

116th Congress }
1st Session }

COMMITTEE PRINT

COMMITTEE RULES

2019–2020

(Adopted February 7, 2019)

PREPARED BY THE
COMMITTEE ON
HOUSE ADMINISTRATION
U.S. HOUSE OF REPRESENTATIVES



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COMMITTEE ON HOUSE ADMINISTRATION

116TH CONGRESS

ZOE LOFGREN, California, *Chairperson*

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SUSAN A. DAVIS, California

G. K. BUTTERFIELD, North Carolina

MARCIA L. FUDGE, Ohio

PETE AGUILAR, California

RODNEY DAVIS, Illinois,

Ranking Member

MARK WALKER, North Carolina

BARRY LOUDERMILK, Georgia

RULES OF THE COMMITTEE ON HOUSE ADMINISTRATION

(Adopted February 7, 2019)

Rule No. 1—General Provisions

(a) The Rules of the House of Representatives are the rules of the Committee so far as applicable, except that a motion to recess from day to day is a privileged motion in the Committee.

(b) The Committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under rule X of the Rules of the House of Representatives and, subject to the adoption of expense resolutions as required by clause 6 of rule X of the Rules of the House of Representatives, to incur expenses (including travel expenses) in connection therewith.

(c) The Committee is authorized to have printed and bound testimony and other data presented at hearings held by the Committee, and to make such information available to the public. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee shall be paid from the appropriate House account.

(d) The Committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the committee under rules X and XI of the Rules of the House of Representatives.

(e) The Committee's rules shall be made publicly available in electronic form and published in the Congressional Record not later than 60 days after the Committee is elected in each odd-numbered year.

Rule No. 2—Regular and Special Meetings

(a)(1) The regular meeting date of the Committee shall be the second Tuesday of every month when the House is in session in accordance with clause 2(b) of rule XI of the Rules of the House of Representatives. If the House is not in session on the second Tuesday of a month, the regular meeting date shall be the third Tuesday of that month.

(2) Additional meetings may be called by the Chairperson of the full Committee as the Chairperson considers necessary, or at the request of a majority of the members of the Committee in accordance with clause 2(c) of rule XI of the Rules of the House of Representatives.

(3) The determination of the business to be considered at each meeting shall be made by the Chairperson subject to clause 2(c) of rule XI of the Rules of the House of Representatives. A regularly scheduled meeting may be dispensed with if, in the judgment of the Chairperson, there is no need for the meeting.

(b) If the Chairperson is not present at any meeting of the Committee, the ranking member of the majority party who is present shall preside at the meeting.

(c) The Chairperson, in the case of meetings to be conducted by the Committee shall make public announcement of the date, place, and subject matter of any meeting to be conducted on any measure or matter. Such meeting shall not commence earlier than the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which members have notice thereof. If the Chairperson, 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, the Chairperson shall make the announcement at the earliest possible date. The announcement shall promptly be made publicly available in electronic form and published in the Daily Digest.

(d) The Chairperson, in the case of meetings to be conducted by the Committee shall make available on the Committee's web site the text of any legislation to be marked up at a meeting at least 24 hours before such meeting (or at the time of an announcement made within 24 hours of such meeting). This requirement shall also apply to any resolution or regulation to be considered at a meeting.

Rule No. 3—Open Meetings

As required by clause 2(g), of rule XI of the Rules of the House of Representatives, each meeting for the transaction of business, including the markup of legislation of the Committee shall be open to the public except when the Committee in open session and with a quorum present determines by record vote that all or part of the remainder of the meeting on that day shall be closed to the public because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person, or otherwise would violate any law or rule of the House. Provided, however, that no person other than members of the Committee, and such congressional staff and such other persons as the Committee may authorize, shall be present in any business or markup session which has been closed to the public. To the maximum extent practicable, the Chairperson shall cause to be provided audio and video coverage of each hearing or meeting that allows the public to easily listen to and view the proceedings and maintain the recordings of such coverage in a manner that is easily accessible to the public.

Rule No. 4—Records and Rollcalls

(a)(1) A record vote shall be held if requested by any member of the Committee.

(2) The result of each record vote in any meeting of the Committee shall be made available for inspection by the public at reasonable times at the Committee offices, including a description of the amendment, motion, order or other proposition; the name of each member voting for and against; and the members present but not voting.

(3) The Chairperson shall make the record of the votes on any question on which a record vote is demanded available on the Committee's website not later than 48 hours after such vote is taken (excluding Saturdays, Sundays, and legal holidays). Such record 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.

(4) The Chairperson shall make available on the Committee's website not later than 24 hours (excluding Saturdays, Sundays, and legal holidays) after the adoption of any amendment to a measure or matter the text of such amendment.

(b)(1) Subject to subparagraph (2), the Chairperson may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairperson may resume proceedings on a postponed request at any time.

(2) In exercising postponement authority under subparagraph (1), the Chairperson shall take all reasonable steps necessary to notify members on the resumption of proceedings on any postponed record vote.

(3) 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.

(c) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as Chairperson; and such records shall be the property of the House and all members of the House shall have access thereto.

(d) House records of the Committee which are at the National Archives shall be made available pursuant to rule VII of the Rules of the House of Representatives. The Chairperson shall notify the ranking minority member of any decision to withhold a record pursuant to the rule, and shall present the matter to the Committee upon written request of any Committee member.

(e) To the maximum extent feasible, the Committee shall make its publications available in electronic form.

Rule No. 5—Proxies

No vote by any member in the Committee may be cast by proxy.

Rule No. 6—Power to Sit and Act; Subpoena Power

(a) For the purpose of carrying out any of its functions and duties under rules X and XI of the Rules of the House of Representatives, the Committee is authorized (subject to subparagraph (b)(1) of this paragraph)—

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

(2) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, documents

and other materials as it deems necessary, including materials in electronic form. The Chairperson, or any member designated by the Chairperson, may administer oaths to any witness.

(b)(1) A subpoena may be authorized and issued by the Chairperson of the full Committee, in accordance with clause 2(m) of rule XI of the House of Representatives, in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee, following consultation with the ranking minority member.

(2) In addition, a subpoena may be authorized and issued by the Committee in accordance with clause 2(m) of rule XI of the Rules of the House of Representatives, in the conduct of any investigation or activity or series of investigations or activities, when authorized by a majority of the Members voting, a majority of the Committee being present. Authorized subpoenas shall be signed by the Chairperson or by any Member designated by the Committee.

(3) At least two business days before issuing any subpoena pursuant to paragraph (1) of this subsection, the Chairperson shall consult with the ranking minority member regarding the authorization and issuance of such subpoena, and the Chairperson shall provide a full copy of the proposed subpoena, including any proposed document schedule, at that time.

(4) The requirements of paragraph (3) may be waived in the event of an exigent circumstance that does not reasonably allow for advance written notice.

Rule No. 7—Quorums

No measure or recommendation shall be reported to the House unless a majority of the Committee is actually present. For the purposes of taking any action other than reporting any measure, issuance of a subpoena, closing meetings, promulgating Committee orders, or changing the rules of the Committee, one-third of the members of the Committee shall constitute a quorum. For purposes of taking testimony and receiving evidence, two members shall constitute a quorum.

Rule No. 8—Amendments

Any amendment offered to any pending legislation before the Committee must be made available in written form when requested by any member of the Committee. If such amendment is not available in written form when requested, the Chairperson will allow an appropriate period of time for the provision thereof.

Rule No. 9—Hearing Procedures

(a) The Chairperson shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing. If the Chairperson, with the concurrence of the ranking minority member, determines that there is good cause to begin the hearing sooner, or if the Committee so determines by majority vote, a quorum being present, the Chairperson shall make the announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congress-

sional Record as soon as possible after such public announcement is made.

(b) Unless excused by the Chairperson, each witness who is to appear before the Committee shall file with the clerk of the Committee, at least 48 hours in advance of his or her appearance, a written statement of his or her proposed testimony and shall limit his or her oral presentation to a summary of his or her statement.

(c) When any hearing is conducted by the Committee upon any measure or matter, the minority party members on the Committee shall be entitled, upon request to the Chairperson by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearings thereon.

(d) All other members of the Committee may have the privilege of sitting with any subcommittee during its hearing or deliberations and may participate in such hearings or deliberations, but no member who is not a member of the subcommittee shall count for a quorum or offer any motion or amendment or vote on any matter before the subcommittee.

(e) Committee members may question witnesses only when they have been recognized by the Chairperson for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one member can be extended as provided by clause 2(j) of rule XI of the Rules of the House of Representatives. The questioning of a witness in Committee hearings shall be initiated by the Chairperson, followed by the ranking minority member and all other members alternating between the majority and minority. In recognizing members to question witnesses in this fashion, the Chairperson shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority. The Chairperson may accomplish this by recognizing two majority members for each minority member recognized.

(f) The following additional rules shall apply to hearings of the Committee as applicable:

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

(2) A copy of the Committee rules and this clause shall be made available to each witness as provided by clause 2(k)(2) of rule XI of the Rules of the House of Representatives.

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

(4) The Chairperson 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) If the Committee determines that evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, it shall—

- (A) afford such person an opportunity voluntarily to appear as a witness;
 - (B) receive such evidence or testimony in executive session; and
 - (C) receive and dispose of requests from such person to subpoena additional witnesses.
- (6) Except as provided in paragraph (5) of this subsection, the Chairperson shall receive, and the Committee shall dispose of, requests to subpoena additional witnesses.
- (7) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Committee.
- (8) In the discretion of the Committee, 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.

Rule No. 10—Procedures for Reporting Measures or Matters

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

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

(b)(1) No measure or recommendation shall be reported to the House unless a majority of the Committee is actually present.

(2) With respect to each record vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the Committee report on the measure or matter.

(c) The report of the Committee on a measure or matter which has been approved by the Committee shall include the matters required by clause 3(c) of rule XIII of the Rules of the House of Representatives.

(d)(1) If, at the time any measure or matter is ordered reported by the Committee, any member of the Committee gives notice of intention to file supplemental, minority, additional, or dissenting views, that member shall be entitled to not less than two additional calendar days after the day of such notice, commencing on the day on which the measure or matter(s) was approved, excluding Saturdays, Sundays, and legal holidays, in which to file such views, in

writing and signed by that member, with the clerk of the Committee.

(2) All such views so filed by one or more members of the Committee shall be included within, and shall be a part of, the report filed by the Committee with respect to that measure or matter.

(3) The report of the Committee upon that measure or matter shall be printed in a single volume which—

(A) shall include all supplemental, minority, additional or dissenting views, in the form submitted, by the time of the filing of the report, and

(B) shall bear upon its cover a recital that any such supplemental, minority, additional, or dissenting views (and any material submitted under subparagraph (c)) are included as part of the report. This paragraph does not preclude—

(i) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, additional, or dissenting views has been made as provided by subsection (c); or

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

(4) shall, when appropriate, contain the documents required by clause 3(e) of rule XIII of the Rules of the House.

(e) The Chairperson, following consultation with the ranking minority member, is directed to offer a motion under clause 1 of rule XXII of the Rules of the House of Representatives relating to going to conference with the Senate, whenever the Chairperson considers it appropriate.

(f) If hearings have been held on any such measure or matter so reported, the Committee shall make every reasonable effort to have such hearings published and available to the members of the House prior to the consideration of such measure or matter in the House.

(g) The Chairperson may designate any majority member of the Committee to act as floor manager of a bill or resolution during its consideration in the House.

Rule No. 11—Committee Oversight

(a) The Committee shall conduct oversight of matters within the jurisdiction of the Committee in accordance with clauses 2 and 4 of rule X of the Rules of the House of Representatives.

(b) Not later than March 1 of the first session of a Congress and in accordance with clause 2(d) of rule X of the Rules of the House of Representatives, the Committee shall prepare an oversight plan for that Congress.

Rule No. 12—Review of Continuing Programs; Budget Act Provisions

(a) The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriation for continuing programs and activities of the Federal Government will be made annually to the maximum extent feasible and consistent with the nature, requirement, and objectives of the programs and activities involved. For the purposes of this para-

graph a Government agency includes the organizational units of government listed in clause 4(e) of rule X of the Rules of the House of Representatives.

(b) The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefore would be made annually.

(c) The Committee shall, in accordance with clause 4(f)(1) of rule X of the Rules of the House of Representatives, submit to the Committee on the Budget (1) 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 which are within its jurisdiction or functions, and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting there from, to be provided or authorized in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year.

(d) Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

Rule No. 13—Broadcasting of Committee Hearings and Meetings

Whenever any hearing or meeting conducted by the Committee is open to the public, those proceedings shall be open to coverage by television, radio, and still photography, as provided in clause 4 of rule XI of the Rules of the House of Representatives, subject to the limitations therein. Operation and use of any Committee Internet broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of rule XI of the Rules of the house of Representatives and all other applicable rules of the Committee and the House.

Rule No. 14—Committee Staff

The staff of the Committee on House Administration shall be appointed as follows:

(a) The staff shall be appointed by the Chairperson except as provided in paragraph (b), and may be removed by the Chairperson, and shall work under the general supervision and direction of the Chairperson;

(b) All staff provided to the minority party members of the Committee shall be appointed by the ranking minority member, and may be removed by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member;

(c) The appointment of all professional staff shall be subject to the approval of the Committee as provided by, and subject to the provisions of, clause 9 of rule X of the Rules of the House;

(d) The Chairperson shall fix the compensation of all staff of the Committee, after consultation with the ranking minority member

regarding any minority party staff, within the budget approved for such purposes for the Committee.

Rule No. 15—Travel of Members and Staff

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of Committee members and staff. Travel for any member or any staff member shall be paid only upon the prior authorization of the Chairperson or her or his designee. Travel may be authorized by the Chairperson for any member and any staff member in connection with the attendance at hearings conducted by the Committee and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the Chairperson in writing the following:

- (1) The purpose of the travel;
- (2) The dates during which the travel will occur;
- (3) The locations to be visited and the length of time to be spent in each; and
- (4) The names of members and staff seeking authorization.

(b)(1) In the case of travel outside the United States of members and staff of the Committee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the committee, prior authorization must be obtained from the Chairperson. Before such authorization is given, there shall be submitted to the Chairperson, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

- (A) the purpose of the travel;
- (B) the dates during which the travel will occur;
- (C) the names of the countries to be visited and the length of time to be spent in each;
- (D) an agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of committee jurisdiction involved; and
- (E) the names of members and staff for whom authorization is sought.

(2) At the conclusion of any hearing, investigation, study, meeting or conference for which travel outside the United States has been authorized pursuant to this rule, members and staff attending meetings or conferences shall submit a written report to the Chairperson covering the activities and other pertinent observations or information gained as a result of such travel.

(c) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and of the Committee on House Administration pertaining to such travel.

Rule No. 16—Staff Deposition Authority

The Chairperson may authorize the staff of the Committee to conduct depositions pursuant to section 3(a) of H. Res. 6, 116th Congress, and subject to any regulations issued pursuant thereto.

Rule No. 17—Number and Jurisdiction of Subcommittees

(a) There shall be one standing subcommittee, with party ratios of members as indicated. The subcommittee shall have jurisdiction as stated by these rules, may conduct oversight over such subject matter, and may consider such legislation as may be referred to them by the Chairperson. The name and jurisdiction of the subcommittee shall be:

(1) Subcommittee on Elections (3/1)—Matters relating to voting rights issues and such other matters as may be referred to the subcommittee.

(b) No subcommittee shall meet during any full Committee meeting or hearing.

(c) The Chairperson may establish and appoint members, consistent with the ratio between majority and minority members serving on the Subcommittee on Elections, to serve on task forces, panels, special, or select subcommittees of the Committee, to perform specific functions for limited periods of time, as the Chairperson deems appropriate.

Rule No. 18—Referral of Legislation to Subcommittees

The Chairperson may refer legislation or other matters to a subcommittee as the Chairperson considers appropriate. The Chairperson may discharge the subcommittee of any matter referred to it.

Rule No. 19—Powers and Duties of Subcommittees

The subcommittee is authorized to meet, hold hearings, receive evidence and report to the full committee on all matters referred to it. No subcommittee shall meet during any Committee meeting.

Rule No. 20—Other Procedures and Regulations

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

Rule No. 21—Designation of Clerk of the Committee

For the purposes of these rules and the Rules of the House of Representatives, the staff director of the Committee shall act as the clerk of the Committee.