

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. RES. 123

Establishing a Select Committee on POW and MIA Affairs.

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2005

Mr. KING of New York submitted the following resolution; which was referred to the Committee on Rules

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## RESOLUTION

Establishing a Select Committee on POW and MIA Affairs.

1       *Resolved,*

2       **SECTION 1. ESTABLISHMENT OF SELECT COMMITTEE.**

3           There is established in the House of Representatives  
4 a select committee to be known as the Select Committee  
5 on POW and MIA Affairs.

6       **SEC. 2. FUNCTIONS.**

7           The select committee shall conduct a full investiga-  
8 tion of all unresolved matters relating to any United  
9 States personnel unaccounted for from the Vietnam era,  
10 the Korean conflict, World War II, Cold War Missions,  
11 or Gulf War, including MIA's and POW's.

1 **SEC. 3. APPOINTMENT AND MEMBERSHIP.**

2 (a) MEMBERS.—The select committee shall be com-  
3 posed of 10 Members of the House, who shall be appointed  
4 by the Speaker. Not more than half of the members of  
5 the select committee shall be of the same political party.

6 (b) VACANCY.—Any vacancy occurring in the mem-  
7 bership of the select committee shall be filled in the same  
8 manner in which the original appointment was made.

9 (c) CHAIRPERSON.—The Speaker shall designate one  
10 member of the select committee to be its chairperson.

11 **SEC. 4. AUTHORITY AND PROCEDURES.**

12 (a) AUTHORITY.—For purposes of carrying out this  
13 resolution, the select committee (or any subcommittee of  
14 the select committee authorized to hold hearings) may sit  
15 and act during the present Congress at any time or place  
16 within the United States (including any Commonwealth  
17 or possession of the United States, or elsewhere, whether  
18 the House is in session, has recessed, or has adjourned)  
19 and to hold such hearings as it considers necessary.

20 (b) RULES OF PROCEDURE.—The provisions of  
21 clauses 1, 2, and 4 of rule XI of the Rules of the House  
22 shall apply to the select committee.

23 (c) PROHIBITION AGAINST MEETING AT CERTAIN  
24 TIMES.—Subsection (a) may not be construed to limit the  
25 applicability of clause 2(i) of rule XI of the Rules of the  
26 House to the select committee.

1 **SEC. 5. ADMINISTRATIVE PROVISIONS.**

2 (a) EXPENSES.—Subject to the adoption of expense  
3 resolutions as required by clause 6 of rule X of the Rules  
4 of the House, the select committee may incur expenses in  
5 connection with its functions under this resolution.

6 (b) STAFF AND TRAVEL.—In carrying out its func-  
7 tions under this resolution, the select committee may—

8 (1) appoint, either on a permanent basis or as  
9 experts or consultants, any staff that the select com-  
10 mittee considers necessary;

11 (2) prescribe the duties and responsibilities of  
12 the staff;

13 (3) fix the compensation of the staff at a single  
14 per annum gross rate that does not exceed the high-  
15 est rate of basic pay, as in effect from time to time,  
16 of level V of the Executive Schedule in section 5316  
17 of title 5, United States Code;

18 (4) terminate the employment of any such staff  
19 as the select committee considers appropriate; and

20 (5) reimburse members of the select committee  
21 and of its staff for travel, subsistence, and other  
22 necessary expenses incurred by them in the perform-  
23 ance of their functions for the select committee,  
24 other than expenses in connection with any meeting  
25 of the select committee, or a subcommittee thereof,  
26 held in the District of Columbia.

1           (c) EXPIRATION.—The select committee and all au-  
2 thority granted in this resolution shall expire 30 days after  
3 the filing of the final report of the select committee with  
4 the House, or just prior to noon on January 3, 2007,  
5 whichever occurs first.

6 **SEC. 6. REPORTS AND RECORDS.**

7           (a) FINAL REPORT.—As soon as practicable during  
8 the present Congress, the select committee shall submit  
9 to the House a final report setting forth its findings and  
10 recommendations as a result of its investigation.

11          (b) FILING OF REPORTS.—Any report made by the  
12 select committee when the House is not in session shall  
13 be filed with the Clerk of the House.

14          (c) REFERRAL OF REPORTS.—Any report made by  
15 the select committee shall be referred to the committee  
16 or committees that have jurisdiction over the subject mat-  
17 ter of the report.

18          (d) RECORDS, FILES, AND MATERIALS.—Following  
19 the termination of the select committee, the records, files,  
20 and materials of the select committee shall be transferred  
21 to the Clerk of the House. If the final report of the select  
22 committee is referred to only one committee under the  
23 provisions of subsection (c), the records, files, and mate-  
24 rials of the select committee shall be transferred instead  
25 to the committee to which the final report is referred.

1 **SEC. 7. DEFINITIONS.**

2 For purposes of this resolution:

3 (1) The term “Member of the House” means  
4 any Representative in, or Delegate or Resident Com-  
5 missioner to, the Congress.

6 (2) The term “MIA” means any United States  
7 personnel that is unaccounted for and missing in ac-  
8 tion.

9 (3) The term “POW” means any United States  
10 personnel that is unaccounted for and known to be  
11 a prisoner of war.

12 (4) The term “select committee” means the Se-  
13 lect Committee on MIA and POW Affairs estab-  
14 lished by this resolution.

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