, *Staff Director*

DENNIS G. SMITH, *Minority Staff Director*

## SUBCOMMITTEES

### FISCAL AFFAIRS AND HEALTH

JIM McDERMOTT, Washington, *Chairman*

RONALD V. DELLUMS, California  
WILLIAM J. JEFFERSON, Louisiana  
ALAN D. WHEAT, Missouri  
ELEANOR HOLMES NORTON,  
District of Columbia

CASS BALLINGER, North Carolina  
JIM SAXTON, New Jersey

### GOVERNMENT OPERATIONS AND METROPOLITAN AFFAIRS

ALAN D. WHEAT, Missouri, *Chairman*

FORTNEY PETE STARK, California  
JOHN LEWIS, Georgia  
WILLIAM J. JEFFERSON, Louisiana

JIM SAXTON, New Jersey  
DANA ROHRABACHER, California

### JUDICIARY AND EDUCATION

ELEANOR HOLMES NORTON, District of Columbia, *Chairman*

JOHN LEWIS, Georgia  
FORTNEY PETE STARK, California  
RONALD V. DELLUMS, California  
JIM McDERMOTT, Washington

DANA ROHRABACHER, California  
CASS BALLINGER, North Carolina

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**RULES GOVERNING PROCEDURES**  
**COMMITTEE ON THE DISTRICT OF COLUMBIA**  
**ONE HUNDRED THIRD CONGRESS<sup>1</sup>**

---

**A. IN GENERAL**

1. (a) The rules of the House are the rules of this committee and each subcommittee so far as applicable, except that a motion to recess from day to day and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege in the committee and subcommittees.

(b) The procedures applicable in the House as in the Committee of the Whole apply to this committee, except that a measure considered in committee must be read (by section) for amendment; a motion to limit debate under the 5-minute rule in committee must therefore be confined to the portion of the bill then pending, and the previous question may only be moved on the measure in committee if the entire measure has been read, or considered as read, for amendment.

(c) There shall be a motion for the previous question, which, being ordered by a majority of members voting, if a quorum be present, shall have the effect to cut off all debate and bring the committee to a direct vote upon the immediate question or questions on which it has been asked and ordered.

(d) Upon the offering of any amendment by a member, the committee clerk shall promptly transmit a copy to the official reporter and copies to each committee member in attendance.

2. Each subcommittee is a part of this committee, and is subject to the authority and direction of the committee and to its rules insofar as applicable. The rules of the committee shall be the rules of its subcommittees.

3. No major investigation by a subcommittee shall be initiated without approval of the Chair of the committee or the majority of the full committee.

4. Any committee member, when recognized by the Chair, may address the committee on any bill, motion, or other matter under consideration before the committee. The Chair may limit to 5 minutes the time of any such member, after giving due consideration to the importance of the subject matter and to the length of time available. Any House Member not a member of the committee may testify as a witness at any hearing of the committee or a subcommittee, or may submit a statement for the official record.

**B. REGULAR MEETING DAYS**

1. The full committee shall have its regular meetings on the first Tuesday in each calendar month at 10 a.m. When the House is in recess, the regular monthly meeting of the committee may be dispensed with at the discretion of the Chair upon notice of such action to all members of the committee.

2. The committee shall meet, for the consideration of any bill or resolution pending before the committee or for the transaction of the committee business, on all regular meeting days fixed by the committee.

3. Subcommittee Chairs shall set meeting and hearing dates after consultation with the Chair and other subcommittee Chairs with a view toward avoiding simultaneous scheduling of committee and subcommittee meetings or hearings wherever possible.

**C. ADDITIONAL AND SPECIAL MEETINGS**

1. The Chair may call and convene, as he or she considers necessary, additional meetings of the committee for the consideration of any bill or resolution pending before the committee or for the conduct of other committee business. The committee shall meet for such purposes pursuant to that call of the Chair.

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<sup>1</sup> Adopted by committee, February 24, 1993 and printed in the CONGRESSIONAL RECORD

2. If at least three members of the committee desire that a special meeting of the committee be called by the Chair, those members may file in the offices of the committee their written request to the Chair for that special meeting. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the committee shall notify the Chair of the filing of the request. If, within 3 calendar days after the filing of the request, the Chair does not call the requested special meeting, to be held within 7 calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of, and the measure or matter to be considered, at the special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered; and only the measure or matter specified in that notice may be considered at that special meeting.

#### D. RANKING MAJORITY MEMBER TO PRESIDE IN ABSENCE OF CHAIR

If the Chair of the committee or subcommittee is not present at any meeting of the committee or subcommittee, the ranking member of the majority party on the committee or subcommittee who is present shall preside at the meeting.

#### E. COMMITTEE RECORDS AND ROLLCALLS

1. The committee shall keep a complete record of all committee action which shall include a record of the votes on any question on which a rollcall vote is demanded. The result of each rollcall vote shall be made available by the committee for inspection by the public at reasonable times in the offices of the committee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and whether by proxy or in person, and the names of those members present but not voting.

A record vote in subcommittee may be had upon the request of any subcommittee member, and in full committee upon the request of any committee member.

2. Records of hearings before the committee shall not be available to the public for quotation of any member until after such member has had an opportunity to examine and approve such hearing records.

3. All committee and subcommittee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Chair of the committee or a subcommittee; and such records shall be the property of the House and all Members of the House shall have access thereto.

4. The records of the committee at the National Archives and Records Administration shall be made available in accordance with rule XXXVI of the rules of the House, except that the committee authorizes use of any record to which clause 3(b)(4) would otherwise apply after such record has been in existence for 5 years. The Chair shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the committee for a determination on the written request of any member of the committee.

#### F. PROXIES

A vote by any member in the committee or in any subcommittee may be cast by proxy, but shall be in writing, shall assert that the member is absent on official business or is otherwise unable to be present at the meeting of the committee, shall designate the person who is to execute the proxy authorization, and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto; except that a member may authorize a general proxy only for motions to recess, adjourn or other procedural matters. Each proxy to be effective shall be signed by the member assigning his or her vote and shall contain the date and time of day that the proxy is signed. Proxies may not be counted for a quorum.

#### G. OPEN MEETINGS AND HEARINGS

1. Each meeting for the transaction of business, including the markup of legislation, of the committee or subcommittee shall be open to the public except when the committee or subcommittee, in open session and with a majority present, determines by rollcall vote that all or part of the remainder of the meeting on that day shall be closed to the public; *Provided, however,* that no person other than members of the committee and such congressional staff and such departmental representatives as they may authorize shall be present at any business or markup session which has been closed to the public. This paragraph does not apply to open committee hearings which are provided for by 2 of this rule, or to any meeting that relates solely to internal budget or personnel matters.

2. Each hearing conducted by the committee or subcommittee shall be open to the public except when the committee or subcommittee, in open session and with a majority present determines by rollcall vote that all or part of the remainder

of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or rule of the House of Representatives; notwithstanding the requirements of the preceding sentence, or rule H. 2, a majority of those present (but not less than two members) voting in the affirmative:

- (a) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or defame, degrade or incriminate any person, or
- (b) may vote to close the hearing if testimony or evidence to be received would defame, degrade, or incriminate any person; *Provided, however,* that the committee or subcommittee may by the same procedure vote to close one subsequent day of hearing.

#### H QUORUM

1. The number of members to constitute a quorum for the purpose of taking testimony and receiving evidence in full committee or subcommittee is two.
2. One-third of the committee or a subcommittee shall constitute a quorum for other meetings, except that a majority of the committee or subcommittee shall constitute a quorum for the purposes of reporting a measure and closing a meeting to the public.

#### I. CALLING AND INTERROGATING WITNESSES

1. Whenever any hearing is conducted by the committee or a subcommittee upon any measure or matter, the minority party members of the committee or subcommittee shall be entitled, upon request to the Chair of the committee or subcommittee by a majority of the minority party members before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.
2. The committee and subcommittees shall apply the 5-minute rule in the interrogation of witnesses in any hearing until such time as each member of the committee or subcommittee who so desires has had an opportunity to question each witness.
3. Committee members may question witnesses only when they have been recognized by the Chair for that purpose.
4. All questions put to the witnesses before the committee shall be pertinent to the bill or other subject matter before the committee for consideration.
5. Insofar as is practicable, each witness who is to appear must file with the committee (in advance of his or her appearance) a written statement of the proposed testimony and limit the oral presentation at such appearance to a brief summary of his or her argument.

#### J. INVESTIGATIVE HEARING PROCEDURES

1. The Chair of the committee or subcommittee at an investigative hearing shall announce in an opening statement the subject of the investigation.
2. A copy of the committee rules and this clause shall be made available to each witness.
3. Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.
4. The Chair of the committee or subcommittee may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the full committee may cite the offender to the House for contempt.
5. Whenever it is asserted that the evidence or testimony at an investigatory hearing may tend to defame, degrade, or incriminate any person,
  - (a) such testimony or evidence shall be presented in executive session, if by a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony, the committee or subcommittee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person;
  - (b) the committee or subcommittee shall proceed to receive such testimony in open session only if a majority of the members of the committee or subcommittee, a majority being present, determine that such evidence or testimony will not tend to defame, or incriminate any person.
- In either case the committee or subcommittee shall—
  - (1) afford such person an opportunity voluntarily to appear as a witness; and
  - (2) receive and dispose of requests from such person to subpoena additional witnesses.
6. Except as provided in subparagraph 5. the Chair shall receive and the committee shall dispose of requests to subpoena additional witnesses.

7. No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee.

8. In the discretion of the committee or subcommittee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee or subcommittee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

9. A witness may obtain a transcript copy of the witness' testimony given at a public session or, if given at an executive session, when authorized by the committee.

#### K REPORTING BILLS AND RESOLUTIONS

1. No measure or recommendation shall be reported from the committee unless a majority of the committee was actually present.

On the question of ordering a bill reported whenever a recorded vote is ordered or the yeas and nays are ordered the Chair may, in the Chair's discretion, postpone further proceedings on each such question to a designated time or place in the schedule on that day.

2. Any committee member at a meeting of the full committee or any member of the subcommittee involved may make a point of order that a quorum is not present.

3. (a) Each committee report shall include in its text a statement of the reported legislation's intent or purpose, need, the results of motions to report, including number of yeas and nays, a 5-year cost estimate, oversight statement, inflationary impact statement, any statement required by sections 308(a) and 403 of the Congressional Budget and Impoundment Control Act of 1974, administration or departmental position (if any), and changes in existing law, in addition to such other provisions as the Chair deems necessary.

(b) If, at the time of approval of any measure or matter by the committee, any member of the committee gives notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than 3 calendar days (excluding Saturdays, Sundays, and legal holidays) in which to file such views, in writing and signed by that member, with the clerk of the committee. All such views so filed by one or more members of the committee shall be included within, and shall be a part of, the report filed by the committee with respect to that measure or matter. The report of the committee upon that measure or matter shall be printed in a single volume which—

(1) shall include all supplemental, minority, and additional views which have been submitted by the time of the filing of the report, and

(2) shall bear upon its cover a recital that any such supplemental, minority, or additional views (and any material submitted pursuant to the requirements of sections 308(a) and 403 of the Budget and Impoundment Control Act of 1974) are included as part of the report. This subparagraph does not preclude—

(A) the immediate filing or printing of a committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this subparagraph; or

(B) the filing by the committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by the committee upon that measure or matter.

4. (a) It shall be the duty of the Chair of the committee to report or cause to be reported promptly to the House any measure approved by the committee and to take or cause to be taken necessary steps to bring a matter to a vote.

(b) In any event, the report of the committee on any measure which has been approved by the committee shall be filed within 7 calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the committee a written request, signed by a majority of the members of the committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the Chair of the committee notice of the filing of that request.

#### L. POWER TO SIT AND ACT; SUBPOENA POWER

1. For the purpose of carrying out any of its functions and duties under these rules, the committee, or any subcommittee thereof, is authorized—

(a) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings, and

(b) subject to 2(a) of this rule, 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. The Chair of the committee, or any member designated by the Chair, may administer oaths to any witness.

2. (a) A subpoena may be issued by the committee or subcommittee under 1(b) of this rule in the conduct of any investigation or activity or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present, and authorized subpoenas shall be signed by the Chair of the full committee or by any member designated by the committee. When authorizing subpoenas, the committee may delegate to the committee Chair

the responsibility of deciding what materials are to be listed in the subpoena and the names of the individuals or officials to be subpoenaed.

(b) Compliance with any subpoena issued by a committee or subcommittee under 1(b) of this rule may be enforced only as authorized or directed by the House.

#### M. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

Whenever any hearing or meeting conducted by the committee or any subcommittee is open to the public, the committee or subcommittee may permit, by majority vote of the committee or subcommittee, that hearing or meeting to be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, but only under the following rules:

1. If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.
2. No witness served with a subpoena by the committee shall be required against his or her will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off.
3. The allocation among the television media of the positions of the number of television cameras permitted by the committee or subcommittee Chair in a hearing or meeting room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.
4. Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the committee or the visibility of that witness and that member to each other.
5. Television cameras shall operate from fixed positions but shall not be placed in positions which obstruct unnecessarily the coverage of the hearing or meeting by the other media.
6. Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the committee is in session.
7. Floodlights, spotlights, strobelights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in the hearing or meeting room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the then current state of the art of television coverage.
8. Not more than five press photographers shall be permitted to cover a hearing or meeting by still photography. In the selection of these photographers, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If requests are made by more of the media than will be permitted by the committee or subcommittee Chair for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.
9. Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the members of the committee.
10. Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by the other media.
11. Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.
12. Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery.
13. Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

#### N. COMMITTEE STAFFS

1. Subcommittee staffs: From the funds provided for the appointment of committee staff pursuant to primary and additional expense resolutions of the House:

- (a) The Chair of each standing subcommittee is authorized to appoint one staff member who shall serve at the pleasure of the subcommittee Chair.
- (b) The ranking minority party member of each standing subcommittee is authorized to appoint one staff person who shall serve at the pleasure of the ranking minority party member.
- (c) The staff members appointed pursuant to the provisions of subparagraphs (a) and (b) shall be compensated at a rate determined by the subcommittee Chair not to exceed (a) 75 per centum of the maximum established in 2(c) of this rule or (b) the rate paid the staff member appointed pursuant to 1(a) of this rule.
- (d) No member shall appoint more than one person pursuant to 1(a) and 1(b) of this rule.

(e) The staff positions made available to the subcommittee Chair and ranking minority party members pursuant to 1(a) and 1(b) of this rule shall be made available from the staff positions provided under clause 6 of Rule XI of the House unless such staff positions are made available pursuant to a primary or additional expense resolution.

2. Committee staffs:

(a)(1) Subject to subparagraph 2(a)(2) of this rule and paragraph 2(d) of this rule, the committee may appoint, by majority vote of the committee, not more than 18 professional staff members. Each professional staff member appointed under this subparagraph shall be assigned to the Chair and the ranking minority party member of such committee, as the committee considers advisable.

(2) Subject to 2(d) of this rule, whenever a majority of the minority party members of the committee so request, not more than six persons may be selected, by majority vote of the minority party members, for appointment by the committee as professional staff members from among the number authorized by 2(a)(1) of this rule. The committee shall appoint any persons so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of any person so selected are unacceptable to the committee, a majority of the minority party members may select other persons for appointment by the committee to the professional staff until such appointment is made. Each professional staff member appointed under this subparagraph shall be assigned to such committee business as the minority party members of the committee consider advisable.

(3) The professional staff members of the committee—

(a) shall be appointed on a permanent basis, without regard to race, creed, sex, or age, and solely on the basis of fitness to perform the duties of their respective positions;

(b) shall not engage in any work other than committee business; and

(c) shall not be assigned any duties other than those pertaining to committee business.

(4) Services of the professional staff members of the committee may be terminated by majority vote of the committee.

(b)(1) The clerical staff of the full committee shall consist of not more than 12 clerks, to be attached to the office of the Chair, to the ranking minority party member, and to the professional staff, as the committee considers advisable. Subject to 2(b)(2) and 2(d) of this rule, the clerical staff shall be appointed by majority vote of the committee, without regard to race, creed, sex, or age. Except as provided by 2(b) of this rule, the clerical staff shall handle committee correspondence and stenographic work both for the committee staff and for the Chair and the ranking minority party member on matters related to committee work.

(2) Subject to 2(d) of this rule, whenever a majority of the minority party members of the committee so request, four persons may be selected, by majority vote of the minority party members, for appointment by the committee to positions on the clerical staff from among the number of clerks authorized by 2(b)(1) of this rule. The committee shall appoint to those positions any person so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of any person so selected are unacceptable to the committee, a majority of the minority party members may select other persons for appointment by the committee to the position involved on the clerical staff until such appointment is made. Each clerk appointed under this subparagraph shall handle committee correspondence and stenographic work for the minority party members of the committee and for any members of the professional staff appointed under 2(a)(2) of this rule on matters related to committee work.

(3) Services of the clerical staff members of the full committee may be terminated by majority vote of the committee.

(c) Each employee on the professional staff, and each employee on the clerical staff, of the committee, is entitled to pay at a single per annum gross rate, to be fixed by the Chair, which does not exceed the maximum rate of pay, as in effect from time to time, under applicable provisions of law.

(d) If a request for the appointment of a minority professional staff member under paragraph (a), or a minority clerical staff member under paragraph (b), is made when no vacancy exists to which that appointment may be made, the committee nevertheless shall appoint, under paragraph (a) or paragraph (b), as applicable, the person selected by the minority and acceptable to the committee. The person so appointed shall serve as an additional member of the professional staff or the clerical staff, as the case may be, of the committee, and shall be paid from the contingent fund, until such a vacancy (other than a vacancy in the position of head of the professional staff, by whatever title designated) occurs, at which time that person shall be deemed to have been appointed to that vacancy. If such vacancy occurs on the professional staff when seven or more persons have been so appointed who are eligible to fill that vacancy, a majority of the minority party members shall designate which of those persons shall fill that vacancy.

(e) Each staff member appointed pursuant to a request by minority party members under paragraph (a) or (b), and each staff member appointed to assist minority party members of a committee pursuant to an expense resolution, shall be accorded equitable treatment with respect to the fixing of his or her rate of pay, the assignment to him or her of work facilities, and the accessibility to him or her of committee records.

(f) Paragraphs (a) and (b) shall not be construed to authorize the appointment of additional professional or clerical staff members of the committee pursuant to a request under either of such paragraphs by the minority party members of that committee if six or more professional staff members or four or more clerical staff members provided

for in paragraph (a)(1) or paragraph (b)(1) as the case may be, who are satisfactory to a majority of the minority party members, are otherwise assigned to assist the minority party members.

(g) Notwithstanding paragraphs (a)(2) and (b)(2), the committee may employ nonpartisan staff, in lieu of or in addition to committee staff designated exclusively for the majority or minority party, upon an affirmative vote of a majority of the members of the majority party and a majority of the members of the minority party.

#### O. REFERRAL OF BILLS, RESOLUTIONS, AND OTHER MATTERS TO SUBCOMMITTEES

1. All the legislation and other matters referred to the committee shall be referred to the subcommittee of appropriate jurisdiction within 2 weeks unless, by majority vote of the majority members of the full committee, consideration is to be by the full committee. A bill, resolution, or other matter referred to a subcommittee in accordance with this rule may be recalled therefrom at any time by a vote of the majority members of the committee for the committee's direct consideration or for reference to another subcommittee. If a joint resolution of disapproval of a council act is introduced in the House during the first 15 legislative days of layover, the resolution shall be referred to the subcommittee of appropriate jurisdiction. If the joint resolution is introduced during the last 15 days of congressional layover, that matter shall be kept at the full committee level with such comments from the subcommittee as they may wish to give.

2. The Chair may refer a matter simultaneously to two or more subcommittees for concurrent consideration or for consideration in sequence (subject to appropriate time limitations in the case of any subcommittee after the first) or divide the matter into two or more parts (reflecting different subjects and jurisdictions) and refer each such part to a different subcommittee.

3. Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the Chair may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition.

#### P. SUBCOMMITTEES

1. The full committee shall determine an appropriate ratio of majority to minority members for each subcommittee and shall establish the number of subcommittees, shall fix the jurisdiction of each subcommittee, and shall determine the size of each subcommittee.

2. Additional legislative subcommittees may be established by a majority of those voting, a quorum being present, of the full committee.

3. Each member shall be given an equal number of subcommittee assignments insofar as practicable.

4. Bills shall be assigned to subcommittees in accordance with the subject matter of the subcommittees.

5. Any member of the full committee may have the privilege of sitting with any subcommittee during its hearings or deliberations and to participate but shall not have authority to vote on any matters before the subcommittee unless he or she is a member of such subcommittee.

6. Party representation on each subcommittee, including ex officio members, shall be not less favorable to the majority party than the ratio for the full committee.

#### Q. GENERAL OVERSIGHT RESPONSIBILITIES

The committee and each subcommittee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the committee or the subcommittee, respectively, and the organization and operation of the Federal and District agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, the committee and each subcommittee shall review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the committee or subcommittee, respectively (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of the committee or subcommittee, respectively. Each subcommittee is required to conduct oversight in the area of the respective jurisdiction, to assist in carrying out the full committee's responsibilities under Rule X, cl. 2, of the House of Representatives. The establishment of an oversight subcommittee shall in no way limit the responsibility of the subcommittees with legislative jurisdiction from carrying out their oversight responsibilities.



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## R. ADDITIONAL FUNCTIONS

1. The committee and each subcommittee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, insure that appropriations for continuing programs and activities of the Federal Government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. For the purposes of this paragraph, a government agency includes the organizational units of government listed in clause 7(c) of Rule XIII of the House of Representatives.

2. The committee and each subcommittee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

## S. POINTS OF ORDER

No point of order against the hearings or business procedures of the committee shall be sustained unless it is made in a timely fashion (1) at the commencement of the hearing or meeting, or (2) at the time such point of order first occurs. Any point of order not raised in a timely manner in subcommittee shall not be sustained in full committee.

## T NOTICE OF MEETINGS AND AGENDA

1. The committee and each subcommittee shall make public announcement of the date, place and subject matter of any committee hearing at least one week before the commencement of the hearing. If the committee determines that there is good cause to begin the hearing sooner, it shall make the announcement at the earliest possible day. Any announcement made under the subparagraph shall be promptly published in the Daily Digest and given to the House Information Systems.

2. The agenda for all committee meetings, setting out all items of business to be considered, including a copy of any measure or a summary of any measure and of any subcommittee amendments, shall be furnished each committee member by delivery to his or her office at least 2 full calendar days (excluding Saturday, Sunday and legal holidays) before the meeting. This requirement may be waived by a two-thirds vote, a quorum being present, of the committee.

3. No bill or other matter shall be brought up for hearing or other consideration except with the approval of the Chair or by a majority of those voting, a quorum being present; *Provided, that* any member (other than the Chair) making the motion for consideration under this rule has given 2 days' notice in writing to all members of the committee.

## U. AMENDING COMMITTEE RULES

The committee rules may not be amended unless the member proposing the amendment gives 2 days' notice (excluding Saturday, Sunday and legal holidays) in writing of the text of the proposed change to all members.

## V OTHER PROCEDURES AND REGULATIONS

The Chair of the full committee may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the committee.





