

115TH CONGRESS }
1st Session

COMMITTEE PRINT

{ COMMITTEE
PRINT 115–A

COMMITTEE ON HOMELAND SECURITY
U.S. HOUSE OF REPRESENTATIVES

RULES AND APPENDIX
FOR THE
COMMITTEE ON HOMELAND SECURITY
DURING THE
ONE HUNDRED FIFTEENTH CONGRESS
FIRST SESSION



ADOPTED FEBRUARY 1, 2017

115TH CONGRESS
1st Session

COMMITTEE PRINT

COMMITTEE
PRINT 115–A

COMMITTEE ON HOMELAND SECURITY
U.S. HOUSE OF REPRESENTATIVES

RULES AND APPENDIX
FOR THE
COMMITTEE ON HOMELAND SECURITY
DURING THE
ONE HUNDRED FIFTEENTH CONGRESS
FIRST SESSION



ADOPTED FEBRUARY 1, 2017

U.S. GOVERNMENT PUBLISHING OFFICE
WASHINGTON : 2017

23–996 PDF

COMMITTEE ON HOMELAND SECURITY

Michael T. McCaul, Texas, *Chairman*

LAMAR SMITH, Texas	BENNIE G. THOMPSON, Mississippi
PETER T. KING, New York	SHEILA JACKSON LEE, Texas
MIKE ROGERS, Alabama	JAMES R. LANGEVIN, Rhode Island
JEFF DUNCAN, South Carolina	CEDRIC L. RICHMOND, Louisiana
TOM MARINO, Pennsylvania	WILLIAM R. KEATING, Massachusetts
LOU BARLETTA, Pennsylvania	DONALD M. PAYNE, JR., New Jersey
SCOTT PERRY, Pennsylvania	FILEMON VELA, Texas
JOHN KATKO, New York	BONNIE WATSON COLEMAN, New Jersey
WILL HURD, Texas	KATHLEEN M. RICE, New York
MARTHA MCSALLY, Arizona	J. LUIS CORREA, California
JOHN RATCLIFFE, Texas	VAL BUTLER DEMINGS, Florida
DANIEL M. DONOVAN, JR., New York	NANETTE DIAZ BARRAGÁN, California
MIKE GALLAGHER, Wisconsin	
CLAY HIGGINS, Louisiana	
JOHN H. RUTHERFORD, Florida	
THOMAS A. GARRETT, JR., Virginia	
BRIAN K. FITZPATRICK, Pennsylvania	

BRENDAN P. SHIELDS, *Staff Director*
JOAN V. O'HARA, *General Counsel*
MICHAEL S. TWINCHEK, *Chief Clerk*
HOPE GOINS, *Minority Staff Director*

CONTENTS

	Page
RULES OF THE COMMITTEE ON HOMELAND SECURITY	
Rule I.—General Provisions	1
Rule II.—Subcommittees	1
Rule III.—Special Committee Panels	2
Rule IV.—Regular Meetings	2
Rule V.—Notice and Publication	3
Rule VI.—Open Meetings and Hearings; Broadcasting	4
Rule VII.—Procedures for Meetings and Hearings	4
Rule VIII.—Witnesses	5
Rule IX.—Quorum	6
Rule X.—Decorum	7
Rule XI.—Referrals to Subcommittees	7
Rule XII.—Subpoenas; Counsel	7
Rule XIII.—Committee Staff	8
Rule XIV.—Classified and Controlled Unclassified Information	9
Rule XV.—Committee Records	10
Rule XVI.—Committee Rules	11
APPENDICES	
Committee Policies	
Security Access and Control Policy	15
Travel Policy and Guidelines for Committee Members and Committee Staff	25
Applicable Provisions of House Rules	
Rule VII—Records of the House	33
Rule X—Organization of Committees	34
Rule XI—Procedures of Committees and Unfinished Business	41
Rule XII—Receipt and Referral of Measures and Matters	47
Rule XIII—Calendars and Committee Reports	48
Rule XVII—Decorum and Debate	52
Rule XXI—Restrictions on Certain Bills	53
Rule XXIX—General Provisions	56
Jurisdictional History	
Legislative History to Accompany Changes to Rule X (109th Congress)	57
Memorandum of Understanding Between the Committee on Transportation and Infrastructure and the Committee on Homeland Security (110th Congress)	60
Changes to the Standing Rules—Section-By-Section Analysis (113th Congress)	61
Memorandum Regarding Authorization of the Department of Homeland Security (115th Congress)	62

Rules of the Committee on Homeland Security

115th Congress

Adopted February 1, 2017

RULE I.—GENERAL PROVISIONS.

(A) *Applicability of the Rules of the U.S. House of Representatives.*—The Rules of the U.S. House of Representatives (the “House”) are the rules of the Committee on Homeland Security (the “Committee”) and its subcommittees insofar as applicable.

(B) *Applicability to Subcommittees.*—Except where the terms “Full Committee” and “subcommittee” are specifically mentioned, the following rules shall apply to the Committee’s subcommittees and their respective Chairmen and Ranking Minority Members to the same extent as they apply to the Full Committee and its Chairman and Ranking Minority Member.

(C) *Appointments by the Chairman.*—Clause 2(d) of Rule XI of the House shall govern the designation of a Vice Chairman of the Full Committee.

(D) *Conferences.*—The Chairman is authorized to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

(E) *Committee Website.*—The Chairman shall maintain an official Committee web site for the purposes of furthering the Committee’s legislative and oversight responsibilities, including communicating information about the Committee’s activities to Committee Members, other Members, and the public at large. The Ranking Minority Member may maintain a similar web site for the same purposes. The official Committee web site shall display a link on its home page to the web site maintained by the Ranking Minority Member.

(F) *Activity Report.*—The Committee shall submit a report to the House on the activities of the Committee in accordance with House rule XI 1(d).

RULE II.—SUBCOMMITTEES.

(A) *Generally.*—The Full Committee shall be organized into the following six standing subcommittees and each shall have specific responsibility for such measures or matters as the Chairman refers to it:

- (1) Subcommittee on Counterterrorism and Intelligence;
- (2) Subcommittee on Border and Maritime Security;

- (3) Subcommittee on Cybersecurity and, Infrastructure Protection;
- (4) Subcommittee on Oversight and Management Efficiency;
- (5) Subcommittee on Transportation and Protective Security;
- and
- (6) Subcommittee on Emergency Preparedness, Response and Communications.

(B) *Selection and Ratio of Subcommittee Members.*—The Chairman and Ranking Minority Member of the Full Committee shall select their respective Members of each subcommittee. The ratio of Majority to Minority Members shall be comparable to the Full Committee, consistent with the party ratios established by the Majority party, except that each subcommittee shall have at least two more Majority Members than Minority Members.

(C) *Ex Officio Members.*—The Chairman and Ranking Minority Member of the Full Committee shall be ex officio members of each subcommittee but are not authorized to vote on matters that arise before each subcommittee. The Chairman and Ranking Minority Member of the Full Committee shall only be counted to satisfy the quorum requirement for the purpose of taking testimony and receiving evidence.

(D) *Powers and Duties of Subcommittees.*—Except as otherwise directed by the Chairman of the Full Committee, each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Full Committee on all matters within its purview. Subcommittee Chairmen shall set hearing and meeting dates only with the approval of the Chairman of the Full Committee. To the greatest extent practicable, no more than one meeting and hearing should be scheduled for a given time.

RULE III.—SPECIAL COMMITTEE PANELS.

(A) *Designation.*—The Chairman of the Full Committee may designate a special panel of the Committee consisting of Members of the Committee to inquire into and take testimony on a matter or matters that warrant enhanced consideration, and to report to the Committee.

(B) *Party Ratios and Appointment.*—The chairman of a special panel shall be appointed by the Chairman of the Full Committee. The Ranking Minority Member of the Full Committee may select a ranking minority member for a special panel and may appoint additional minority members, consistent with the ratio of the full committee. The Chairman and Ranking Minority Member may serve as ex officio members.

(C) *Duration.*—No special panel shall continue in existence for more than six months.

(D) *Jurisdiction.*—No panel shall have legislative jurisdiction.

RULE IV.—REGULAR MEETINGS.

(A) *Regular Meeting Date.*—The regular meeting date and time for the transaction of business of the Full Committee shall be at 10:00

a.m. on the first Wednesday that the House is in Session each month, unless otherwise directed by the Chairman.

(B) *Additional Meetings.*—At the discretion of the Chairman, additional meetings of the Committee may be scheduled for the consideration of any legislation or other matters pending before the Committee, or to conduct other Committee business. The Committee shall meet for such purposes pursuant to the call of the Chairman.

(C) *Consideration.*—Except in the case of a special meeting held under clause 2(c)(2) of House Rule XI, the determination of the business to be considered at each meeting of the Committee shall be made by the Chairman.

RULE V.—NOTICE AND PUBLICATION.

(A) *Notice.*—

(1) *Hearings.*—

(a) Pursuant to clause 2(g)(3) of rule XI of the Rules of the House of Representatives, the Chairman of the Committee shall make public announcement of the date, place, and subject matter of any hearing before the Full Committee or subcommittee, which may not commence earlier than one week after such notice.

(b) However, a hearing may begin sooner than specified in (a) if the Chairman of the Committee, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin such hearing sooner, or if the Committee so determines by majority vote, a quorum being present for the transaction of business. If such a determination is made, the Chairman shall make the announcement required under (a) at the earliest possible date. To the extent practicable, the names of all witnesses scheduled to appear at such hearing shall be provided to Members no later than 48 hours prior to the commencement of such hearing.

(2) *Meetings.*— The Chair shall announce the date, time, place and subject matter of any meeting, which may not commence earlier than the third day on which Members have notice thereof except in the case of a special meeting called under clause 2(c)(2) of House Rule XI. These notice requirements may be waived if the Chairman with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the meeting sooner or if the Committee so determines by majority vote, a quorum being present for the transaction of business.

(a) At least 48 hours prior to the commencement of a meeting for the markup of legislation, or at the time of announcement of the meeting, if less than 48 hours under Rule V(A)(2), the text of such legislation to be marked up shall be provided to the Members, made publicly available in electronic form, and posted on the official Committee web site.

(b) Not later than 24 hours after concluding a meeting to consider legislation, the text of such legislation as ordered forwarded or reported, including any amendments adopted

or defeated, shall be made publicly available in electronic form.

(3) *Briefings*.—The Chairman shall provide notice of the date, time, place, and subject matter of a Member briefing. To the extent practicable, a Member briefing shall not commence earlier than the third day on which Members have notice thereof.

(4) *Publication*.—House Rule XI 2(g)(3)(C) is hereby incorporated by reference.

RULE VI.—OPEN MEETINGS AND HEARINGS; BROADCASTING.

(A) *Open Meetings*.—

(1) All meetings and hearings of the Committee shall be open to the public including to radio, television, and still photography coverage, except as provided by Rule XI of the Rules of the House or when the Committee, in open session and with a majority present, determines by recorded 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, compromise sensitive law enforcement information, tend to defame, degrade or incriminate a witness, or violate any law or rule of the House of Representatives.

(2) The Committee or Subcommittee may meet in executive session for up to five additional consecutive days of hearings if agreed to by the same procedure.

(B) *Broadcasting*.—Whenever any hearing or meeting conducted by the Committee is open to the public, the Committee shall permit that hearing or meeting to be covered by television broadcast, internet broadcast, print media, and still photography, or by any of such methods of coverage, in accordance with the provisions of clause 4 of Rule XI of the Rules of the House. Operation and use of any Committee operated broadcast system shall be fair and non-partisan and in accordance with clause 4(b) of Rule XI and all other applicable rules of the Committee and the House. Priority shall be given by the Committee to members of the Press Galleries. Pursuant to clause 2(e) of rule XI of the Rules of the House of Representatives, the Committee shall, to the greatest extent practicable, provide audio and video coverage of each hearing or meeting in a manner that allows the public to easily listen to and view the proceedings and shall maintain the recordings of such coverage in a manner that is easily accessible to the public.

(C) *Transcripts*.—A transcript shall be made of the testimony of each witness appearing before the Committee during a Committee hearing. All transcripts of meetings or hearings that are open to the public shall be made available.

RULE VII.—PROCEDURES FOR MEETINGS AND HEARINGS.

(A) *Opening Statements*.—At any meeting of the Committee, the Chairman and Ranking Minority Member shall be entitled to present oral opening statements of five minutes each. Other Members may submit written opening statements for the record. The

Chairman presiding over the meeting may permit additional opening statements by other Members of the Full Committee or of that subcommittee, with the concurrence of the Ranking Minority Member.

(B) *The Five-Minute Rule*.—The time any one Member may address the Committee on any bill, motion, or other matter under consideration by the Committee shall not exceed five minutes, and then only when the Member has been recognized by the Chairman, except that this time limit may be extended when permitted by unanimous consent.

(C) *Postponement of Vote*.—The Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment and may resume proceedings on a postponed vote at any time after reasonable notice to Members by the Clerk or other designee of the Chairman. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(D) *Record*.—Members may have 10 business days to submit to the Chief Clerk of the Committee their statements for the record, and, in the case of a hearing, additional questions for the hearing record to be directed towards a witness at the hearing.

Rule VIII.—WITNESSES.

(A) *Questioning of Witnesses*.—

(1) Questioning of witnesses by Members will be conducted under the five-minute rule unless the Committee adopts a motion permitted by clause 2(j)(2) of House Rule XI.

(2) In questioning witnesses under the five-minute rule, the Chairman and the Ranking Minority Member shall first be recognized. In a subcommittee meeting or hearing, the Chairman and Ranking Minority Member of the Full Committee are then recognized. All other Members who are present before the commencement of the meeting or hearing will be recognized in the order of seniority on the Committee, alternating between Majority and Minority Members. Committee Members arriving after the commencement of the hearing shall be recognized in order of appearance, alternating between Majority and Minority Members, after all Members present at the beginning of the hearing have been recognized. To the extent practicable, each Member shall be recognized at least once before any Member is given a second opportunity to question a witness.

(3) The Chairman, in consultation with the Ranking Minority Member, or the Committee by motion, may permit a specified number of Members to question a witness for a period longer than five minutes, but the time allotted must be equally apportioned to the Majority party and the Minority and may not exceed one hour in the aggregate.

(4) The Chairman, in consultation with the Ranking Minority Member, or the Committee by motion, may permit Committee staff of the Majority and Minority to question a witness for a specified period of time, but the time allotted must be equally apportioned to the Majority and Minority staff and may not exceed one hour in the aggregate.

(B) *Minority Witnesses.*— House Rule XI 2 (j)(1) is hereby incorporated by reference.

(C) *Oath or Affirmation.*—The Chairman of the Committee or any Member designated by the Chairman, may administer an oath to any witness.

(D) *Statements by Witnesses.*—

(1) Consistent with the notice given, and to the greatest extent practicable, witnesses shall submit a prepared or written statement for the record of the proceedings (including, where practicable, an electronic copy) with the Clerk of the Committee no less than 48 hours in advance of the witness's appearance before the Committee.

(2) In the case of a witness appearing in a non-governmental capacity, a written statement of proposed testimony shall include a curriculum vita and a disclosure of any Federal grants or contracts, or contracts or payments originating with a foreign government, received during the current calendar year or either of the two preceding calendar years by the witness or by an entity represented by the witness and related to the subject matter of the hearing. Such disclosures shall include the amount and source of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) related to the subject matter of the hearing, and the amount and country of origin of any payment or contract related to the subject matter jurisdiction of the hearing originating with a foreign government. Such statements, with the appropriate redactions to protect the privacy or security of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

RULE IX.—QUORUM.

Quorum Requirements.—Two Members shall constitute a quorum for purposes of taking testimony and receiving evidence. One-third of the Members of the Committee shall constitute a quorum for conducting business, except for (1) reporting a measure or recommendation; (2) closing Committee meetings to the public, pursuant to Committee Rule IV; (3) any other action for which an actual majority quorum is required by any rule of the House of Representatives or by law. The Chairman's staff shall consult with the Ranking Minority Member's staff when scheduling meetings and hearings, to ensure that a quorum for any purpose will include at least one Minority Member of the Committee.

RULE X.—DECORUM.

(A) *Breaches of Decorum.*—The Chairman may punish breaches of order and decorum, by censure and exclusion from a hearing or meeting and the Committee may cite the offender to the House for contempt.

(B) *Access to Dais.*—Access to the dais before, during, and after a hearing, markup, or other meeting of the Committee shall be limited to Members and staff of the Committee. Subject to availability of space on the dais, Committee Members' personal staff may be present on the dais during a hearing if their employing Member is seated on the dais and during a markup or other meeting if their employing Member is the author of a measure or amendment under consideration by the Committee, but only during the time that the measure or amendment is under active consideration by the Committee, or otherwise at the discretion of the Chairman, or of the Ranking Minority Member for personal staff employed by a Minority Member.

(C) *Wireless Communications Use Prohibited.*—During a hearing, mark-up, or other meeting of the Committee, ringing or audible sounds or conversational use of cellular telephones or other electronic devices is prohibited in the Committee room.

RULE XI.—REFERRALS TO SUBCOMMITTEES.

Referral of Bills and Other Matters by Chairman.—Except for bills and other matters retained by the Chairman for Full Committee consideration, each bill or other matter referred to the Full Committee shall be referred by the Chairman to one or more subcommittees within two weeks of receipt by the Committee. In referring any measure or matter to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Full Committee. Bills or other matters referred to subcommittees may be reassigned or discharged by the Chairman.

RULE XII.—SUBPOENAS; COUNSEL.

(A) *Authorization.*— The power to authorize and issue subpoenas is delegated to the Chairman of the Full Committee, as provided for under clause 2(m)(3)(A)(i) of Rule XI of the Rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member prior to issuing any subpoena under such authority. To the extent practicable, the Chairman shall consult with the Ranking Minority Member at least 24 hours in advance of a subpoena being issued under such authority, excluding Saturdays, Sundays, and Federal holidays. The Chairman of the Full Committee shall notify Members of the Committee of the authorization and issuance of a subpoena under this rule as soon as practicable, but in no event later than one week after service of such subpoena.

(B) *Disclosure.*—Provisions may be included in a subpoena with the concurrence of the Chairman and the Ranking Minority Member of the Full Committee, or by the Committee, to prevent the disclosure of the Full Committee's demands for information when deemed nec-

essary for the security of information or the progress of an investigation, including but not limited to prohibiting the revelation by witnesses and their counsel of Full Committee's inquiries.

(C) *Subpoena duces tecum*.—A subpoena *duces tecum* may be issued whose return to the Committee Clerk shall occur at a time and place other than that of a regularly scheduled meeting.

(D) *Counsel*.—When representing a witness or entity before the Committee in response to a document request, request for transcribed interview, or subpoena from the Committee, or in connection with testimony before the Committee at a hearing, counsel for the witness or entity must promptly submit to the Committee a notice of appearance specifying the following: (a) counsel's name, firm or organization, and contact information; and (b) each client represented by the counsel in connection with the proceeding. Submission of a notice of appearance constitutes acknowledgement that counsel is authorized to accept service of process by the Committee on behalf of such client(s), and that counsel is bound by and agrees to comply with all applicable House and Committee rules and regulations.

RULE XIII.—COMMITTEE STAFF.

(A) *Generally*.—Committee staff members are subject to the provisions of clause 9 of House Rule X and must be eligible to be considered for routine access to classified information.

(B) *Staff Assignments*.—For purposes of these rules, Committee staff means the employees of the Committee, detailees, fellows, or any other person engaged by contract or otherwise to perform services for, or at the request of, the Committee. All such persons shall be either Majority, Minority, or shared staff. The Chairman shall appoint, supervise, where applicable determine remuneration of, and may remove Majority staff. The Ranking Minority Member shall appoint, supervise, where applicable determine remuneration of, and may remove Minority staff. In consultation with the Ranking Minority Member, the Chairman may appoint, supervise, determine remuneration of and may remove shared staff that is assigned to service of the Committee. The Chairman shall certify Committee staff appointments, including appointments by the Ranking Minority Member, as required.

(C) *Divulgence of Information*.—Prior to the public acknowledgement by the Chairman or the Committee of a decision to initiate an investigation of a particular person, entity, or subject, no member of the Committee staff shall knowingly divulge to any person any information, including non-classified information, which comes into his or her possession by virtue of his or her status as a member of the Committee staff, if the member of the Committee staff has a reasonable expectation that such information may alert the subject of a Committee investigation to the existence, nature, or substance of such investigation, unless authorized to do so by the Chairman or the Committee.

**RULE XIV.—CLASSIFIED AND CONTROLLED UNCLASSIFIED
INFORMATION.**

(A) *Security Precautions.*—Committee staff offices, including Majority and Minority offices, shall operate under strict security precautions administered by the Security Officer of the Committee. A security officer shall be on duty at all times during normal office hours. Classified documents and controlled unclassified information (CUI)- formerly known as sensitive but unclassified (SBU) information- may be destroyed, discussed, examined, handled, reviewed, stored, transported and used only in an appropriately secure manner in accordance with all applicable laws, executive orders, and other governing authorities. Such documents may be removed from the Committee's offices only in furtherance of official Committee business. Appropriate security procedures, as determined by the Chairman in consultation with the Ranking Minority Member, shall govern the handling of such documents removed from the Committee's offices.

(B) *Temporary Custody of Executive Branch Material.*—Executive branch documents or other materials containing classified information in any form that were not made part of the record of a Committee hearing, did not originate in the Committee or the House, and are not otherwise records of the Committee shall, while in the custody of the Committee, be segregated and maintained by the Committee in the same manner as Committee records that are classified. Such documents and other materials shall be returned to the Executive branch agency from which they were obtained at the earliest practicable time.

(C) *Access by Committee Staff.*—Access to classified information supplied to the Committee shall be limited to Committee staff members with appropriate security clearances and a need-to-know, as determined by the Chairman or Ranking Minority Member, and under the direction of the Majority or Minority Staff Directors.

(D) *Maintaining Confidentiality.*—No Committee Member or Committee staff shall disclose, in whole or in part or by way of summary, to any person who is not a Committee Member or authorized Committee staff for any purpose or in connection with any proceeding, judicial or otherwise, any testimony given before the Committee in executive session except for purposes of obtaining an official classification of such testimony. Classified information and controlled unclassified information (CUI) shall be handled in accordance with all applicable laws, executive orders, and other governing authorities and consistently with the provisions of these rules and Committee procedures.

(E) *Oath.*—Before a Committee Member or Committee staff may have access to classified information, the following oath (or affirmation) shall be executed:

I do solemnly swear (or affirm) that I will not disclose any classified information received in the course of my service on the Committee on Homeland Security, except as authorized by the Committee or the House of Representatives or

in accordance with the Rules of such Committee or the Rules of the House.

Copies of the executed oath (or affirmation) shall be retained by the Clerk of the Committee as part of the records of the Committee.

(F) *Disciplinary Action*.—The Chairman shall immediately consider disciplinary action in the event any Committee Member or Committee staff member fails to conform to the provisions of these rules governing the disclosure of classified or unclassified information. Such disciplinary action may include, but shall not be limited to, immediate dismissal from the Committee staff, criminal referral to the Justice Department, and notification of the Speaker of the House. With respect to Minority staff, the Chairman shall consider such disciplinary action in consultation with the Ranking Minority Member.

RULE XV.—COMMITTEE RECORDS.

(A) *Committee Records*.— House Rule XI 2(e) is hereby incorporated by reference.

(B) *Legislative Calendar*.—The Clerk of the Committee shall maintain a printed calendar for the information of each Committee Member showing any procedural or legislative measures considered or scheduled to be considered by the Committee, and the status of such measures and such other matters as the Committee determines shall be included. The calendar shall be revised from time to time to show pertinent changes. A copy of such revisions shall be made available to each Member of the Committee upon request.

(C) *Members Right To Access*.—Members of the Committee and of the House shall have access to all official Committee Records. Access to Committee files shall be limited to examination within the Committee offices at reasonable times. Access to Committee Records that contain classified information shall be provided in a manner consistent with these rules.

(D) *Removal of Committee Records*.—Files and records of the Committee are not to be removed from the Committee offices. No Committee files or records that are not made publicly available shall be photocopied by any Member.

(E) *Executive Session Records*.—Evidence or testimony received by the Committee in executive session shall not be released or made available to the public unless authorized by the Committee, a majority being present. Such information may be made available to appropriate government personnel for purposes of classification. Members may examine the Committee's executive session records, but may not make copies of, or take personal notes from, such records.

(F) *Availability of Committee Records*.—The Committee shall keep a complete record of all Committee action including recorded votes and attendance at hearings and meetings. Information so available for public inspection shall include a description of each amendment, motion, order, or other proposition, including the name of the Member who offered the amendment, motion, order, or other propo-

sition, and the name of each Member voting for and each Member voting against each such amendment, motion, order, or proposition, as well as the names of those Members present but not voting. Such record shall be made available to the public at reasonable times within the Committee offices and also made publicly available in electronic form and posted on the official Committee web site within 48 hours of such record vote.

(G) *Separate and Distinct*.—All Committee records and files must be kept separate and distinct from the office records of the Members serving as Chairman and Ranking Minority Member. Records and files of Members' personal offices shall not be considered records or files of the Committee.

(H) *Disposition of Committee Records*.—At the conclusion of each Congress, non-current records of the Committee shall be delivered to the Archivist of the United States in accordance with Rule VII of the Rules of the House.

(I) *Archived Records*.—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The Chairman 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. The Chairman shall consult with the Ranking Minority Member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the Rule.

RULE XVI.—COMMITTEE RULES.

(A) *Availability of Committee Rules in Electronic Form*.—House Rule XI 2(a) is hereby incorporated by reference.

(B) *Changes to Committee Rules*.—These rules may be modified, amended, or repealed by the Full Committee provided that a notice in writing of the proposed change has been given to each Member at least 48 hours prior to the meeting at which action thereon is to be taken and such changes are not inconsistent with the Rules of the House of Representatives.

A P P E N D I C E S

SECURITY AND ACCESS CONTROL POLICY

115th Congress

Signed February 1, 2017

In accordance with Executive Order 12958 (Classified National Security Information) and Rule XIV of the Committee on Homeland Security (“Committee”), the following Security and Access Control Policy is established. It shall apply to Members of Congress, as well as all Majority and Minority staff members, interagency detailees, fellows, and interns (collectively “Committee personnel”). It is effective from the time of this writing through the end of the 115th Congress.

SECTION 1. COMMITTEE SECURITY DIRECTOR.

SUBSECTION A.

The Committee will designate a staff member to serve as the Committee’s nonpartisan Security Director. The Security Director, appointed by the Chairman with notification to the Ranking Minority Member, shall serve as the principle security liaison for the Committee with the National Intelligence Council, the Office of the Director of National Intelligence, and other members of the Intelligence Community. The Committee Security Director shall be the Committee’s Classified Material Control Officer (CMCO), and be responsible for ensuring that any Committee staff member with a security clearance is briefed on the contents of this policy.

SUBSECTION B. PRINCIPLES OF FAIR ACCESS.

- (1) The Security Director, and those acting in such a capacity, shall carry out his/her duties in a fair and nonpartisan manner, providing the same consideration and right of access to classified Committee holdings to Members of the Committee and Committee staff from both the Majority and Minority parties.
- (2) The Security Director shall establish a list of shared security spaces and resources that will be available to all appropriately cleared Committee staff provided that:
 - (a) Such shared security spaces shall not include spaces specifically designated as Majority staff spaces;
 - (b) The Security Director develops an electronic calendar to schedule shared security spaces on a first come, first served basis (except that priority will be given to the

- Chairman, then Ranking Member, and then Committee Members based on seniority in the House);
- (c) Such shared security resources shall include access to secure telephone equipment and CAPNET; and
 - (d) Such shared security resources shall include access to classified Committee holdings provided an adequate mechanism for tracking access is established.
- (3) The Majority and Minority staff directors shall each designate one alternate CMCO who shall liaise with the Security Director for all clearance and security matters, and who shall be equally responsible for maintaining and auditing the classified material inventory. Such an audit shall be conducted at least bi-annually, with interim periodic inventory checks.
- (4) Unescorted access to shared security spaces and resources may only be provided to appropriately cleared staff with a Top Secret clearance who are authorized access to Sensitive Compartmented Information.

SUBSECTION C.

The Committee Security Director shall be the principle liaison with the Capitol Police, in coordination with the Majority Staff Director, and coordinate security requests for classified hearings, briefings, meetings, and travel for the Members. In addition, the Security Director shall serve as the point of contact regarding threats to Committee Members or witnesses, as appropriate, while Committee business is occurring, in coordination with the Majority Staff Director and, in matters related to a Minority Member, in coordination with the Minority Staff Director.

SUBSECTION D.

The Security Director shall provide properly justified requests for security clearances to the Sergeant at Arms of the House of Representatives, and track the completion of security clearances for Committee staff. The Security Director shall serve as the point-of-contact for the Sergeant at Arms on all security and clearance matters for the Committee.

SUBSECTION E.

The Security Director shall be responsible for receiving, inventorying, distributing, tracking, archiving, and destroying the Committee's classified holdings, in accordance with Department of Defense (DoD) and Central Intelligence Agency (CIA) procedures. Responsibilities also include Sensitive Compartmented Information Facility (SCIF) access controls, clearance processing for meetings on and outside Capitol Hill, and clearance request processing and tracking.

SUBSECTION F.

The Security Director or his designee shall be available from 9:00 a.m. to 6:00 p.m. on days when the House is in session, and 9:00 a.m. to 5:00 p.m. on business days when the House is not in session, to receive classified materials. If the Security Director or the

Chief Clerk is unavailable to receive classified materials, a designated alternate identified by the Majority Staff Director, with notification to the Minority Staff Director, shall be available to receive, log, and securely store the materials in the SCIF in either House Visitor Center 302 (HVC 302) or H2-176 Ford House Office Building (Ford H2-176).

SUBSECTION G.

The Security Director shall be responsible for the enforcement of this Security and Access Control Policy. The Security Director is responsible for conducting investigations into the mishandling of classified or sensitive materials, violations of the Security and Access Control Policy, or any other breach of security in cooperation with the Sergeant at Arms or other relevant authorities. In this capacity, the Security Director shall report to the Chairman any violations of the policy, as well as Committee and House Rules relating to the protection of classified information.

SUBSECTION H.

The Security Director shall arrange for all staff with clearances to receive a yearly mandatory training session on the proper use, storage, handling, and destruction of classified and sensitive materials, as required by the House Sergeant at Arms' Security Awareness Education and Awareness Training program.

SECTION 2. ACCESS TO SECURE COMMITTEE SPACES.

SUBSECTION A.

- (1) Currently, the HVC and Ford SCIFs are the only Committee office areas designated as secure for the purpose of processing, storing, discussing, transmitting, reproducing or disposing of classified information for the normal course of day-to-day Committee business.
- (2) Any such processing, storing, discussing, transmitting, reproducing or disposing of classified information in the common areas of Committee offices or otherwise outside a SCIF or properly secured area is prohibited, except that a) classified information may, as deemed appropriate, be displayed, disseminated, and discussed in a Committee hearing room during closed session pursuant to House Rule XI, clause 2(g) and Committee Rule VI(A) following a security sweep of the premises, and b) certain classified materials may, as appropriate, be reviewed and discussed in an appropriately secured area or on a secure phone that has been approved and provided by the Sergeant at Arms. Under no circumstances, however, should staff or Members discuss classified information over unsecured telephones, in public conveyances or places, or in any other manner that permits interception by unauthorized persons.
- (3) This policy applies to documents, materials, and information provided to the Committee by Congressional or Executive Branch entities or generated by the Committee in the course of its activities that bear a classification of Con-

fidential, Secret, or Top Secret, including all codeword and special access classified information.

- (4) Electronic communication devices (including but not limited to BlackBerries, cellular phones, PDAs and/or pagers) cannot be taken into any designated SCIF. The Security Director will make arrangements for the proper safekeeping of such devices outside the meeting room.

SUBSECTION B.

The Security Director will arrange for the House identification cards of the Majority Staff Director, the Chief Clerk, the Counterterrorism and Intelligence Subcommittee Majority Staff Director, and other staff designated by the Chairman, to unlock and access shared security spaces. All other Committee staff shall arrange access with the Security Director. Access to the shared security spaces will include the ability to access and use the equipment, technology, and resources (e.g., designated safe(s), STE(s), and classified computer(s)) located in the SCIF. Any additional Committee staff SCIF ID access requests must be approved by the Chairman. These individuals will also be provided individual access to the Committee's classified computer system for the creation and storage of classified Committee documents. The Chairman shall designate separate workspace for use by the Majority and Minority staff during regular Committee business hours.

SUBSECTION C.

The Security Director shall be provided as much advance notice as possible of any classified briefings or meetings scheduled to occur in HVC 302 or Ford H2-176. To the maximum extent practicable, the Security Director shall be given a list, at least 24 hours in advance, of all briefers, non-Committee Members, staff, detailees, and fellows attending a briefing in either the HVC or Ford SCIF.

SUBSECTION D.

In the event of an emergency after regular business hours, Members and staff may access the HVC or Ford SCIF through the Security Director or an appropriate alternate (as outlined in section 5).

SECTION 3. PERSONS ELIGIBLE TO ACCESS CLASSIFIED COMMITTEE HOLDINGS.

SUBSECTION A.

Access to classified Committee holdings are generally limited to Committee Members and staff with appropriate security clearances and a "need-to know," as determined by the Chairman and Ranking Member and under the direction of the Majority and Minority Staff Directors or their designees. Before a Member or Committee staff member may have access to classified information, they must sign the Oath for Access to Classified information (copy attached) in accordance with Committee Rule XV and Clause 13 of House Rule XXIII.

SUBSECTION B.

Non-Committee Members having a “need to know,” as determined by the Chairman, as provided in Clause 2(e)(2)(B) of House Rule XI, may access Committee holdings only if they have complied with Clause 13 of House Rule XXIII. The Chairman, in consultation with the Ranking Member, may place additional restrictions on non-Committee Member access to the Committee’s classified Committee holdings as appropriate and necessary.

SECTION 4. REQUESTS FOR CLASSIFIED MATERIALS TO BE DELIVERED TO THE COMMITTEE.

SUBSECTION A.

The Security Director shall be responsible for processing and logging all requests to other agencies or branches of the U.S. Government for classified material to be delivered to the Committee. Only the Security Director is authorized to process official, written requests for classified material to be delivered to the Committee.

SUBSECTION B.

Only the Security Director and designated alternates shall be authorized to accept classified holdings delivered to the Committee. In the event a staff member inadvertently receives or opens an envelope containing classified material, the individual will not open the inner, marked envelope but shall immediately report the receipt of the envelope to the Committee Security Director and await instructions.

SUBSECTION C.

When Committee Members or staff request written, classified material from an agency in the normal course of Committee business, that person shall notify the Security Director immediately of the request. If the material requested is of an urgent nature, the Member or staff member shall notify the Security Director of that fact. For all materials that are deemed urgent, the Security Director shall provide notice to the requesting Member or staff member and the appropriate Staff Director upon receipt of the materials. Notification for all other materials delivered to the Committee shall be handled in accordance with Section 6, Subsection E.

SECTION 5. REQUESTS FOR REVIEW OF CLASSIFIED HOLDINGS.

SUBSECTION A.

All efforts to accommodate requests for review of classified Committee holdings in the HVC or Ford SCIF will be made during business hours (9:00 a.m. to 6:00 p.m. weekdays, excluding holidays). If after-hours access is necessary, the relevant staff member shall notify the Security Director and appropriate Staff Director in a timely manner to arrange for authorized personnel to be present, in accordance with Section 7 below. If the Security Director is not available to accommodate a request, whether during business hours or after-hours, Section 7 below shall govern.

SUBSECTION B.

Committee Members directly seeking to review classified Committee holdings shall contact the Security Director and identify the specific Committee holdings requested for review. Committee Member requests shall be treated as a priority and all reasonable requests shall be accommodated, as allowed by law, Executive Order, and the rules and policies of the House and the Committee. In order to access a specific holding, Committee Members must sign a Committee on Homeland Security Signature Record (copy attached). The Security Director will maintain the signed Committee on Homeland Security Signature Record.

SUBSECTION C.

Non-Committee Members directly seeking to review classified Committee holdings should contact the Security Director and appropriate Staff Director and identify the specific Committee holdings requested for review. Such requests may be accommodated, so long as they do not interfere with requests from Committee Members, and the non-Committee Member's "need to know" is determined by the Chairman. In order to access a specific holding, non-Committee Members must sign a Committee on Homeland Security Signature Record, identifying the material and the time of arrival and departure of Members requesting access to classified information. The Security Director or a designated appropriately cleared Committee staff member will be present while a non-Committee Member reviews classified information. The Security Director will maintain the signed Committee on Homeland Security Signature Record.

SUBSECTION D.

- (1) All Committee staff members will inform the Security Director in a timely fashion and provide a brief explanation of his/her "need-to-know" and the authorization of the appropriate Staff Director when requesting specific Committee holdings.
- (2) If a Committee staff member is searching for holdings on a specific subject area, the Security Director will be responsible for promptly informing such staff member of all the relevant holdings in the Committee's possession.
- (3) General requests from Committee staff members to browse the classified inventory holdings will not be granted, though the Majority and Minority Staff Directors may designate a specific individual on each of their respective staffs to periodically review the inventory list in furtherance of official Committee business.
- (4) All Committee staff members accessing a classified document in the Committee's inventory are required to sign the Committee on Homeland Security Signature Record. The Security Director will maintain the signed Committee on Homeland Security Signature Record.

SUBSECTION E.

The Security Director will keep all requests for access to specific classified material confidential and not share any requests with any other Committee Members or staff, except where it is necessary for the Security Director to consult with relevant Staff Directors or designees to resolve any concerns with the request.

SECTION 6. REVIEW OF CLASSIFIED COMMITTEE HOLDINGS.

SUBSECTION A.

- (1) It is expected that the storage, production, reproduction, discussion, or review of classified Committee holdings will primarily occur in the Committee's HVC and, occasionally, Ford SCIF. Any such storage, production, reproduction, discussion, or review of classified information in the common areas of Committee offices or otherwise outside a SCIF or properly secured area is prohibited, except that a) classified information may, as deemed appropriate, be displayed, disseminated, and discussed in a Committee hearing room during closed session pursuant to House Rule XI(2)(g) and Committee Rule VI, following a security sweep of the premises; and b) certain classified materials may, as appropriate, be reviewed and discussed in an appropriately secured area or on a secure phone that has been approved by the Sergeant at Arms. Under no circumstances, however, should Members or staff discuss classified information over unsecured telephones, in public conveyances or places, or in any other manner that permits interception by unauthorized persons.
- (2) In any event, no classified Committee document will be removed from the inventory without the prior approval of the Security Director, in consultation with the Majority Staff Director. Proper handling procedures must be demonstrated and chain of custody established prior to releasing such documents. It is understood that if classified Committee holdings are approved for removal from the HVC or Ford SCIF, the rooms where the classified material is reviewed or discussed shall be secured to the extent necessary to accommodate the classification level of the most sensitive material being handled.
- (3) This policy applies to documents, material, and information provided to the Committee by Congressional or Executive Branch entities that bear a classification of Confidential, Secret or Top Secret, including all codeword and special access classified information.

SUBSECTION B.

If documents are improperly removed from the SCIF, the Security Director and the Majority Staff Director shall be notified immediately or upon realization of such a removal. If the matter involves the removal of documents by a Minority Member or Minority staff member, the Minority Staff Director shall also be notified.

SUBSECTION C.

No reproduction or recordings may be made of any portion of the classified information reviewed by Members or staff. Any notes containing classified information must be maintained by the Security Director within either the HVC or Ford SCIF.

SUBSECTION D.

Classified documents newly created within either the HVC or Ford SCIF or during closed session pursuant to House Rule XI(2)(g) and Committee Rule VI shall be marked according to the highest level of classification contained in the documents or testimony from which they originated. They are to be designated Committee holdings and must be treated as such in accordance with Committee rules. The Security Director, in coordination with the Majority and Minority Staff Directors, will be the only staff member to classify such documents, and shall do so with the approval of the Chairman.

SUBSECTION E.

The Security Director shall send a daily, unclassified notice of newly arrived documents to the Majority and Minority Staff Directors and their designees. As appropriate, the Security Director shall also notify the relevant Staff Director(s) if specific Committee staff requested such documents. In addition, the Majority and Minority Staff Directors shall assign an individual from their respective offices to review the Committee's inventory with the Security Director every December.

**SECTION 7. PROCEDURES FOR WHEN THE SECURITY
DIRECTOR IS UNAVAILABLE/OUT OF THE OFFICE.**

SUBSECTION A.

If an appropriately-cleared staff member has contacted the Security Director and the Security Director is out of the office or unavailable to provide access to the specific holdings in a reasonable timeframe, then the requesting staff member may inform the Majority or Minority Staff Director of his or her need to know and then request from the Majority Staff Director timely access to the specific holdings.

SUBSECTION B.

If approved, the staff member shall be accompanied by a staff member designated by the Majority Staff Director, who shall provide access to the HVC or Ford SCIF and the classified holding in question. Only the specified classified holding may be reviewed by the requesting staff member.

SUBSECTION C.

The reviewing staff member shall be required to complete, and the accompanying staff member to sign, a Committee on Homeland Security Signature Record, identifying the material and the time of arrival and departure of the reviewing staff member and attesting that the Committee's security and access control policy was ad-

hered to during the access and review of the holding. Such form shall be maintained with the material reviewed.

SECTION 8. PROCEDURES FOR CLASSIFIED HEARINGS AND BRIEFINGS.

SUBSECTION A.

Classified hearings and briefings shall be limited to Committee Members and Committee staff members with appropriate security clearance and a need-to-know, as determined by the Chairman (and also by the Ranking Minority Member regarding Minority Members and staff) and under the direction of the Majority and Minority Staff Directors. If appropriate and necessary, the Chairman, in consultation with the Ranking Minority Member, may agree to make exceptions on a case-by-case basis to allow attendance by appropriately cleared non-Committee Members and staff with a need-to-know. All such individuals approved for this exception must be in compliance with all Committee and House rules regarding access to classified information.

SUBSECTION B.

Requests by Committee staff to attend classified hearings or briefings held in secure areas of other committees will also be governed by the security procedures of the relevant committee. To the extent practicable, requests for access to such meetings will be made no later than close of business the day before the event.

SUBSECTION C.

If Committee staff organize a classified briefing, meeting, or hearing for a space outside of the Committee's offices, he/she shall notify the Security Director. The Security Director shall be responsible for ensuring that clearances are passed for such classified briefing or hearing.

SUBSECTION D.

No classified material provided at a hearing, briefing, or meeting may be removed from the meeting room, except as provided in Subsection E of this Section.

SUBSECTION E.

Any classified notes made by a Member or staff during a classified hearing, briefing, or meeting must be provided to the Security Director for secure storage or proper disposal. If such classified hearing, briefing, or meeting occurs in a secure setting outside the Committee's offices, notes and materials may be transported in an appropriate secure manner to the Committee offices for secure storage or proper disposal by the Security Director. For each such hearing, briefing, and meeting, the Security Director shall designate an appropriately cleared staff member to handle the transportation of such materials to the Security Director.

SECTION 9. COMMITTEE STAFF CLEARANCES—ELIGIBILITY AND PROCESSING.**SUBSECTION A.**

It is expected that all Committee staff shall apply for a security clearance, the type of which shall be determined by the Majority and Minority Staff Directors, respectively for their offices. Exceptions may be determined necessary or appropriate by the Majority and Minority Staff Directors.

SUBSECTION B.

The Security Director, upon being notified by the Majority or Minority Staff Director that a Committee staff member is in need of a clearance, shall promptly facilitate the application and processing of that staff member's clearance. The Security Director shall keep the staff member informed throughout the clearance process. Staff whose primary responsibilities include press or media communications shall not be given access to Sensitive Compartmented Information.

SUBSECTION C.

On at least a monthly basis, the Security Director shall notify the Majority and Minority Staff Directors of the status of the security clearance reviews for their respective Committee personnel.

SECTION 10. COMMUNICATIONS AND DATA PROCESSING EQUIPMENT.

Committee owned equipment including laptops, computers, and telecommunications equipment, may not be taken on travel outside the United States or its territories. The Majority and Minority staffs of the Committee may keep a separate inventory of laptops, computers and telecommunications equipment for such purpose. Any exceptions to this policy must be approved by the Majority Staff Director in coordination with the Security Director. If any personally owned equipment is taken abroad, upon return to the United States, it may never again be connected to Committee owned equipment. Also it is strongly recommended that staff do not take Committee owned equipment into foreign embassies.

SECTION 11. VIOLATIONS OF THE POLICY.

The Chairman shall immediately consider disciplinary action in the event any Committee Member or staff member fails to conform to this policy. Such disciplinary action may include, but shall not be limited to, immediate dismissal from the Committee staff, notification of the Speaker of the House, or criminal referral to the Department of Justice. With respect to a Minority staff member, the Chairman shall consider such disciplinary action in consultation with the Ranking Member.

TRAVEL POLICY & GUIDELINES FOR COMMITTEE MEMBERS &
COMMITTEE STAFF

115th Congress

Signed February 1, 2017

In accordance with House and Committee Rules, the Committee on Homeland Security establishes the following travel policy. The travel policy shall apply to Committee on Homeland Security Members, as well as all Majority and Minority staff members, inter-agency detailees, and fellows (collectively “Committee staff”). The policy shall be effective from the time of its adoption by the Chairman and Ranking Member through the end of the 115th Congress.

SECTION 1. COMMITTEE MEMBER AND COMMITTEE STAFF REQUEST FOR THE COMMITTEE PAID DOMESTIC TRAVEL AND ASSOCIATED COSTS

SUBSECTION A. GENERAL REQUIREMENTS.

- (1) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, travel to be reimbursed from funds set aside for the Committee by any Committee Member and/or Committee staff shall be paid only upon the prior written authorization of the Chairman.
- (2) Travel may be authorized by the Chairman for any Committee Member and/or Committee staff only in connection with official Committee business, such as the attendance of hearings conducted by the Committee and meetings, conferences, site visits, and investigations that involve activities and/or subject matter under the general jurisdiction of the Committee.
- (3) All travel shall be bi-partisan and led by a Majority Member or Majority Committee staff. Priority shall be given to Committee Members to participate in all Committee-led travel, except where the Chairman determines that participation by members of other Committees should be prioritized, on a case-by-case basis, in furtherance of the Committees oversight activities. At the discretion of the Chair, these requirements may be waived.

SUBSECTION B. REQUEST FOR AUTHORIZATION TO TRAVEL.

- (1) All Majority Members and/or Committee staff seeking approval for travel by the Chairman shall submit the re-

quest in writing to the Majority Staff Director with the following information:

- (a) the purpose of the travel and its nexus to official Committee business;
 - (b) the beginning/end of travel dates and date(s) of the event for which the travel is being made;
 - (c) the location of the event for which the travel is to be made;
 - (d) the names of Committee Members and/or Committee staff seeking authorization;
 - (e) costs associated with travel (e.g.: commercial transportation, rental car, per diem rate <http://www.gsa.gov/portal/category/21287>, conference or other fees associated with travel);
 - (f) itinerary or agenda attached with travel request; and
 - (g) the Chairman's determination that such travel complies with the other requirements of Committee Rule XIV(A)(1).
- (2) In the case of proposed travel by Minority Members and/or Minority Committee staff, the Ranking Member shall provide to the Chairman a written representation setting forth the following:
- (a) the purpose of the travel and its nexus to official Committee business;
 - (b) the beginning/end of travel dates and date(s) of the event for which the travel is being made;
 - (c) the location of the event for which the travel is to be made;
 - (d) the names of Minority Committee Members and/or Minority Committee staff seeking authorization;
 - (e) costs associated with travel (e.g.: commercial transportation, rental car, per diem rate <http://www.gsa.gov/portal/category/21287>, conference or other fees associated with travel);
 - (f) itinerary or agenda attached with travel request; and
 - (g) the Ranking Member's determination that such travel complies with the other requirements of Committee Rule XIV(A)(2).

SUBSECTION C. AUTHORIZATION TO TRAVEL.

Upon receiving written requests for Committee travel, the Chairman shall determine if the travel purpose(s) is within the jurisdiction of the Committee; how the travel will further the official business of the Committee and its Members and/or staff; whether the travel is occurring while the House is in/out of session; that expenses are not excessive for the proposed Committee travel; and unless an exception is made in consultation with the Ranking Member, as appropriate, is bi-partisan. The Chairman will only approve travel that has met the above requirements. Requests made by the Minority must have the approval of the Ranking Member. The Ranking Member will also ensure that the above requirements are met.

SUBSECTION D. RECEIPTS AND REIMBURSEMENTS.

- (1) Members and Committee staff shall submit all receipts and requests for reimbursement within 30 days of the conclusion of the travel to the Chief Financial Officer. The attached Travel Reimbursement Form shall be used to request reimbursements. This form is also found on the Committee's "S" Drive and "T" Drive.
- (2) Reimbursements will only be allowed for those expenses that the House has deemed acceptable for reimbursement. Unless authorized by the Chairman, in consultation with the Ranking Member, as appropriate, Members and Committee staff will not receive reimbursement for actual expenses exceeding the published General Services Administration (GSA) Federal per diem rates for the relevant year.
- (3) Any Member or Committee staff not submitting their receipts in a timely manner may be denied by the Chairman, in consultation with the Ranking Member, as appropriate, from receiving a reimbursement. In egregious circumstances, the Chairman may refuse to grant any future requests for travel from a Member or Committee staff violating this policy.

SUBSECTION E. STAFF SUPPORT.

Staff support for Committee travel, in accordance with House Rules, will be provided by Committee staff only. No Committee funds will be authorized or used for travel by non-Committee staff. However, a Member with a medical condition requiring non-Committee staff support may work with the Chief Administrative Office and the Committee on House Administration to ensure that the Member receives adequate medical staff assistance while on travel with the Committee.

SUBSECTION F. COMPLIANCE WITH HOUSE TRAVEL GUIDELINES AND REGULATIONS.

Travel must be in accordance with the Committee Travel Policy and Guidelines, as well as with House Rules, the Travel Guidelines and Regulations and any additional guidance set forth by the Committee on Ethics and the Committee on House Administration. Committee Members and staff shall follow these rules, policies, guidelines, and regulations in requesting and proceeding with any Committee-related travel.

SECTION 2. COMMITTEE-LED FOREIGN TRAVEL

SUBSECTION A. GENERAL.

Members interested in specific foreign travel to be taken by the Committee as part of its official business should submit a request in writing to the Chairman or, in the case of Minority Members, the Ranking Member, and their respective Staff Directors. All foreign travel must be bi-partisan and led by a Majority Member. Priority shall be given to Committee Members to participate in all Committee-led travel, except where the Chairman determines that

participation by members of other Committees should be prioritized, on a case-by-case basis, in furtherance of the Committees oversight activities.

SUBSECTION B. REQUEST FOR AUTHORIZATION.

- (1) All Committee Member and/or Committee staff requests for Committee-led foreign travel must be submitted in writing to the Chairman, through the Majority Staff Director of the Committee, and, to the greatest extent practicable, to the Ranking Minority Member not less than 20 business days, but, absent extenuating circumstances, not less than 10 business days in any case, prior to the proposed start of the travel. Such a request must include:
 - (a) An itinerary of the proposed travel (including all cities and countries by date);
 - (b) A description of the purpose of the trip and its relationship to the Committee's work;
 - (c) If commercial travel is contemplated, the estimated cost of airline tickets, the carriers to be used, and the class of service;
 - (d) Confirmation that the trip is not occurring while the House is in session and will not interfere with a Member's representational duties;
 - (e) The name of the Majority Member leading the trip, names of Members and Committee staff seeking authorization; and
 - (f) Whether authorization for the spouses or adult children of Members to travel is requested for protocol purposes.
- (2) If the foreign travel under this section is requested by a Minority Member, the request must be submitted to and approved by the Ranking Member, prior to submission of the request to the Chairman.
- (3) If the Chairman has authorized the request of foreign travel, the Department of State is responsible for all costs associated with the authorized travel. Any requests for the Committee to pay for foreign travel will be denied.
- (4) The Chairman will authorize actual expenses for lodging. Requests for additional excess per diem will be denied, unless the State Department advises the Chairman it necessary for a particular country.

SUBSECTION C. AUTHORIZATION AND APPROVAL.

- (1) The Chairman may only approve foreign travel requests that satisfy the requirements in Subsection B above; however, the requirements may be waived or abridged by the Chairman. If, however, the Chairman determines that the travel is excessive in cost in view of the Committee business proposed to be conducted, interferes with the Committee's schedule, or otherwise is not conducive to Committee business, travel will be denied.
- (2) All Committee-led travel must comply with the Fly America Act, which requires that U.S. flag carriers be used for official travel involving trans-oceanic flights.

SUBSECTION D. APPROVAL OF SPOUSES, ADULT CHILDREN, AND NON-RELATIVES TO TRAVEL WITH COMMITTEE MEMBERS.

The Chairman may only authorize foreign travel for Members and staff of the Committee and, when necessary for protocol purposes, spouses of Members. If a Member of the Committee does not have a spouse, an adult child of the Member may be authorized to travel for protocol purposes only. Authorization for an adult who is not the spouse or adult child of a Committee Member to travel with a Member for protocol purposes may only be approved by the Speaker. Any non-Member traveling for protocol purposes will be responsible for all expenses incurred (including airfare).

SUBSECTION E. STAFF SUPPORT AND COVERAGE OF EXPENSES.

Staff support for Committee travel, in accordance with House Rules, will be provided by Committee staff only. No Committee funds will be authorized or used for any expenses related to foreign travel. However, a Member with a medical condition requiring non-Committee staff support may work with the Chief Administrative Office and the Committee on House Administration to ensure that the Member receives adequate medical staff assistance.

SUBSECTION F. COMPLIANCE WITH HOUSE TRAVEL GUIDELINES AND REGULATIONS.

All Members are reminded that travel must be in accordance with House Rules, the Travel Guidelines and Regulations, as well as any additional guidance, as set forth by the Committee on Ethics and the Committee on House Administration. In addition, Members seeking authorization for foreign travel are expected to have reviewed the Official Travel Guide for the U.S. Congress published by the U.S. Department of State. It is expected that Members are familiar with these rules, guidelines, and regulations and will follow them in requesting and proceeding with any Committee-related travel.

SUBSECTION G. USE OF DEPARTMENT OF DEFENSE AIRCRAFT.

The availability of Department of Defense aircraft to support Congressional foreign travel is extremely limited. The Chairman shall have the authority to determine which Committee travel requests by Members merit military air support requests. The Chairman will also submit a request to the Speaker's Office to obtain approval on the use of Military Support.

SUBSECTION H. AFTER-ACTION REPORT.

- (1) Within thirty days of the conclusion of any such foreign travel authorized under this rule, there shall be submitted to the Chairman a written report summarizing the information gained as a result of the travel in question, or other Committee objectives served by such travel.
- (2) In accordance with House Rule X.8.(b)(3), each Member shall submit within 10 business days following the foreign travel to the Chairman an itemized report showing for each country: 1) the dates visited; 2) the amount of per diem received; 3) the cost of transportation furnished; 4)

funds expended for any other official purpose; and 5) a summary for each of these categories the total U.S. or foreign currencies or appropriated funds expended.

Each report shall be filed with the Chairman not later than 10 days following the completion of travel for use in complying with reporting requirements in applicable Federal law and shall be open for public inspection. The Chairman may refuse to grant any future requests for travel from a Member or Committee staff violating this policy.

SUBSECTION I. RECEIPTS AND REIMBURSEMENTS.

The use of Committee funds shall not be approved for any foreign travel expenses. The Chairman, in consultation with the Ranking Member if the travel involves a Minority Member, may, however, approve for the Committee to pay for miscellaneous expenses related to domestic travel (e.g. parking, cab to airport).

SECTION 3. COMMITTEE MEMBER'S REQUEST FOR THE COMMITTEE TO AUTHORIZE FOREIGN TRAVEL ORGANIZED BY ANOTHER COMMITTEE OR EXECUTIVE AGENCY

SUBSECTION A. REQUEST FOR AUTHORIZATION.

A Committee Member may request authorization for foreign travel organized by another Committee or Executive Agency. A written request to the Chairman must be submitted at least 10 business days in advance stating:

- (1) the name of the leading Majority Member for the travel;
- (2) the Committee or Executive Agency organizing the proposed trip;
- (3) a description of the purpose of the trip and its relationship to the Committee's work; and
- (4) in the case of a Minority Member, verification that the Ranking Member has been consulted regarding the trip and given his approval to submit the request.

SUBSECTION B. APPROVAL OF AUTHORIZATION.

After the Chairman authorizes the Member to travel, the Chief Financial Officer of the Committee will submit the appropriate correspondence to the State Department and the Department of Defense (if DOD aircraft will be utilized).

These letters will then be forwarded to the requesting Member.

SUBSECTION C. USE OF COMMITTEE FUNDS FOR FOREIGN TRAVEL ORGANIZED BY ANOTHER COMMITTEE OR EXECUTIVE AGENCY.

The use of Committee funds shall not be approved for foreign travel organized by another Committee or Executive Agency. The Chairman, in consultation with the Ranking Member if the travel involves a Minority Member, may, however, approve for the Committee to pay for miscellaneous expenses related to domestic travel (e.g. parking, cab to airport).

SUBSECTION D. AFTER-ACTION REPORT.

In accordance with House Rule X.8.(b)(3), each Member shall submit to the Chairman an itemized report showing for each country: 1) the dates visited; 2) the amount of per diem received; 3) the cost of transportation furnished; 4) funds expended for any other official purpose; and 5) a summary for each of these categories the total U.S. or foreign currencies or appropriated funds expended. Each report shall be filed with the Chairman not later than 10 days following the completion of travel for use in complying with reporting requirements in applicable Federal law, including the Foreign Travel Quarterly Report, and shall be open for public inspection. The Chairman may refuse to grant any future requests for travel from a Member or staff member violating this policy.

APPLICABLE PROVISIONS OF HOUSE RULES
RULES OF THE HOUSE OF REPRESENTATIVES
ONE HUNDRED FIFTEENTH CONGRESS
(January 5, 2017)

RULE VII
RECORDS OF THE HOUSE

Archiving

1. (a) At the end of each Congress, the chair of each committee shall transfer to the Clerk any noncurrent records of such committee, including the subcommittees thereof.

(b) At the end of each Congress, each officer of the House elected under rule II shall transfer to the Clerk any noncurrent records made or acquired in the course of the duties of such officer.

2. The Clerk shall deliver the records transferred under clause 1, together with any other noncurrent records of the House, to the Archivist of the United States for preservation at the National Archives and Records Administration. Records so delivered are the permanent property of the House and remain subject to this rule and any order of the House.

Public availability

3. (a) The Clerk shall authorize the Archivist to make records delivered under clause 2 available for public use, subject to clause 4(b) and any order of the House.

(b)(1) A record shall immediately be made available if it was previously made available for public use by the House or a committee or a subcommittee.

(2) An investigative record that contains personal data relating to a specific living person (the disclosure of which would be an unwarranted invasion of personal privacy), an administrative record relating to personnel, or a record relating to a hearing that was closed under clause 2(g)(2) of rule XI shall be made available if it has been in existence for 50 years.

(3) A record for which a time, schedule, or condition for availability is specified by order of the House shall be made available in accordance with that order. Except as otherwise provided by order of the House, a record of a committee for which a time, schedule, or condition for availability is specified by order of the committee (entered during the Congress in which the record is made or acquired by the committee) shall be made available in accordance with the order of the committee.

(4) A record (other than a record referred to in subparagraph (1), (2), or (3) shall be made available if it has been in existence for 30 years.

4. (a) A record may not be made available for public use under clause 3 if the Clerk determines that such availability would be detrimental to the public interest or inconsistent with the rights and privileges of the House. The Clerk shall notify in writing the chair and ranking minority member of the Committee on House Administration of any such determination.

(b) A determination of the Clerk under paragraph (a) is subject to later orders of the House and, in the case of a record of a committee, later orders of the committee.

5. (a) This rule does not supersede rule VIII or clause 11 of rule X and does not authorize the public disclosure of any record if such disclosure is prohibited by law or executive order of the President.

(b) The Committee on House Administration may prescribe guidelines and regulations governing the applicability and implementation of this rule.

(c) A committee may withdraw from the National Archives and Records Administration any record of the committee delivered to the Archivist under this rule.

Such a withdrawal shall be on a temporary basis and for official use of the committee.

Definition of record

6. (a)(a) In this rule the term “record” means any official, permanent record of the House (other than a record of an individual Member, Delegate, or Resident Commissioner as described in paragraph (b)), including—

(1) with respect to a committee, an official, permanent record of the committee (including any record of a legislative, oversight, or other activity of such committee or a subcommittee thereof); and

(2) with respect to an officer of the House elected under rule II, an official, permanent record made or acquired in the course of the duties of such officer. (b) Records created, generated, or received by the congressional office of a Member, Delegate, or the Resident Commissioner in the performance of official duties are exclusively the personal property of the individual Member, Delegate, or the Resident Commissioner and such Member, Delegate, or Resident Commissioner has control over such records.

Withdrawal of papers

7. A memorial or other paper presented to the House may not be withdrawn from its files without its leave. If withdrawn certified copies thereof shall be left in the office of the Clerk. When an act passes for the settlement of a claim, the Clerk may transmit to the officer charged with the settlement thereof the papers on file in his office relating to such claim. The Clerk may lend temporarily to an officer or bureau of the executive departments any papers on file in his office relating to any matter pending before such officer or bureau, taking proper receipt therefor.

* * * * *

RULE X

ORGANIZATION OF COMMITTEES

Committees and their legislative jurisdictions

1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned by this clause and clauses 2, 3, and 4. All bills, resolutions, and other matters relating to subjects within the jurisdiction of the standing committees listed in this clause shall be referred to those committees, in accordance with clause 2 of rule XII, as follows:

* * * * *

(j) Committee on Homeland Security.

- (1) Overall homeland security policy.
- (2) Organization, administration, and general management of the Department of Homeland Security.
- (3) Functions of the Department of Homeland Security relating to the following:
 - (A) Border and port security (except immigration policy and non—border enforcement).
 - (B) Customs (except customs revenue).
 - (C) Integration, analysis, and dissemination of homeland security information.
 - (D) Domestic preparedness for and collective response to terrorism.
 - (E) Research and development.
 - (F) Transportation security.

* * * * *

General oversight responsibilities

2. (a) The various standing committees shall have general oversight responsibilities as provided in paragraph (b) in order to assist the House in—

- (1) its analysis, appraisal, and evaluation of—
 - (A) the application, administration, execution, and effectiveness of Federal laws; and

- (B) conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and
 - (2) its formulation, consideration, and enactment of changes in Federal laws, and of such additional legislation as may be necessary or appropriate.
- (b)(1) In order to determine whether laws and programs addressing subjects within the jurisdiction of a committee are being implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated, each standing committee (other than the Committee on Appropriations) shall review and study on a continuing basis—
- (A) the application, administration, execution, and effectiveness of laws and programs addressing subjects within its jurisdiction;
 - (B) the organization and operation of Federal agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within its jurisdiction;
 - (C) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation addressing subjects within its jurisdiction (whether or not a bill or resolution has been introduced with respect thereto); and
 - (D) future research and forecasting on subjects within its jurisdiction.
- (2) Each committee to which subparagraph (1) applies having more than 20 members shall establish an oversight subcommittee, or require its subcommittees to conduct oversight in their respective jurisdictions, to assist in carrying out its responsibilities under this clause. The establishment of an oversight subcommittee does not limit the responsibility of a subcommittee with legislative jurisdiction in carrying out its oversight responsibilities.
- (c) Each standing committee shall review and study on a continuing basis the impact or probable impact of tax policies affecting subjects within its jurisdiction as described in clauses 1 and 3.
- (d)(1) Not later than February 15 of the first session of a Congress, each standing committee (other than the Committee on Appropriations, the Committee on Ethics, and the Committee on Rules) shall, in a meeting that is open to the public, adopt its authorization and oversight plan for that Congress. Such plan shall be submitted simultaneously to the Committee on Oversight and Government Reform, the Committee on House Administration, and the Committee on Appropriations.
- (2) Each such plan shall include, with respect to programs and agencies within the committee's jurisdiction, and to the maximum extent practicable—
- (A) a list of such programs or agencies with lapsed authorizations that received funding in the prior fiscal year or, in the case of a program or agency with a permanent authorization, which has not been subject to a comprehensive review by the committee in the prior three Congresses;
 - (B) a description of each such program or agency to be authorized in the current Congress;
 - (C) a description of each such program or agency to be authorized in the next Congress, if applicable;
 - (D) a description of any oversight to support the authorization of each such program or agency in the current Congress; and
 - (E) recommendations for changes to existing law for moving such programs or agencies from mandatory funding to discretionary appropriations, where appropriate.
- (3) Each such plan may include, with respect to the programs and agencies within the committee's jurisdiction—
- (A) recommendations for the consolidation or termination of such programs or agencies that are duplicative, unnecessary, or inconsistent with the appropriate roles and responsibilities of the Federal Government;
 - (B) recommendations for changes to existing law related to Federal rules, regulations, statutes, and court decisions affecting such programs and agencies that are inconsistent with the authorities of the Congress under Article I of the Constitution; and
 - (C) a description of such other oversight activities as the committee may consider necessary.
- (4) In the development of such plan, the chair of each committee shall coordinate with other committees of jurisdiction to ensure that programs and agencies are subject to routine, comprehensive authorization efforts.
- (5) Not later than March 31 in the first session of a Congress, after consultation with the Speaker, the Majority Leader, and the Minority Leader, the Committee on Oversight and Government Reform shall report to the House the authorization and oversight plans submitted by committees together with any recommendations that it, or the House leadership group described above, may

make to ensure the most effective coordination of authorization and oversight plans and otherwise to achieve the objectives of this clause.

(e) The Speaker, with the approval of the House, may appoint special ad hoc oversight committees for the purpose of reviewing specific matters within the jurisdiction of two or more standing committees.

Special oversight functions

* * * * *

3. (g)(1) The Committee on Homeland Security shall review and study on a continuing basis all Government activities relating to homeland security, including the interaction of all departments and agencies with the Department of Homeland Security.

(2) In addition, the committee shall review and study on a primary and continuing basis all Government activities, programs and organizations related to homeland security that fall within its primary legislative jurisdiction.

* * * * *

Additional functions of committees

* * * * *

4. (e)(1) Each standing committee shall, in its consideration of all public bills and public joint resolutions within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal Government and the government of the District of Columbia will be made annually to the maximum extent feasible and consistent with the nature, requirement, and objective of the programs and activities involved. In this subparagraph programs and activities of the Federal Government and the government of the District of Columbia includes programs and activities of any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or of the government of the District of Columbia.

(2) Each standing committee shall review from time to time each continuing program within its jurisdiction for which appropriations are not made annually to ascertain whether the program should be modified to provide for annual appropriations.

Budget Act responsibilities

(f)(1) Each standing committee shall submit to the Committee on the Budget not later than six weeks after the President submits his budget, or at such time as the Committee on the Budget may request—

(A) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year that are within its jurisdiction or functions; and

(B) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction that it intends to be effective during that fiscal year.

* * * * *

Election and membership of standing committees

5. (a)(1) The standing committees specified in clause 1 shall be elected by the House within seven calendar days after the commencement of each Congress, from nominations submitted by the respective party caucus or conference. A resolution proposing to change the composition of a standing committee shall be privileged if offered by direction of the party caucus or conference concerned.

* * * * *

(4)(A) At the beginning of a Congress, the Speaker or his designee and the Minority Leader or his designee each shall name 10 Members, Delegates, or the Resident Commissioner from his respective party who are not members of the Committee on Ethics to be available to serve on investigative subcommittees of that committee during that Congress. The lists of Members, Delegates, or the Resident Commissioner so named shall be announced to the House.

* * * * *

(b)(1) Membership on a standing committee during the course of a Congress shall be contingent on continuing membership in the party caucus or conference that nominated the Member, Delegate, or Resident Commissioner concerned for election to such committee. Should a Member, Delegate, or Resident Commissioner cease to be a member of a particular party caucus or conference, that Member, Delegate, or Resident Commissioner shall automatically cease to be a member of each standing committee to which he was elected on the basis of nomination by that caucus or conference. The chair of the relevant party caucus or conference shall notify the Speaker whenever a Member, Delegate, or Resident Commissioner ceases to be a member of that caucus or conference. The Speaker shall notify the chair of each affected committee that the election of such Member, Delegate, or Resident Commissioner to the committee is automatically vacated under this subparagraph.

(2)(A) Except as specified in subdivision (B), a Member, Delegate, or Resident Commissioner may not serve simultaneously as a member of more than two standing committees or more than four subcommittees of the standing committees.

(B) (i) Ex officio service by a chair or ranking minority member of a committee on each of its subcommittees under a committee rule does not count against the limitation on subcommittee service.

* * * * *

(iii) Any other exception to the limitations in subdivision (A) may be approved by the House on the recommendation of the relevant party caucus or conference.

(C) In this subparagraph the term "subcommittee" includes a panel (other than a special oversight panel of the Committee on Armed Services), task force, special subcommittee, or other subunit of a standing committee that is established for a cumulative period longer than six months in a Congress.

(c)(1) One of the members of each standing committee shall be elected by the House, on the nomination of the majority party caucus or conference, as chair thereof. In the temporary absence of the chair, the member next in rank (and so on, as often as the case shall happen) shall act as chair. Rank shall be determined by the order members are named in resolutions electing them to the committee. In the case of a permanent vacancy in the elected chairmanship of a committee, the House shall elect another chair.

* * * * *

(d)(1) Except as permitted by subparagraph (2), a committee may have not more than five subcommittees.

(2)(A) A committee that maintains a subcommittee on oversight may have not more than six subcommittees.

(B) The Committee on Appropriations may have not more than 13 subcommittees.

(C) The Committee on Armed Services may have not more than seven subcommittees.

(D) The Committee on Foreign Affairs may have not more than seven subcommittees.

(E) The Committee on Oversight and Government Reform may have not more than seven subcommittees.

(F) The Committee on Transportation and Infrastructure may have not more than six subcommittees

(e) The House shall fill a vacancy on a standing committee by election on the nomination of the respective party caucus or conference.

Expense resolutions

6. (a) Whenever a committee, commission, or other entity (other than the Committee on Appropriations) is granted authorization for the payment of its expenses (including staff salaries) for a Congress, such authorization initially shall be procured by one primary expense resolution reported by the Committee on House Administration. A primary expense resolution may include a reserve fund for unanticipated expenses of committees. An amount from such a reserve fund may be allocated to a committee only by the approval of the Committee on House Administration. A primary expense resolution reported to the House may not be considered in the House unless a printed report thereon was available on the previous calendar day. For the information of the House, such report shall—

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

(2) to the extent practicable, contain such general statements regarding the estimated foreseeable expenditures for the respective anticipated activities and programs of the committee, commission, or other entity as may be appropriate to provide the House with basic estimates of the expenditures contemplated by the primary expense resolution.

(b) After the date of adoption by the House of a primary expense resolution for a committee, commission, or other entity for a Congress, authorization for the payment of additional expenses (including staff salaries) in that Congress may be procured by one or more supplemental expense resolutions reported by the Committee on House Administration, as necessary. A supplemental expense resolution reported to the House may not be considered in the House unless a printed report thereon was available on the previous calendar day. For the information of the House, such report shall—

(1) state the total amount of additional funds to be provided to the committee, commission, or other entity under the supplemental expense resolution and the purposes for which those additional funds are available; and

(2) state the reasons for the failure to procure the additional funds for the committee, commission, or other entity by means of the primary expense resolution.

(c) The preceding provisions of this clause do not apply to—

(1) a resolution providing for the payment from committee salary and expense accounts of the House of sums necessary to pay compensation for staff services performed for, or to pay other expenses of, a committee, commission, or other entity at any time after the beginning of an odd numbered year and before the date of adoption by the House of the primary expense resolution described in paragraph (a) for that year; or

(2) a resolution providing each of the standing committees in a Congress additional office equipment, airmail and special-delivery postage stamps, supplies, staff personnel, or any other specific item for the operation of the standing committees, and containing an authorization for the payment from committee salary and expense accounts of the House of the expenses of any of the foregoing items provided by that resolution, subject to and until enactment of the provisions of the resolution as permanent law.

(d) From the funds made available for the appointment of committee staff by a primary or additional expense resolution, the chair of each committee shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the committee and that the minority party is treated fairly in the appointment of such staff.

(e) Funds authorized for a committee under this clause and clauses 7 and 8 are for expenses incurred in the activities of the committee.

Interim funding

7. (a) For the period beginning at noon on January 3 and ending at midnight on March 31 in each odd-numbered year, such sums as may be necessary shall be paid out of the committee salary and expense accounts of the House for continuance of necessary investigations and studies by—

(1) each standing and select committee established by these rules; and

(2) except as specified in paragraph (b), each select committee established by resolution.

(b) In the case of the first session of a Congress, amounts shall be made available for a select committee established by resolution in the preceding Congress only if—

- (1) a resolution proposing to reestablish such select committee is introduced in the present Congress; and
- (2) the House has not adopted a resolution of the preceding Congress providing for termination of funding for investigations and studies by such select committee.
- (c) Each committee described in paragraph (a) shall be entitled for each month during the period specified in paragraph (a) to 9 percent (or such lesser percentage as may be determined by the Committee on House Administration) of the total annualized amount made available under expense resolutions for such committee in the preceding session of Congress.
- (d) Payments under this clause shall be made on vouchers authorized by the committee involved, signed by the chair of the committee, except as provided in paragraph (e), and approved by the Committee on House Administration.
- (e) Notwithstanding any provision of law, rule of the House, or other authority, from noon on January 3 of the first session of a Congress until the election by the House of the committee concerned in that Congress, payments under this clause shall be made on vouchers signed by the ranking member of the committee as it was constituted at the expiration of the preceding Congress who is a member of the majority party in the present Congress.
- (f)(1) The authority of a committee to incur expenses under this clause shall expire upon adoption by the House of a primary expense resolution for the committee.
- (2) Amounts made available under this clause shall be expended in accordance with regulations prescribed by the Committee on House Administration.
- (3) This clause shall be effective only insofar as it is not inconsistent with a resolution reported by the Committee on House Administration and adopted by the House after the adoption of these rules.

Travel

- 8.(a) Local currencies owned by the United States shall be made available to the committee and its employees engaged in carrying out their official duties outside the United States or its territories or possessions. Appropriated funds, including those authorized under this clause and clauses 6 may not be expended for the purpose of defraying expenses of members of a committee or its employees in a country where local currencies are available for this purpose.
- (b) The following conditions shall apply with respect to travel outside the United States or its territories or possessions:
 - (1) A member or employee of a committee may not receive or expend local currencies for subsistence in a country for a day at a rate in excess of the maximum per diem set forth in applicable Federal law.
 - (2) A member or employee shall be reimbursed for the expenses of such individual for a day at the lesser of—
 - (A) the per diem set forth in applicable Federal law; or
 - (B) the actual, unreimbursed expenses (other than for transportation) incurred during that day.
 - (3) Each member or employee of a committee shall make to the chair of the committee an itemized report showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and funds expended for any other official purpose and shall summarize in these categories the total foreign currencies or appropriated funds expended. Each report shall be filed with the chair of the committee not later than 60 days following the completion of travel for use in complying with reporting requirements in applicable Federal law and shall be open for public inspection.
- (c)(1) In carrying out the activities of a committee outside the United States in a country where local currencies are unavailable, a member or employee of a committee may not receive reimbursement for expenses (other than for transportation) in excess of the maximum per diem set forth in applicable Federal law.
- (2) A member or employee shall be reimbursed for his expenses for a day, at the lesser of—
 - (A) the per diem set forth in applicable Federal law; or
 - (B) the actual unreimbursed expenses (other than for transportation) he incurred during that day.
- (3) A member or employee of a committee may not receive reimbursement for the cost of any transportation in connection with travel outside the United States unless the member or employee actually paid for the transportation.
- (d) The restrictions respecting travel outside the United States set forth in paragraph (c) also shall apply to travel outside the United States by a Member, Dele-

gate, Resident Commissioner, officer, or employee of the House authorized under any standing rule.

Committee staffs

9. (a)(1) Subject to subparagraph (2) and paragraph (f), each standing committee may appoint, by majority vote, not more than 30 professional staff members to be compensated from the funds provided for the appointment of committee staff by primary and additional expense resolutions. Each professional staff member appointed under this subparagraph shall be assigned to the chair and the ranking minority member of the committee, as the committee considers advisable.

(2) Subject to paragraph (f) whenever a majority of the minority party members of a standing committee (other than the Committee on Ethics or the Permanent Select Committee on Intelligence) so request, not more than 10 persons (or one-third of the total professional committee staff appointed under this clause, whichever is fewer) may be selected, by majority vote of the minority party members, for appointment by the committee as professional staff members under subparagraph (1). The committee shall appoint 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 a person so selected are unacceptable, a majority of the minority party members may select another person 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.

(b)(1) The professional staff members of each standing committee—

(A) may not engage in any work other than committee business during congressional working hours; and

(B) may not be assigned a duty other than one pertaining to committee business.

(2)(A) Subparagraph (1) does not apply to staff designated by a committee as “associate” or “shared” staff who are not paid exclusively by the committee, provided that the chair certifies that the compensation paid by the committee for any such staff is commensurate with the work performed for the committee in accordance with clause 8 of rule XXIII.

(B) The use of any “associate” or “shared” staff by a committee other than the Committee on Appropriations shall be subject to the review of, and to any terms, conditions, or limitations established by, the Committee on House Administration in connection with the reporting of any primary or additional expense resolution.

(c) Each employee on the professional or investigative staff of a standing committee shall be entitled to pay at a single gross per annum rate, to be fixed by the chair and that does not exceed the maximum rate of pay as in effect from time to time under applicable provisions of law.

(d) Subject to appropriations hereby authorized, the Committee on Appropriations may appoint by majority vote such staff as it determines to be necessary (in addition to the clerk of the committee and assistants for the minority). The staff appointed under this paragraph, other than minority assistants, shall possess such qualifications as the committee may prescribe.

(e) A committee may not appoint to its staff an expert or other personnel detailed or assigned from a department or agency of the Government except with the written permission of the Committee on House Administration.

(f) If a request for the appointment of a minority professional staff member under paragraph (a) is made when no vacancy exists for such an appointment, the committee nevertheless may appoint under paragraph (a) a person selected by the minority and acceptable to the committee. A person so appointed shall serve as an additional member of the professional staff of the committee until such a vacancy occurs (other than a vacancy in the position of head of the professional staff, by whatever title designated), at which time that person is considered as appointed to that vacancy. Such a person shall be paid from the applicable accounts of the House described in clause 1(j)(1) of rule X. If such a 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 the vacancy.

(g) Each staff member appointed pursuant to a request by minority party members under paragraph (a), and each staff member appointed to assist minority members of a committee pursuant to an expense resolution described in clause 6(a), shall be accorded equitable treatment with respect to the fixing of the rate of pay, the assignment of work facilities, and the accessibility of committee records.

(h) Paragraph (a) may not be construed to authorize the appointment of additional professional staff members of a committee pursuant to a request under paragraph (a) by the minority party members of that committee if 10 or more professional staff members provided for in paragraph (a)(1) who are satisfactory to a majority of the minority party members are otherwise assigned to assist the minority party members.

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

* * * * *

RULE XI

PROCEDURES OF COMMITTEES AND UNFINISHED BUSINESS

In general

1. (a)(1)(A) The Rules of the House are the rules of its committees and subcommittees so far as applicable.

(B) Each subcommittee is a part of its committee and is subject to the authority and direction of that committee and to its rules, so far as applicable.

(2)(A) In a committee or subcommittee—

(i) a motion to recess from day to day, or to recess subject to the call of the Chair (within 24 hours), shall be privileged; and

(ii) a motion to dispense with the first reading (in full) of a bill or resolution shall be privileged if printed copies are available.

(B) A motion accorded privilege under this subparagraph shall be decided without debate.

(b)(1) Each committee may conduct at any time such investigations and studies as it considers necessary or appropriate in the exercise of its responsibilities under rule X. Subject to the adoption of expense resolutions as required by clause 6 of rule X, each committee may incur expenses, including travel expenses, in connection with such investigations and studies.

(2) A proposed investigative or oversight report shall be considered as read in committee if it has been available to the members for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day).

(3) A report of an investigation or study conducted jointly by more than one committee may be filed jointly, provided that each of the committees complies independently with all requirements for approval and filing of the report.

(4) After an adjournment sine die of the last regular session of a Congress, an investigative or oversight report may be filed with the Clerk at any time, provided that a member who gives timely notice of intention to file supplemental, minority, or additional views shall be entitled to not less than seven calendar days in which to submit such views for inclusion in the report.

(c) Each committee may have printed and bound such testimony and other data as may be presented at hearings held by the committee or its subcommittees. All costs of stenographic services and transcripts in connection with a meeting or hearing of a committee shall be paid from the applicable accounts of the House described in clause 1(k)(1) of rule X.

(d)(1) Not later than January 2 of each year a committee shall submit to the House a report on the activities of that committee.

(2) Such report shall include—

(A) separate sections summarizing the legislative and oversight activities of that committee under this rule and rule X during the applicable period;

(B) in the case of the first such report in each Congress, a summary of the oversight plans submitted by the committee under clause 2(d) of rule X;

(C) a summary of the actions taken and recommendations made with respect to the oversight plans specified in subdivision (B);

(D) a summary of any additional oversight activities undertaken by that committee and any recommendations made or actions taken thereon; and

(E) a delineation of any hearings held pursuant to clauses 2(n), (o), or (p) of this rule.

(3) After an adjournment sine die of a regular session of a Congress, or after December 15, whichever occurs first, the chair of a committee may file the report described in subparagraph (1) with the Clerk at any time and without approval of the committee, provided that—

(A) a copy of the report has been available to each member of the committee for at least seven calendar days; and

(B) the report includes any supplemental, minority, or additional views submitted by a member of the committee.

Adoption of written rules

2. (a)(1) Each standing committee shall adopt written rules governing its procedure. Such rules—

(A) shall be adopted in a meeting that is open to the public unless the committee, in open session and with a quorum present, determines by record vote that all or part of the meeting on that day shall be closed to the public;

(B) may not be inconsistent with the Rules of the House or with those provisions of law having the force and effect of Rules of the House; and

(C) shall in any event incorporate all of the succeeding provisions of this clause to the extent applicable.

(2) Each committee shall make its rules publically available in electronic form and submit such rules for publication in the Congressional Record not later than 30 days after the chair of the committee is elected in each odd-numbered year.

(3) A committee may adopt a rule providing that the chair be directed to offer a motion under clause 1 of rule XXII whenever the chair considers it appropriate.

Regular meeting days

(b) Each standing committee shall establish regular meeting days for the conduct of its business, which shall be not less frequent than monthly. Each such committee shall meet for the consideration of a bill or resolution pending before the committee or the transaction of other committee business on all regular meeting days fixed by the committee if notice is given pursuant to paragraph (g)(3).

Additional and special meetings

(c)(1) The chair of each standing committee may call and convene, as he considers necessary, additional and special meetings of the committee for the consideration of a bill or resolution pending before the committee or for the conduct of other committee business, subject to such rules as the committee may adopt. The committee shall meet for such purpose under that call of the chair.

(2) Three or more members of a standing committee may file in the offices of the committee a written request that the chair call a special meeting of the committee. 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 the chair does not call the requested special meeting within three calendar days after the filing of the request (to be held within seven 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. The written notice shall specify the date and hour of the special meeting and the measure or matter to be considered. 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. Such notice shall also be made publicly available in electronic form and shall be deemed to satisfy paragraph (g)(3)(A)(ii). Only the measure or matter specified in that notice may be considered at that special meeting.

Temporary absence of chair

(d) A member of the majority party on each standing committee or subcommittee thereof shall be designated by the chair of the full committee as the vice chair of the committee or subcommittee, as the case may be, and shall preside during the absence of the chair from any meeting. If the chair and vice chair of a committee or subcommittee are not present at any meeting of the committee or subcommittee, the ranking majority member who is present shall preside at that meeting.

Committee records

(e)(1)(A) Each committee shall keep a complete record of all committee action which shall include—

(i) in the case of a meeting or hearing transcript, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved; and

(ii) a record of the votes on any question on which a record vote is taken.

(B)(i) Except as provided in subdivision (B)(ii) and subject to paragraph (k)(7), the result of each such record vote shall be made available by the committee for inspection by the public at reasonable times in its offices and also made publicly available in electronic form within 48 hours of such record vote. Information so available shall include a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting.

(ii) The result of any record vote taken in executive session in the Committee on Ethics may not be made available for inspection by the public without an affirmative vote of a majority of the members of the committee.

(2)(A) Except as provided in subdivision (B), all committee records (including hearings, data, charts, and files) shall be kept separate and distinct from the congressional office records of the member serving as its chair. Such records shall be the property of the House, and each Member, Delegate, and the Resident Commissioner shall have access thereto.

(B) A Member, Delegate, or Resident Commissioner, other than members of the Committee on Ethics, may not have access to the records of that committee respecting the conduct of a Member, Delegate, Resident Commissioner, officer, or employee of the House without the specific prior permission of that committee.

(3) Each committee shall include in its rules standards for availability of records of the committee delivered to the Archivist of the United States under rule VII. Such standards shall specify procedures for orders of the committee under clause 3(b)(3) and clause 4(b) of rule VII, including a requirement that nonavailability of a record for a period longer than the period otherwise applicable under that rule shall be approved by vote of the committee.

(4) Each committee shall make its publications available in electronic form to the maximum extent feasible.

(5) To the maximum extent practicable, each committee shall—

(A) provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen to and view the proceedings; and

(B) maintain the recordings of such coverage in a manner that is easily accessible to the public.

Prohibition against proxy voting

(f) A vote by a member of a committee or subcommittee with respect to any measure or matter may not be cast by proxy.

Open meetings and hearings

(g)(1) Each meeting for the transaction of business, including the markup of legislation, by a standing committee or subcommittee thereof (other than the Committee on Ethics or its subcommittees) shall be open to the public, including to radio, television, and still photography coverage, except when the committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of the meeting on that day shall be in executive session because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, would tend to defame, degrade, or incriminate any person, or otherwise would violate a law or rule of the House. Persons, other than members of the committee and such noncommittee Members, Delegates, Resident Commissioner, congressional staff, or departmental representatives as the committee may authorize, may not be present at a business or markup session that is held in executive session. This subparagraph does not apply to open committee hearings, which are governed by clause 4(a)(1) of rule X or by subparagraph (2).

(2)(A) Each hearing conducted by a committee or subcommittee (other than the Committee on Ethics or its subcommittees) shall be open to the public, including to radio, television, and still photography coverage, except when the committee or subcommittee, in open session and with a majority present, determines by record 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 national security, would com-

promise sensitive law enforcement information, or would violate a law or rule of the House.

(B) Notwithstanding the requirements of subdivision (A), in the presence of the number of members required under the rules of the committee for the purpose of taking testimony, a majority of those present may—

(i) agree to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger national security, would compromise sensitive law enforcement information, or would violate clause 2(k)(5); or

(ii) agree to close the hearing as provided in clause 2(k)(5).

(C) A Member, Delegate, or Resident Commissioner may not be excluded from nonparticipatory attendance at a hearing of a committee or subcommittee (other than the Committee on Ethics or its subcommittees) unless the House by majority vote authorizes a particular committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members, Delegates, and the Resident Commissioner by the same procedures specified in this subparagraph for closing hearings to the public.

(D) The committee or subcommittee may vote by the same procedure described in this subparagraph to close one subsequent day of hearing, except that the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence, and the subcommittees thereof, may vote by the same procedure to close up to five additional, consecutive days of hearings.

(3)(A) The chair of a committee shall announce the date, place, and subject matter of—

(i) a committee hearing, which may not commence earlier than one week after such notice; or

(ii) a committee meeting, which may not commence earlier than the third day on which members have notice thereof.

(B) A hearing or meeting may begin sooner than specified in subdivision (A) in either of the following circumstances (in which case the chair shall make the announcement specified in subdivision (A) at the earliest possible time):

(i) the chair of the committee, with the concurrence of the ranking minority member, determines that there is good cause; or

(ii) the committee so determines by majority vote in the presence of the number of members required under the rules of the committee for the transaction of business.

(C) An announcement made under this subparagraph shall be published promptly in the Daily Digest and made publicly available in electronic form.

(D) This subparagraph and subparagraph (4) shall not apply to the Committee on Rules.

(4) At least 24 hours prior to the commencement of a meeting for the markup of legislation, or at the time of an announcement under subparagraph (3)(B) made within 24 hours before such meeting, the chair of the committee shall cause the text of such legislation to be made publicly available in electronic form.

(5) Each committee shall, to the greatest extent practicable, require witnesses who appear before it to submit in advance written statements of proposed testimony and to limit their initial presentations to the committee to brief summaries thereof. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redactions to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(6)(A) Except as provided in subdivision (B), a point of order does not lie with respect to a measure reported by a committee on the ground that hearings on such measure were not conducted in accordance with this clause.

(B) A point of order on the ground described in subdivision (A) may be made by a member of the committee that reported the measure if such point of order was timely made and improperly disposed of in the committee.

(7) This paragraph does not apply to hearings of the Committee on Appropriations under clause 4(a)(1) of rule X.

Quorum requirements

(h)(1) A measure or recommendation may not be reported by a committee unless a majority of the committee is actually present.

(2) Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence, which may not be less than two.

(3) Each committee (other than the Committee on Appropriations, the Committee on the Budget, and the Committee on Ways and Means) may fix the number of its members to constitute a quorum for taking any action other than one for which the presence of a majority of the committee is otherwise required, which may not be less than one-third of the members.

(4)(A) Each committee may adopt a rule authorizing the chair of a committee or subcommittee—

(i) to postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment; and

(ii) to resume proceedings on a postponed question at any time after reasonable notice.

(B) A rule adopted pursuant to this subparagraph shall provide that when proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

Limitation on committee sittings

(i) A committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

Calling and questioning of witnesses

(j)(1) Whenever a hearing is conducted by a committee on a measure or matter, the minority members of the committee shall be entitled, upon request to the chair by a majority of them 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)(A) Subject to subdivisions (B) and (C), each committee shall apply the five-minute rule during the questioning of witnesses in a hearing until such time as each member of the committee who so desires has had an opportunity to question each witness.

(B) A committee may adopt a rule or motion permitting a specified number of its members to question a witness for longer than five minutes. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

(C) A committee may adopt a rule or motion permitting committee staff for its majority and minority party members to question a witness for equal specified periods. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

Hearing procedures

(k)(1) The chair at a hearing shall announce in an opening statement the subject of the hearing.

(2) A copy of the committee rules and of this clause shall be made available to each witness on request.

(3) Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The chair 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 committee may cite the offender to the House for contempt.

(5) Whenever it is asserted by a member of the committee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness—

(A) notwithstanding paragraph (g)(2), such testimony or evidence shall be presented in executive session if, in the presence of the number of members required under the rules of the committee for the purpose of taking testimony, the committee determines by vote of a majority of those present that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the committee shall proceed to receive such testimony in open session only if the committee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

In either case the committee shall afford such person an opportunity voluntarily to appear as a witness, and 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) Evidence or testimony taken in executive session, and proceedings conducted in executive session, may be released or used in public sessions only when authorized by the committee, a majority being present.

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

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

Supplemental, minority, or additional views

(l) If at the time of approval of a measure or matter by a committee (other than the Committee on Rules) a member of the committee gives notice of intention to file supplemental, minority, or additional views for inclusion in the report to the House thereon, all members shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such a day) to file such written and signed views with the clerk of the committee.

Power to sit and act; subpoena power

(m)(1) For the purpose of carrying out any of its functions and duties under this rule and rule X (including any matters referred to it under clause 2 of rule XII), a committee or subcommittee is authorized (subject to subparagraph (3)(A))—

(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 as it considers necessary; and

(B) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it considers necessary.

(2) The chair of the committee, or a member designated by the chair, may administer oaths to witnesses.

(3)(A)(i) Except as provided in subdivision (A)(ii), a subpoena may be authorized and issued by a committee or subcommittee under subparagraph (1)(B) in the conduct of an investigation or series of investigations or activities only when authorized by the committee or subcommittee, a majority being present. The power to authorize and issue subpoenas under subparagraph (1)(B) may be delegated to the chair of the committee under such rules and under such limitations as the committee may prescribe. Authorized subpoenas shall be signed by the chair of the committee or by a member designated by the committee.

(ii) In the case of a subcommittee of the Committee on Ethics, a subpoena may be authorized and issued only by an affirmative vote of a majority of its members.

(B) A subpoena duces tecum may specify terms of return other than at a meeting or hearing of the committee or subcommittee authorizing the subpoena.

(C) Compliance with a subpoena issued by a committee or subcommittee under subparagraph (1)(B) may be enforced only as authorized or directed by the House.

(n)(1) Each standing committee, or a subcommittee thereof, shall hold at least one hearing during each 120-day period following the establishment of the committee on the topic of waste, fraud, abuse, or mismanagement in Government programs which that committee may authorize.

(2) A hearing described in subparagraph (1) shall include a focus on the most egregious instances of waste, fraud, abuse, or mismanagement as documented by any report the committee has received from a Federal Office of the Inspector General or the Comptroller General of the United States.

(o) Each committee, or a subcommittee thereof, shall hold at least one hearing in any session in which the committee has received disclaimers of agency financial statements from auditors of any Federal agency that the committee may authorize to hear testimony on such disclaimers from representatives of any such agency.

(p) Each standing committee, or a subcommittee thereof, shall hold at least one hearing on issues raised by reports issued by the Comptroller General of the United States indicating that Federal programs or operations that the committee may au-

thorize are at high risk for waste, fraud, and mismanagement, known as the “high-risk list” or the “high-risk series.”

* * * * *

RULE XII

RECEIPT AND REFERRAL OF MEASURES AND MATTERS

* * * * *

Referral

2.(a) The Speaker shall refer each bill, resolution, or other matter that relates to a subject listed under a standing committee named in clause 1 of rule X in accordance with the provisions of this clause.

(b) The Speaker shall refer matters under paragraph (a) in such manner as to ensure to the maximum extent feasible that each committee that has jurisdiction under clause 1 of rule X over the subject matter of a provision thereof may consider such provision and report to the House thereon. Precedents, rulings, or procedures in effect before the Ninety-Fourth Congress shall be applied to referrals under this clause only to the extent that they will contribute to the achievement of the objectives of this clause.

(c) In carrying out paragraphs (a) and (b) with respect to the referral of a matter, the Speaker—

(1) shall designate a committee of primary jurisdiction (except where the Speaker determines that extraordinary circumstances justify review by more than one committee as though primary);

(2) may refer the matter to one or more additional committees for consideration in sequence, either initially or after the matter has been reported by the committee of primary jurisdiction;

(3) may refer portions of the matter reflecting different subjects and jurisdictions to one or more additional committees;

(4) may refer the matter to a special, ad hoc committee appointed by the Speaker with the approval of the House, and including members of the committees of jurisdiction, for the specific purpose of considering that matter and reporting to the House thereon;

(5) may subject a referral to appropriate time limitations; and

(6) may make such other provision as may be considered appropriate.

(d) A bill for the payment or adjudication of a private claim against the Government may not be referred to a committee other than the Committee on Foreign Affairs or the Committee on the Judiciary, except by unanimous consent.

Petitions, memorials, and private bills

3. If a Member, Delegate, or Resident Commissioner has a petition, memorial, or private bill to present, he shall endorse his name, deliver it to the Clerk, and may specify the reference or disposition to be made thereof. Such petition, memorial, or private bill (except when judged by the Speaker to be obscene or insulting) shall be entered on the Journal with the name of the Member, Delegate, or Resident Commissioner presenting it and shall be printed in the Congressional Record.

4. A private bill or private resolution (including an omnibus claim or pension bill), or amendment thereto, may not be received or considered in the House if it authorizes or directs—

(a) the payment of money for property damages, for personal injuries or death for which suit may be instituted under the Tort Claims Procedure provided in title 28, United States Code, or for a pension (other than to carry out a provision of law or treaty stipulation);

(b) the construction of a bridge across a navigable stream; or

(c) the correction of a military or naval record.

Prohibition on commemorations

5. (a) A bill or resolution, or an amendment thereto, may not be introduced or considered in the House if it establishes or expresses a commemoration.

(b) In this clause the term “commemoration” means a remembrance, celebration, or recognition for any purpose through the designation of a specified period of time.

Excluded matters

6. A petition, memorial, bill, or resolution excluded under this rule shall be returned to the Member, Delegate, or Resident Commissioner from whom it was received. A petition or private bill that has been inappropriately referred may, by direction of the committee having possession of it, be properly referred in the manner originally presented. An erroneous reference of a petition or private bill under this clause does not confer jurisdiction on a committee to consider or report it.

Sponsorship

7. (a) Bills, memorials, petitions, and resolutions, endorsed with the names of Members, Delegates, or the Resident Commissioner introducing them, may be delivered to the Speaker to be referred. The titles and references of all bills, memorials, petitions, resolutions, and other documents referred under this rule shall be entered on the Journal and printed in the Congressional Record. An erroneous reference may be corrected by the House in accordance with rule X on any day immediately after the Pledge of Allegiance to the Flag by unanimous consent or motion. Such a motion shall be privileged if offered by direction of a committee to which the bill has been erroneously referred or by direction of a committee claiming jurisdiction and shall be decided without debate.

(b)(1) The primary sponsor of a public bill or public resolution may name cosponsors. The name of a cosponsor added after the initial printing of a bill or resolution shall appear in the next printing of the bill or resolution on the written request of the primary sponsor. Such a request may be submitted to the Speaker at any time until the last committee authorized to consider and report the bill or resolution reports it to the House or is discharged from its consideration.

(2) The name of a cosponsor of a bill or resolution may be deleted by unanimous consent. The Speaker may entertain such a request only by the Member, Delegate, or Resident Commissioner whose name is to be deleted or by the primary sponsor of the bill or resolution, and only until the last committee authorized to consider and report the bill or resolution reports it to the House or is discharged from its consideration. The Speaker may not entertain a request to delete the name of the primary sponsor of a bill or resolution. A deletion shall be indicated by date in the next printing of the bill or resolution.

(3) The addition or deletion of the name of a cosponsor of a bill or resolution shall be entered on the Journal and printed in the Congressional Record of that day.

(4) A bill or resolution shall be reprinted on the written request of the primary sponsor. Such a request may be submitted to the Speaker only when 20 or more cosponsors have been added since the last printing of the bill or resolution.

(5) When a bill or resolution is introduced "by request," those words shall be entered on the Journal and printed in the Congressional Record.

(c)(1) A bill or joint resolution may not be introduced unless the sponsor submits for printing in the Congressional Record a statement citing as specifically as practicable the power or powers granted to Congress in the Constitution to enact the bill or joint resolution. The statement shall appear in a portion of the Record designated for that purpose and be made publicly available in electronic form by the Clerk.

(2) Before consideration of a Senate bill or joint resolution, the chair of a committee of jurisdiction may submit the statement required under subparagraph

(1) as though the chair were the sponsor of the Senate bill or joint resolution.

Executive communications

8. Estimates of appropriations and all other communications from the executive departments intended for the consideration of any committees of the House shall be addressed to the Speaker for referral as provided in clause 2 of rule XIV.

RULE XIII

CALENDARS AND COMMITTEE REPORTS

Calendars

1. (a) All business reported by committees shall be referred to one of the following three calendars:

(1) A Calendar of the Committee of the Whole House on the state of the Union, to which shall be referred public bills and public resolutions raising revenue, involving a tax or charge on the people, directly or indirectly making appropriations of money or property or requiring such appropriations to be made, author-

izing payments out of appropriations already made, or releasing any liability to the United States for money or property.

(2) A House Calendar, to which shall be referred all public bills and public resolutions not requiring referral to the Calendar of the Committee of the Whole House on the state of the Union.

(3) A Private Calendar as provided in clause 5 of rule XV, to which shall be referred all private bills and private resolutions.

(b) There is established a Calendar of Motions to Discharge Committees as provided in clause 2 of rule XV.

Filing and printing of reports

2.(a)(1) Except as provided in subparagraph (2), all reports of committees (other than those filed from the floor as privileged) shall be delivered to the Clerk for printing and reference to the proper calendar under the direction of the Speaker in accordance with clause 1. The title or subject of each report shall be entered on the Journal and printed in the Congressional Record.

(2) A bill or resolution reported adversely shall be laid on the table unless a committee to which the bill or resolution was referred requests at the time of the report its referral to an appropriate calendar under clause 1 or unless, within three days thereafter, a Member, Delegate, or Resident Commissioner makes such a request.

(b)(1) It shall be the duty of the chair of each committee to report or cause to be reported promptly to the House a measure or matter approved by the committee and to take or cause to be taken steps necessary to bring the measure or matter to a vote.

(2) In any event, the report of a committee on a measure that has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which a written request for the filing of the report, signed by a majority of the members of the committee, has been filed with the clerk of the committee. The clerk of the committee shall immediately notify the chair of the filing of such a request. This subparagraph does not apply to a report of the Committee on Rules with respect to a rule, joint rule, or order of business of the House, or to the reporting of a resolution of inquiry addressed to the head of an executive department.

(c) All supplemental, minority, or additional views filed under clause 2(l) of rule XI by one or more members of a committee shall be included in, and shall be a part of, the report filed by the committee with respect to a measure or matter. When time guaranteed by clause 2(l) of rule XI has expired (or, if sooner, when all separate views have been received), the committee may arrange to file its report with the Clerk not later than one hour after the expiration of such time. This clause and provisions of clause 2(l) of rule XI do not preclude the immediate filing or printing of a committee report in the absence of a timely request for the opportunity to file supplemental, minority, or additional views as provided in clause 2(l) of rule XI.

Content of reports

3. (a)(1) Except as provided in subparagraph (2), the report of a committee on a measure or matter shall be printed in a single volume that—

(A) shall include all supplemental, minority, or additional views that have been submitted by the time of the filing of the report; and

(B) shall bear on its cover a recital that any such supplemental, minority, or additional views (and any material submitted under paragraph (c)(3)) are included as part of the report.

(2) A committee may file a supplemental report for the correction of a technical error in its previous report on a measure or matter. A supplemental report only correcting errors in the depiction of record votes under paragraph (b) may be filed under this subparagraph and shall not be subject to the requirement in clause 4 or clause 6 concerning the availability of reports.

(b) With respect to each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report. The preceding sentence does not apply to a report by the Committee on Rules on a rule, joint rule, or the order of business or to votes taken in executive session by the Committee on Ethics.

(c) The report of a committee on a measure that has been approved by the committee shall include, separately set out and clearly identified, the following:

(1) Oversight findings and recommendations under clause 2(b)(1) of rule X.

(2) The statement required by section 308(a) of the Congressional Budget Act of 1974, except that an estimate of new budget authority shall include, when

practicable, a comparison of the total estimated funding level for the relevant programs to the appropriate levels under current law.

(3) An estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 if timely submitted to the committee before the filing of the report.

(4) A statement of general performance goals and objectives, including outcome related goals and objectives, for which the measure authorizes funding.

(5) On a bill or joint resolution that establishes or reauthorizes a Federal program, a statement indicating whether any such program is known to be duplicative of another such program, including at a minimum an explanation of whether any such program was included in a report to Congress pursuant to section 21 of Public Law 111-139 or whether the most recent Catalog of Federal Domestic Assistance (published pursuant to section 6104 of title 31, United States Code) identified other programs related to the program established or reauthorized by the measure.

(d) Each report of a committee on a public bill or public joint resolution shall contain the following:

(1)(A) An estimate by the committee of the costs that would be incurred in carrying out the bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following that fiscal year (or for the authorized duration of any program authorized by the bill or joint resolution if less than five years);

(B) a comparison of the estimate of costs described in subdivision (A) made by the committee with any estimate of such costs made by a Government agency and submitted to such committee; and

(C) when practicable, a comparison of the total estimated funding level for the relevant programs with the appropriate levels under current law.

(2)(A) In subparagraph (1) the term "Government agency" includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or the government of the District of Columbia.

(B) Subparagraph (1) does not apply to the Committee on Appropriations, the Committee on House Administration, the Committee on Rules, or the Committee on Ethics, and does not apply when a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been included in the report under paragraph (c)(3).

(e)(1) Whenever a committee reports a bill or joint resolution proposing to repeal or amend a statute or part thereof, it shall include in its report or in an accompanying document (showing by appropriate typographical devices the omissions and insertions proposed)—

(A) the entire text of each section of a statute that is proposed to be repealed; and

(B) a comparative print of each amendment to the entire text of a section of a statute that the bill or joint resolution proposes to make.

(2) If a committee reports a bill or joint resolution proposing to repeal or amend a statute or part thereof with a recommendation that the bill or joint resolution be amended, the comparative print required by subparagraph (1) shall reflect the changes in existing law proposed to be made by the bill or joint resolution as proposed to be amended.

(f)(1) A report of the Committee on Appropriations on a general appropriation bill shall include—

(A) a concise statement describing the effect of any provision of the accompanying bill that directly or indirectly changes the application of existing law; and

(B) a list of all appropriations contained in the bill for expenditures not currently authorized by law for the period concerned (excepting classified intelligence or national security programs, projects, or activities), along with a statement of the last year for which such expenditures were authorized, the level of expenditures authorized for that year, the actual level of expenditures for that year, and the level of appropriations in the bill for such expenditures.

(2) Whenever the Committee on Appropriations reports a bill or joint resolution including matter specified in clause 1(b)(2) or (3) of rule X, it shall include—

(A) in the bill or joint resolution, separate headings for "Rescissions" and "Transfers of Unexpended Balances"; and

(B) in the report of the committee, a separate section listing such rescissions and transfers.

(g) Whenever the Committee on Rules reports a resolution proposing to repeal or amend a standing rule of the House, it shall include in its report or in an accompanying document—

- (1) the text of any rule or part thereof that is proposed to be repealed; and
- (2) a comparative print of any part of the resolution proposing to amend the rule and of the rule or part thereof proposed to be amended, showing by appropriate typographical devices the omissions and insertions proposed.

(h) It shall not be in order to consider a bill or joint resolution reported by the Committee on Ways and Means that proposes to amend the Internal Revenue Code of 1986 unless—

- (1) the report includes a tax complexity analysis prepared by the Joint Committee on Taxation in accordance with section 4022(b) of the Internal Revenue Service Restructuring and Reform Act of 1998; or
- (2) the chair of the Committee on Ways and Means causes such a tax complexity analysis to be printed in the Congressional Record before consideration of the bill or joint resolution.

* * * * *

Availability of reports

4. (a)(1) Except as specified in subparagraph (2), it shall not be in order to consider in the House a measure or matter reported by a committee until the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which each report of a committee on that measure or matter has been available to Members, Delegates, and the Resident Commissioner.

(2) Subparagraph (1) does not apply to—

(A) a resolution providing a rule, joint rule, or order of business reported by the Committee on Rules considered under clause 6;

(B) a resolution providing amounts from the applicable accounts described in clause 1(j)(1) of rule X reported by the Committee on House Administration considered under clause 6 of rule X;

(C) a resolution presenting a question of the privileges of the House reported by any committee;

(D) a measure for the declaration of war, or the declaration of a national emergency, by Congress; and

(E) a measure providing for the disapproval of a decision, determination, or action by a Government agency that would become, or continue to be, effective unless disapproved or otherwise invalidated by one or both Houses of Congress. In this subdivision the term “Government agency” includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or of the government of the District of Columbia.

(b) A committee that reports a measure or matter shall make every reasonable effort to have its hearings thereon (if any) printed and available for distribution to Members, Delegates, and the Resident Commissioner before the consideration of the measure or matter in the House.

(c) A general appropriation bill reported by the Committee on Appropriations may not be considered in the House until the third calendar day (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such a day) on which printed hearings of the Committee on Appropriations thereon have been available to Members, Delegates, and the Resident Commissioner.

* * * * *

Resolutions of inquiry

7. A report on a resolution of inquiry addressed to the head of an executive department may be filed from the floor as privileged. If such a resolution is not reported to the House within 14 legislative days after its introduction, a motion to discharge a committee from its consideration shall be privileged.

* * * * *

RULE XVII

DECORUM AND DEBATE

Decorum

1. (a) A Member, Delegate, or Resident Commissioner who desires to speak or deliver a matter to the House shall respectfully address the Speaker and, on being recognized, may address the House from any place on the floor. When invited by the Chair, a Member, Delegate, or Resident Commissioner may speak from the Clerk's desk.

(b) Remarks in debate (which may include references to the Senate or its Members) shall be confined to the question under debate, avoiding personality.

Recognition

2. When two or more Members, Delegates, or the Resident Commissioner seek recognition, the Speaker shall name the Member, Delegate, or Resident Commissioner who is first to speak. A Member, Delegate, or Resident Commissioner may not occupy more than one hour in debate on a question in the House or in the Committee of the Whole House on the state of the Union except as otherwise provided in this rule

Managing debate

3. (a) The Member, Delegate, or Resident Commissioner who calls up a measure may open and close debate thereon. When general debate extends beyond one day, that Member, Delegate, or Resident Commissioner shall be entitled to one hour to close without regard to the time used in opening.

(b) Except as provided in paragraph (a), a Member, Delegate, or Resident Commissioner may not speak more than once to the same question without leave of the House.

(c) A manager of a measure who opposes an amendment thereto is entitled to close controlled debate thereon.

Call to order

4. (a) If a Member, Delegate, or Resident Commissioner, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall, or a Member, Delegate, or Resident Commissioner may, call to order the offending Member, Delegate, or Resident Commissioner, who shall immediately sit down unless permitted on motion of another Member, Delegate, or the Resident Commissioner to explain. If a Member, Delegate, or Resident Commissioner is called to order, the Member, Delegate, or Resident Commissioner making the call to order shall indicate the words excepted to, which shall be taken down in writing at the Clerk's desk and read aloud to the House.

(b) The Speaker shall decide the validity of a call to order. The House, if appealed to, shall decide the question without debate. If the decision is in favor of the Member, Delegate, or Resident Commissioner called to order, the Member, Delegate, or Resident Commissioner shall be at liberty to proceed, but not otherwise. If the case requires it, an offending Member, Delegate, or Resident Commissioner shall be liable to censure or such other punishment as the House may consider proper. A Member, Delegate, or Resident Commissioner may not be held to answer a call to order, and may not be subject to the censure of the House therefor, if further debate or other business has intervened.

Comportment

5. When the Speaker is putting a question or addressing the House, a Member, Delegate, or Resident Commissioner may not walk out of or across the Hall. When a Member, Delegate, or Resident Commissioner is speaking, a Member, Delegate, or Resident Commissioner may not pass between the person speaking and the Chair. During the session of the House, a Member, Delegate, or Resident Commissioner may not wear a hat or remain by the Clerk's desk during the call of the roll or the counting of ballots. A person on the floor of the House may not smoke or use a mobile electronic device that impairs decorum. The Sergeant-at-Arms is charged with the strict enforcement of this clause.

Exhibits

6. When the use of an exhibit in debate is objected to by a Member, Delegate, or Resident Commissioner, the Chair, in his discretion, may submit the question of its use to the House without debate.

Galleries

7. During a session of the House, it shall not be in order for a Member, Delegate, or Resident Commissioner to introduce to or to bring to the attention of the House an occupant in the galleries of the House. The Speaker may not entertain a request for the suspension of this rule by unanimous consent or otherwise.

Congressional Record

8. (a) The Congressional Record shall be a substantially verbatim account of remarks made during the proceedings of the House, subject only to technical, grammatical, and typographical corrections authorized by the Member, Delegate, or Resident Commissioner making the remarks.

(b) Unparliamentary remarks may be deleted only by permission or order of the House.

(c) This clause establishes a standard of conduct within the meaning of clause 3(a)(2) of rule XI.

Legislative Proceedings

9. (a) A Member, Delegate, the Resident Commissioner, officer, or employee of the House may not engage in disorderly or disruptive conduct in the Chamber, including—

- (1) intentionally obstructing or impeding the passage of others in the Chamber;
- (2) the use of an exhibit to impede, disrupt, or disturb the proceedings of the House; and
- (3) the denial of legislative instruments to others seeking to engage in legislative proceedings.

(b) This clause establishes a standard of conduct within the meaning of clause 3(a)(2) of rule XI.

Secret sessions

10. When confidential communications are received from the President, or when the Speaker or a Member, Delegate, or Resident Commissioner informs the House that he has communications that he believes ought to be kept secret for the present, the House shall be cleared of all persons except the Members, Delegates, Resident Commissioner, and officers of the House for the reading of such communications, and debates and proceedings thereon, unless otherwise ordered by the House.

* * * * *

RULE XXI**RESTRICTIONS ON CERTAIN BILLS****Reservation of certain points of order**

1. At the time a general appropriation bill is reported, all points of order against provisions therein shall be considered as reserved.

* * * * *

Appropriations on legislative bills

4. A bill or joint resolution carrying an appropriation may not be reported by a committee not having jurisdiction to report appropriations, and an amendment proposing an appropriation shall not be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A point of order against an appropriation in such a bill, joint resolution, or amendment thereto may be raised at any time during pendency of that measure for amendment.

Tax and tariff measures and amendments

5. (a)(1) A bill or joint resolution carrying a tax or tariff measure may not be reported by a committee not having jurisdiction to report tax or tariff measures, and an amendment in the House or proposed by the Senate carrying a tax or tariff measure shall not be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A point of order against a tax or tariff measure in such a bill, joint resolution, or amendment thereto may be raised at any time during pendency of that measure for amendment.

(2) For purposes of paragraph (1), a tax or tariff measure includes an amendment proposing a limitation on funds in a general appropriation bill for the administration of a tax or tariff.

* * * * *

9. (a) It shall not be in order to consider—
- (1) a bill or joint resolution reported by a committee unless the report includes a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or in the report (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits;
 - (2) a bill or joint resolution not reported by a committee unless the chair of each committee of initial referral has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration;
 - (3) an amendment to a bill or joint resolution to be offered at the outset of its consideration for amendment by a member of a committee of initial referral as designated in a report of the Committee on Rules to accompany a resolution prescribing a special order of business unless the proponent has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the amendment (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the proponent for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration; or
 - (4) a conference report to accompany a bill or joint resolution unless the joint explanatory statement prepared by the managers on the part of the House and the managers on the part of the Senate includes a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the conference report or joint statement (and the name of any Member, Delegate, Resident Commissioner, or Senator who submitted a request to the House or Senate committees of jurisdiction for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.
- (b) It shall not be in order to consider a conference report to accompany a regular general appropriation bill unless the joint explanatory statement prepared by the managers on the part of the House and the managers on the part of the Senate includes—
- (1) a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the conference report or joint statement (and the name of any Member, Delegate, Resident Commissioner, or Senator who submitted a request to the House or Senate committees of jurisdiction for each respective item included in such list) that were neither committed to the conference committee by either House nor in a report of a committee of either House on such bill or on a companion measure; or
 - (2) a statement that the proposition contains no such congressional earmarks, limited tax benefits, or limited tariff benefits.
- (c) It shall not be in order to consider a rule or order that waives the application of paragraph (a) or (b). As disposition of a point of order under this paragraph or paragraph (b), the Chair shall put the question of consideration with respect to the rule or order or conference report, as applicable. The question of consideration shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn.
- (d) In order to be cognizable by the Chair, a point of order raised under paragraph (a) may be based only on the failure of a report, submission to the Congressional Record, or joint explanatory statement to include a list required by paragraph (a) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.
- (e) For the purpose of this clause, the term “congressional earmark” means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congress-

sional district, other than through a statutory or administrative formula driven or competitive award process.

(f) For the purpose of this clause, the term “limited tax benefit” means—

(1) any revenue-losing provision that—

(A) provides a Federal tax deduction, credit, exclusion, or preference to 10 or fewer beneficiaries under the Internal Revenue Code of 1986, and

(B) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

(2) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986.

(g) For the purpose of this clause, the term “limited tariff benefit” means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

10.(a)(1) Except as provided in paragraphs (b) and (c), it shall not be in order to consider a bill or joint resolution, or an amendment thereto or a conference report thereon, if the provisions of such measure have the net effect of increasing mandatory spending for the period of either—

(A) the current year, the budget year, and the four fiscal years following that budget year; or

(B) the current year, the budget year, and the nine fiscal years following that budget year.

(2) For the purpose of this clause, the terms ‘budget year’ and ‘current year’ have the meanings specified in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985, and the term ‘mandatory spending’ has the meaning of ‘direct spending’ specified in such section 250 except that such term shall also include provisions in appropriation Acts that make outyear modifications to substantive law as described in section 3(4)(C) of the Statutory Pay-As-You-Go Act of 2010.

(b) If a bill or joint resolution, or an amendment thereto, is considered pursuant to a special order of the House directing the Clerk to add as new matter at the end of such bill or joint resolution the entire text of a separate measure or measures as passed by the House, the new matter proposed to be added shall be included in the evaluation under paragraph (a) of the bill, joint resolution, or amendment.

(c)(1) Except as provided in subparagraph (2), the evaluation under paragraph (a) shall exclude a provision expressly designated as an emergency for the Statutory Pay-As-You-Go Act of 2010, in the case of a point of order under this clause against consideration of—

(A) a bill or joint resolution;

(B) an amendment made in order as original text by a special order of business;

(C) a conference report; or

(D) an amendment between the Houses.

(2) In the case of an amendment (other than one specified in subparagraph (1)) to a bill or joint resolution, the evaluation under paragraph (a) shall give no cognizance to any designation of emergency.

11. It shall not be in order to consider a bill or joint resolution which has not been reported by a committee until the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which such measure has been available to Members, Delegates, and the Resident Commissioner.

12. (a)(1) Before a bill or joint resolution proposing to repeal or amend a statute or part thereof may be considered, there shall be made available on a publicly available website of the House an easily searchable electronic comparative print that shows how the bill or joint resolution proposes to change current law, showing (to the greatest extent practicable) by appropriate typographical devices the omissions and insertions proposed.

(2) Before an amendment in the nature of a substitute may be considered if the amendment proposes to repeal or amend a statute or part thereof, there shall be made available on a publicly available website of the House an easily searchable electronic comparative print that shows (to the greatest extent practicable) how the amendment proposes to change current law, showing by appropriate typographical devices the omissions and insertions proposed.

(b) If a committee reports a bill or joint resolution, before the bill or joint resolution may be considered with text different from the text reported, there shall be made available on a publicly available website of the House a document that shows, by appropriate typographical devices, the differences between the text of the bill or

joint resolution as proposed to be considered and the text of the bill or joint resolution as reported.¹

* * * * *

RULE XXIXX

GENERAL PROVISIONS

1. The provisions of law that constituted the Rules of the House at the end of the previous Congress shall govern the House in all cases to which they are applicable, and the rules of parliamentary practice comprised by Jefferson's Manual shall govern the House in all cases to which they are applicable and in which they are not inconsistent with the Rules and orders of the House.
2. In these rules words importing one gender include the other as well.
3. If a measure or matter is publicly available at an electronic document repository operated by the Clerk, it shall be considered as having been available to Members, Delegates, and the Resident Commissioner for purposes of these rules.
4. Authoritative guidance from the Committee on the Budget concerning the impact of a legislative proposition on the levels of new budget authority, outlays, direct spending, new entitlement authority and revenues may be provided by the chair of the committee.

* * * * *

¹ The effective date of clause 12 is December 31, 2017.

JURISDICTIONAL HISTORY

LEGISLATIVE HISTORY TO ACCOMPANY CHANGES TO RULE X

109TH CONGRESS

[CONGRESSIONAL RECORD H25 JANUARY 4, 2005]

RULE X AND THE COMMITTEE ON HOMELAND SECURITY

Legislative History

Overall homeland security policy—The jurisdiction of the Committee on Homeland Security over “overall homeland security policy” is to be interpreted on a government-wide or multi-agency basis similar to the Committee on Government Reform’s jurisdiction over “overall economy, efficiency, and management of government operations and activities. . . .” Surgical addresses of homeland security policy in sundry areas of jurisdiction occupied by other committees would not be referred to the Committee on Homeland Security on the basis of “overall” homeland security policy jurisdiction. For example, the Committee on Homeland Security shall have jurisdiction over a bill coordinating the homeland security efforts by all of the critical infrastructure protection sectors. Jurisdiction over a bill addressing the protection of a particular sector would lie with the committee otherwise having jurisdiction over that sector. **Organization and administration of the Department of Homeland Security**—The jurisdiction of the Committee on Homeland Security would apply only to organizational or administrative aspects of the Department where another committee’s jurisdiction did not clearly apply. The Committee’s jurisdiction is to be confined to organizational and administrative efforts and would not apply to programmatic efforts within the Department of Homeland Security within the jurisdiction of other committees. **Homeland Security Oversight**—this would vest the Committee on Homeland Security with oversight jurisdiction over the homeland security community of the United States. Nothing in this clause shall be construed as prohibiting or otherwise restricting the authority of any other committee to study and review homeland security activities to the extent that such activity directly affects a matter otherwise within the jurisdiction of that committee.

Individual committee concerns

Agriculture—The jurisdiction of the Committee on Homeland Security over “border and port security” shall be limited to agricultural importation and entry inspection activities of the Department of Homeland Security under section 421 of the Homeland Security Act of 2002. The Committee on Agriculture shall retain jurisdiction over animal and plant disease policy including the authority re-

served to the Department of Agriculture to regulate policy under section 421 of the Homeland Security Act of 2002, and the Animal Health Protection Act, the Plant Protection Act, the Plant Quarantine Act, and the Agriculture Quarantine Inspection User Fee Account. The Committee on Agriculture shall retain jurisdiction over the agricultural research and diagnosis mission at the Plum Island Animal Disease Center.

Armed Services—The Committee on Armed Services shall retain jurisdiction over warfighting, the military defense of the United States, and other military activities, including any military response to terrorism, pursuant to section 876 of the Homeland Security Act of 2002.

Energy and Commerce—The Committee on Homeland Security shall have jurisdiction over measures that address the Department of Homeland Security's activities for domestic preparedness and collective response to terrorism. The words "to terrorism" require a direct relation to terrorism. The Committee on Homeland Security's jurisdiction over "collective response to terrorism" means that it shall receive referrals of bills addressing the Department of Homeland Security's responsibilities for, and assistance to, first responders as a whole. The Committee on Energy and Commerce (and other relevant committees) shall retain their jurisdiction over bills addressing the separate entities that comprise the first responders. For example, the Committee on Energy and Commerce shall retain its jurisdiction over a bill directing the Department of Health and Human Services to train emergency medical personnel.

Financial Services—The Committee on Financial Services shall retain jurisdiction over the National Flood Insurance Program and Emergency Food and Shelter Program of FEMA, and the Defense Production Act. The Committee on Financial Services shall retain its jurisdiction over the anti-money laundering, terrorist financing, and anti-counterfeiting activities within the Department of the Treasury and the financial regulators.

Government Reform—The Committee on Homeland Security shall have jurisdiction over "the organization and administration of the Department of Homeland Security." The Committee on Government Reform shall retain jurisdiction over federal civil service, the overall economy, efficiency, and management of government operations and activities, including Federal procurement, and federal paperwork reduction. The Committee on Government Reform shall retain jurisdiction over government-wide information management efforts including the Federal Information Security Management Act. The Committee on Homeland Security shall have jurisdiction over integration, analysis, and dissemination of homeland security information by the Department of Homeland Security, and the Committee on Government Reform shall retain jurisdiction over measures addressing public information and records generally including the Privacy Act and the Freedom of Information Act. The Committee on Government Reform shall have jurisdiction over the policy coordination responsibilities of the Office of Counternarcotics Enforcement.

Intelligence—The Permanent Select Committee on Intelligence shall retain jurisdiction over the intelligence and intelligence-related activities of all departments and agencies of the Federal Gov-

ernment, including the Office of the Director of National Intelligence and the National Counterterrorism Center as defined in the Intelligence Reform and Terrorism Prevention Act of 2004.

Judiciary—The Committee on the Judiciary shall retain jurisdiction over immigration policy and non-border enforcement of the immigration laws. Its jurisdiction over immigration policy shall include matters such as the immigration and naturalization process, numbers of aliens (including immigrants and non-immigrants) allowed, classifications and lengths of allowable stay, the adjudication of immigration petitions and the requirements for the same, the domestic adjudication of immigration petitions and applications submitted to the Department of Labor or the Department of Homeland Security and setting policy with regard to visa issuance and acceptance. Its jurisdiction over non-border enforcement shall be limited to those aspects of immigration enforcement not associated with the immediate entry of individuals into the country, including those aspects of the Bureau of Immigration and Customs Enforcement. The Committee on Homeland Security shall have jurisdiction over border and port security including the immigration responsibilities of inspectors at ports of entry and the border patrol. As used in the new Rule X(1)(9) and this legislative history, the word “immigration” shall be construed to include “naturalization” and no substantive change is intended by the new rule’s not containing the word “naturalization.”

Science—The Committee on Science shall retain some jurisdiction over the research and development activities of the Department of Homeland Security as such matters are incidental to the Committee on Science’s existing jurisdiction (except where those activities are in the jurisdiction of another committee).

Transportation and Infrastructure—The Committee on Transportation and Infrastructure shall retain jurisdiction over the Coast Guard. However, the Committee on Homeland Security has jurisdiction over port security, and some Coast Guard responsibilities in that area will fall within the jurisdiction of both committees. Jurisdiction over emergency preparedness will be split between the Committee on Transportation and Infrastructure and the Committee on Homeland Security. The Committee on Transportation and Infrastructure shall retain its jurisdiction under clause 1(r)(2) over “federal management of emergencies and natural disasters.” This means that the committee retains its general jurisdiction over the emergency preparedness and response operations of the Federal Emergency Management Agency (FEMA). Bills addressing FEMA’s general preparation for disaster from any cause shall be referred to the Committee on Transportation and Infrastructure. The Committee on Homeland Security shall have jurisdiction over the Department of Homeland Security’s responsibilities with regard to emergency preparedness only as they relate to acts of terrorism. Thus, the Committee on Homeland Security shall have jurisdiction over the responsibilities of the Office for Domestic Preparedness, in accordance with section 430 of the Homeland Security Act of 2002. As indicated earlier, the Committee on Homeland Security’s jurisdiction over “collective response to terrorism” means that it would receive referrals of bills addressing the Department of Homeland Security’s responsibilities for, and assistance to, first responders as

a whole and not over measures addressing first responder communities individually. The Committee on Homeland Security shall have jurisdiction over the functions of the Department of Homeland Security relating to transportation security, while the Committee on Transportation and Infrastructure shall retain its jurisdiction over transportation safety. In general, the Committee on Homeland Security would have jurisdiction over bills addressing the Transportation Security Administration and the Committee on Transportation and Infrastructure would have jurisdiction over bills addressing the various entities within the Department of Transportation having responsibility for transportation safety, such as the Federal Aviation Administration and the Federal Motor Carrier Safety Administration. The jurisdiction of the Committee on Homeland Security does not include expenditures from trust funds under the jurisdiction of other committees, including but not limited to the Highway Trust Fund, the Airport and Airway Trust Fund, the Harbor Maintenance Trust Fund, the Federal Buildings Fund, and the Inland Waterways Trust Fund.

Ways and Means—The jurisdiction of the Committee on Ways and Means over “customs revenue” is intended to include those functions contemplated in section 412(b)(2) of the Homeland Security Act of 2002 and includes those functions as carried out in collection districts and ports of entry and delivery.

MEMORANDUM OF UNDERSTANDING BETWEEN THE COMMITTEE ON
TRANSPORTATION AND INFRASTRUCTURE AND THE COMMITTEE ON
HOMELAND SECURITY

[*Congressional Record*, H15, January 4, 2007]

On January 4, 2005, the U.S. House of Representatives adopted H. Res. 5, establishing the Rules of the House for the 109th Congress. Section 2(a) established the Committee on Homeland Security as a standing committee of the House of Representatives with specific legislative jurisdiction under House Rule X. A legislative history to accompany the changes to House Rule X was inserted in the *Congressional Record* on January 4, 2005.

The Committee on Transportation and Infrastructure and the Committee on Homeland Security (hereinafter “Committees”) jointly agree to the January 4, 2005 legislative history as the authoritative source of legislative history of section 2(a) of H. Res. 5 with the following two clarifications.

First, with regard to the Federal Emergency Management Agency’s, FEMA, emergency preparedness and response programs, the Committee on Homeland Security has jurisdiction over the Department of Homeland Security’s responsibilities with regard to emergency preparedness and collective response only as they relate to terrorism. However, in light of the federal emergency management reforms that were enacted as title VI of Public Law 109(295), a bill amending FEMA’s all-hazards emergency preparedness programs that necessarily addresses FEMA’s terrorism preparedness programs would be referred to the Committee on Transportation and Infrastructure; in addition, the Committee on Homeland Security

ity would have a jurisdictional interest in such bill. Nothing in this Memorandum of Understanding affects the jurisdiction of the Committee on Transportation and Infrastructure of the Robert T. Stafford Disaster Relief and Emergency Assistance Act and the Federal Fire Prevention and Control Act of 1974.

Second, with regard to port security, the Committee on Homeland Security has jurisdiction over port security, and some Coast Guard responsibilities in that area fall within the jurisdiction of both Committees. A bill addressing the activities, programs, assets, and personnel of the Coast Guard as they relate to port security and non-port security missions would be referred to the Committee on Transportation and Infrastructure; in addition, the Committee on Homeland Security would have a jurisdictional interest in such bill.

This Memorandum of Understanding between the Committee on Transportation and Infrastructure and the Committee on Homeland Security provides further clarification to the January 4, 2005 legislative history of the jurisdiction of the Committees only with regard to these two specific issues. The Memorandum does not address any other issues and does not affect the jurisdiction of other committees.

JAMES L. OBERSTAR

Chairman-designate,

Committee on Transportation & Infrastructure

BENNIE G. THOMPSON

Chairman-designate,

Committee on Homeland Security

CHANGES TO THE STANDING RULES

SECTION-BY-SECTION ANALYSIS

113TH CONGRESS

[*Congressional Record*, H12 January 3, 2013]

Clarifications in Rule X. Subsection (c) makes two clarifications with respect to clause 1 of rule X. Paragraph (1) clarifies that the Committee on Homeland Security's jurisdiction includes the general management of the Department of Homeland Security. This change is intended to clarify the Committee's existing jurisdiction over the organization and administration of the department, and is not intended to alter the pattern of bill referrals to the Committee on Homeland Security, nor is it intended to alter the existing oversight jurisdiction of the Committee on Homeland Security. Paragraph (2) conforms terminology used in the Committee on Natural Resources jurisdiction to terminology recognized by the Departments of State and Interior.

MEMORANDUM REGARDING AUTHORIZATION OF THE DEPARTMENT OF
HOMELAND SECURITY

[*Congressional Record*, E47 Wednesday, January 11,
2017]

We, the chairs of the committees with jurisdiction over the Department of Homeland Security or its components, are hereby recording our agreement on the following principles for the 115th Congress:

1. The Department of Homeland Security (“the Department”) and its components should be authorized on a regular basis to ensure robust oversight and improve its operation.

2. Committees with jurisdiction over the Department and its components will prioritize the authorization of the Department and any unauthorized or expiring component in that committee’s authorization and oversight plan.

3. To the maximum extent practicable, the committees with jurisdiction over unauthorized or expiring components of the Department shall coordinate with the Committee on Homeland Security to produce a comprehensive authorization bill for the Department.

4. The Committee on Homeland Security shall coordinate with the committees with jurisdiction over unauthorized or expiring components of the Department in the development of any comprehensive authorization bill for the Department.

5. The Committee on Homeland Security and the committees with jurisdiction over components of the Department shall jointly develop a process for the vetting and pre-clearing of base text and amendments offered at subcommittee and full committee markups of a DHS authorization bill in the Committee on Homeland Security that fall within the jurisdiction of a committee other than or in addition to the Committee on Homeland Security.

6. The committees will expedite consideration of any comprehensive authorization bill for the Department, including timely resolution of any matters subject to a sequential or additional referral.

7. To the extent that there are policy differences between the committees regarding a provision of the comprehensive authorization bill for the Department, the committees will make best efforts to resolve any such dispute.

8. The Committee on Homeland Security Committee shall not include any provision in a comprehensive authorization bill that the chair of the Committee on Ways and Means has determined to be a revenue provision or a provision affecting revenue. If the chair of the Committee on Ways and Means makes such a determination, nothing in this agreement shall be construed to preclude that chair from exercising an additional or sequential referral over the measure, or a point of order under clause 5(a) of Rule XXI of the Rules of the House of Representatives.

9. Nothing in this agreement shall be construed as altering any committee’s jurisdiction under rule X of the Rules of the House of Representatives or the referral of any measure thereunder.

10. Further, nothing in this memorandum precludes a further agreement between the committees with regard to the implementa-

tion of a process to ensure regular comprehensive authorizations of the Department.

Signed,

GREGG WALDEN, CHAIR,
Committee on Energy and Commerce.

DEVIN NUNES, CHAIR,
Permanent Select Committee on Intelligence.

JASON CHAFFETZ, CHAIR,
Committee on Oversight and Government Reform.

BILL SHUSTER, CHAIR,
Committee on Transportation and Infrastructure.

MICHAEL T. MCCAUL, CHAIR,
Committee on Homeland Security.

BOB GOODLATTE, CHAIR,
Committee on the Judiciary.

LAMAR SMITH, CHAIR,
Committee on Science, Space and Technology.

KEVIN BRADY, CHAIR,
Committee on Ways and Means.

○