

# *Investigations and Inquiries*

## **A. BASIS OF AUTHORITY TO INVESTIGATE; CREATING COMMITTEES**

### **§ 1. In General; Subjects of Authorizing Resolutions**

Although the congressional power of investigation is not explicitly granted by the Constitution, it has been exercised by the House since 1792.<sup>(1)</sup> It is well es-

1. The House in that year rejected a resolution requesting the President to investigate the defeat of General St. Clair's army and instead asserted its own right to investigate by requesting the President to cause proper executive officers to deliver to the House documents pertinent to the matter. See 3 Hinds' Precedents § 1725.

For earlier coverage of the subject matter of this chapter generally, see, for example, 3 Hinds' Precedents §§ 1666–1724 (punishment of witnesses for contempt); §§ 1725–1826 (powers of investigation and conduct of investigations); §§ 1856–1910 (inquiries of the executive); 6 Cannon's Precedents §§ 335–353 (punishment of witnesses for contempt); §§ 354–393 (power of investigation and conduct of investigations); and §§ 404–437 (inquiries of the executive).

See also Leading Cases on Congressional Investigatory Power (Committee Print, Joint Committee

established that the power to investigate is implied from the power to legislate granted in article I, section 1 of the Constitution. Thus, the Supreme Court has stated that the power of inquiry, with process to enforce it, is an essential and appropriate auxiliary to the legislative function.<sup>(2)</sup> The Court has further stated:

The power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes. It includes surveys of defects in our social, economic or political system for the purpose of enabling the Congress to remedy them. It comprehends probes into departments of the Federal Government to expose corruption, inefficiency or waste.<sup>(3)</sup>

The scope of the power of inquiry is as broad as the power to enact and appropriate under the Constitution.<sup>(4)</sup> Subjects of inves-

on Congressional Operations, 94th Cong. 2d Sess.).

2. *McGrain v Daugherty*, 273 U.S. 135, 174.
3. *Watkins v United States*, 354 U.S. 178, 187 (1957).
4. *Barenblatt v United States*, 360 U.S. 109, 111 (1959). See also The Con-

tigation that have specifically been approved by the courts include the existence of subversive activities in education,<sup>(5)</sup> labor and industry,<sup>(6)</sup> the extent of corruption in labor unions,<sup>(7)</sup> and the denial of civil rights by particular organizations.<sup>(8)</sup>

Although the power of investigation is broad, it is not unlimited. It may be exercised only "in aid of the legislative function."<sup>(9)</sup>

stitution of the United States of America, Analysis and Interpretation, S. Doc. No. 92-82, 92d Cong. 2d Sess., p. 80 (1972).

5. *Barenblatt v United States*, 360 U.S. 109 (1959); *Deutch v United States*, 367 U.S. 456 (1961).
6. *Watkins v United States*, 354 U.S. 178 (1957); *Flaxer v United States*, 358 U.S. 147 (1958); *Wilkinson v United States*, 365 U.S. 399 (1961).
7. *Hutcheson v United States*, 369 U.S. 599 (1962). See also The Constitution of the United States of America, Analysis and Interpretation, S. Doc. No. 92-82, 92d Cong. 2d Sess., pp. 84, 85 (1972).
8. *Shelton v United States*, 404 F2d 1292 (D.C. Cir. 1968), cert. denied, 393 U.S. 1024 (1969).
9. *Kilbourn v Thompson*, 103 U.S. 168 (1881). Beginning with *In re Chapman*, 166 U.S. 661 (1897) and *McGrain v Daugherty*, 273 U.S. 135 (1927) and until prior to *United States v Rumely*, 345 U.S. 543 (1952), courts presumed existence of a legislative purpose. After that period, as investigations began to

Accordingly, it has been stated that, generally, there is no congressional power "to expose for the sake of exposure,"<sup>(10)</sup> and that, in any event, Congress cannot inquire into matters which are within the exclusive province of one of the other branches of government,<sup>(11)</sup> or which are reserved

arouse criticism for infringing individual liberties, however, courts began to construe narrowly the resolutions describing authority of committees (see *Rumely*) and went so far as to impose a specific burden on the government in contempt prosecutions to show affirmatively the source of authority for each investigation. See *United States v Lamont*, 236 F2d 312 (2d Cir. 1956) and Moreland, Allen B., Congressional Investigations and Private Persons, 40 So. Cal. L. Rev. 189, 230-236 (1967) for a discussion of legislative purpose. See also §6, *infra*, for discussion of a closely related topic, the pertinence of the inquiry.

10. *Watkins v United States*, 354 U.S. 178, 200 (1957). In making this statement, however, Chief Justice Warren pointed out that this view did not apply to Congress' function to inquire into and publicize corruption, maladministration or inefficiency in agencies of government. *Id.*, 211 n. 33.
11. *Barenblatt v United States*, 360 U.S. 109, 111, 112 (1959). See also §3, *infra*, for a discussion of executive branch refusals to provide information.

to the states.<sup>(12)</sup> In imposing such limitations upon the power to investigate, the courts have, as in other areas, traditionally refused to inquire into the motives of legislators.<sup>(13)</sup>

A further requirement for the validity of an investigation is that it must have been expressly or impliedly authorized in accordance with congressional procedures. As an example, the House, may authorize a select or standing committee to investigate a particular subject, or a committee may authorize a subcommittee to investigate a subject.<sup>(14)</sup> In the

**12.** See *United States v DiCarlo*, 102 F Supp 597 (N.D. Ohio 1952) for rejection of an allegation that the Senate encroached state powers by creating a special committee to investigate organized crime in interstate commerce.

**13.** *Tenney v Brandhove*, 341 U.S. 367 (1951) and *United States v O'Brien*, 391 U.S. 367 (1968).

**14.** See § 1.1, *infra*, for the full text of an authorizing resolution and *House Rules and Manual* § 976 (1973), for the form of an authorizing resolution. Mr. Justice Frankfurter characterized such a resolution, one to investigate lobbying activities (see § 1.5, *infra*, for a discussion of this resolution), as the committee's "controlling charter" which delimits its "right to exact testimony." *United States v Rumely*, 345 U.S. 41, 44 (1953).

*Parliamentarian's Note:* Recent changes in procedures relating to au-

usual practice, resolutions authorizing the Speaker to appoint Members to select or special committees to investigate designated subjects are assigned to and reported by the Committee on Rules,<sup>(15)</sup> which calls them up as privileged.<sup>(16)</sup> In addition, congressional investigations may be initiated pursuant to statute,<sup>(17)</sup> motion to recommit,<sup>(18)</sup> joint<sup>(19)</sup> or

thorization of standing committees will be discussed in supplements to this edition as they appear.

**15.** *House Rules and Manual* § 717 (1973).

**16.** See Rule XI clauses 22, 23, and 24, *House Rules and Manual* §§ 726, 729, and 732 in the edition published at the commencement of 1973; at the end of the 93d Congress first session these clauses were numbered 23, 24, and 25, respectively.

**17.** See, for example, 26 USC §§ 8001, 8022, which establish the Joint Committee on Internal Revenue Taxation, and confer investigatory duties, respectively.

**18.** See, for example, 112 CONG. REC. 1762, 1763, 89th Cong. 2d Sess., Feb. 2, 1966, for a motion to recommit a resolution directing the Speaker to certify to a U.S. Attorney a contempt citation against Robert M. Shelton allegedly of the Ku Klux Klan, to a select committee of seven members appointed by the Speaker to examine the sufficiency of these citations in light of relevant judicial decisions.

**19.** See, for example, 114 CONG. REC. 21012-31, 90th Cong. 2d Sess., July 12, 1968, for House approval of H.J.

concurrent resolution,<sup>(20)</sup> or rule of the House.<sup>(1)</sup>

The determination of whether a particular investigation is within the scope of the congressional power, or whether procedural requirements of the investigation have been met, may be important

Res. 1, establishing a joint committee to investigate crime. The final action in the Senate was referral to the Committee on the Judiciary.

20. See, for example, 91 CONG. REC. 346-350, 79th Cong. 1st Sess., Jan. 18, 1945, for House approval of H. Con. Res. 18, establishing the Joint Committee on the Organization of the Congress. This measure was amended by the Senate at 91 CONG. REC. 1010, 79th Cong. 1st Sess., Feb. 12, 1945; the House concurred in the Senate amendments at 91 CONG. REC. 1272-74, 79th Cong. 1st Sess., Feb. 19, 1945.

1. See Rule XI clauses 2(b), 11(b), and 19 (c), *House Rules and Manual* §§ 679, 703A, and 720 (1973), authorizing the Committees on Appropriations, Internal Security, and Standards of Official Conduct, respectively, to conduct investigations and studies.

Note: Recent changes in Rule XI and in the procedure for authorizing investigations by rule will be discussed in supplements to this edition as they appear. Meanwhile, see Rules X and XI, *House Rules and Manual* (1975 and 1977) for discussion of changes in investigating, oversight, and subpoena authorities of standing committees since the 93d Congress.

when such questions as the alleged contempt of witnesses arise. Thus, courts have held that persons may not be convicted of contumacy arising out of an investigation which the House lacked authority to conduct. Subjects that have, in this context, been held not to be proper matters for legislative action have included the withdrawal of congressional consent to establish a bi-state compact, the port of New York authority.<sup>(2)</sup> Similarly, courts have refused to convict a witness for contumacy arising out of a subcommittee investigation of Communist activities in the field of labor, where such investigation had not been approved by a majority of the parent Committee on UnAmerican Activities as was required by the committee rule.<sup>(3)</sup> In another instance, the authorizing resolution was construed not to sanction the investigation of ac-

2. See *Tobin v United States*, 306 F2d 270 (D.C. cir. 1962); cert. denied, 371 U.S. 902 (1962) which held that the express reservation of Congress' right "to alter, amend or repeal" its initial consent granted in 1921 could not be implied from art. I, §10 clause 3 of the Constitution which provides that no state shall without the consent of Congress enter into any agreement or compact with another state.

3. *Gojack v United States*, 384 U.S. 702 (1966).

tivities of a lobbyist that were related to his efforts to influence public opinion by the distribution of literature, and that were unrelated to any representations made by him to Congress.<sup>(4)</sup>

Discussed in ensuing sections are particular subjects on which Congress may legislate and appropriate and which are therefore proper matters for investigation;<sup>(5)</sup> inquiries directed to the executive branch;<sup>(6)</sup> procedures for investigative hearings;<sup>(7)</sup> and things incidental to the authority to investigate, such as the power to punish witnesses for contempt.<sup>(8)</sup>

Principles affecting the investigation of certain specific subjects have been treated in other chapters. These subjects include impeachment;<sup>(9)</sup> election contests;<sup>(10)</sup> conduct of Members;<sup>(11)</sup> and qualification and disqualification of Members.<sup>(12)</sup> In addition, the

4. *United States v Rumely*, 345 U.S. 543 (1952). See § 1.5, *infra*, for the resolution establishing a select committee to investigate lobbying activities.
5. See §§ 1.1–1.46, *infra*.
6. See §§ 2–5, *infra*.
7. See §§ 6–16, *infra*.
8. See §§ 17–22, *infra*.
9. See Ch. 14, *supra*.
10. See Ch. 9, *supra*.
11. See Ch. 12, *supra*.
12. See Ch. 7, *supra*.

broad subject of committee structure and procedures is treated elsewhere.<sup>(13)</sup>

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13. See Ch. 17, *infra*.

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### ***Privacy, Human Values, and Democratic Institutions***

#### **§ 1.1 Form of resolution establishing select committee. The House rejected a resolution establishing a select committee to investigate privacy, human values, and democratic institutions.**

On Feb. 8, 1972,<sup>(14)</sup> the House rejected a resolution (called up as privileged by direction of the Committee on Rules) establishing a select committee. The proceedings were as follows:

MR. [RAY J.] MADDEN [of Indiana]:  
Mr. Speaker, by direction of the Com-

14. 118 CONG. REC. 3181-3200, 92d Cong. 2d Sess. The resolution was reported on May 19, 1971 (H. Rept. No. 218).

mittee on Rules, I call up House Resolution 164 and ask for its immediate consideration.

The Clerk read the resolution as follows:

#### H. RES. 164

Whereas the development of technology is advancing at an unparalleled rate of speed and is rapidly coming to affect every level of American life; and

Whereas the operations of industry and Government are coming more and more to rely on highly sophisticated computer technology to assist them in their operations; and

Whereas the full significance and the effects of technology on society and on the operations of industry and Government are largely unknown; and

Whereas computers and other technological innovations aid in the gathering and centralization of massive information of all kinds of individuals and, consequently, call into question the effect of technology on the right of privacy; and

Whereas Congress needs a committee ready and able to evaluate the effects of technology on the operations of Government, on the democratic institutions and processes basic to the United States, and on the basic human and civil rights of our citizens: Now, therefore, be it

*Resolved*, That there is hereby created a select committee to be known as the Select Committee on Privacy, Human Values, and Democratic Institutions to be composed of nine Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and com-

plete investigation and study of the development and proliferation of technology in American society, including the role and effectiveness of computer technology in the operations of industry and Government, the consequences of using computers to solve social questions which traditionally have been addressed without the assistance of computers and other machines, and the effects of technology and machines on democratic institutions and processes. The committee shall also study the use of computers and other technical instruments in gathering and centralizing information on individuals and the effect of such activity on the human and civil rights.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places and within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpoenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report

which is made when the House is not in session shall be filed with the Clerk of the House.

With the following committee amendment:

On page 3, line 5: Strike the words "act during the" and insert "act, subject to clause 31 of Rule XI of the Rules of the House of Representatives, during the".

The committee amendment was agreed to. . . .

MR. MADDEN: Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

THE SPEAKER:<sup>(15)</sup> The question is on the resolution.

MR. [FLETCHER] THOMPSON of Georgia: Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. . . .

The question was taken; and there were—yeas 168, nays 216, not voting 47 . . . .

So the resolution was rejected.

***Congressional Operations and Practices***

**§ 1.2 The House established a select committee to investigate House Rules X and XI, which relate to the structure, jurisdiction, and procedure of committees.**

On Jan. 31, 1973,<sup>(16)</sup> the House by a vote of yeas 282 to nays 91

15. Carl Albert (Okla.).

16. 119 CONG. REC. 2812-16, 93d Cong. 1st Sess. The resolution was re-

agreed to House Resolution 132, reported from the Committee on Rules, creating a select committee to study the operation and implementation of Rules X and XI, focusing on committee structure, number and optimum size of committees, their jurisdiction, number of subcommittees, committee rules and procedures, media coverage of meetings, staffing, space, equipment, and other committee facilities.

*Parliamentarian's Note:* Consideration of House Resolution 132 was provided for by the adoption of House Resolution 176 [119 CONG. REC. 2804, 93d Cong. 1st Sess.], called up by direction of the Committee on Rules. Since House Resolution 132 would not have been privileged (because it contained provisions affecting contingent funds), House Resolution 176 provided for the immediate consideration of House Resolution 132, debate to be controlled by the Committee on Rules and the previous question considered as ordered.

**§ 1.3 The House agreed to a resolution creating a special committee to investigate and report on campaign expenditures and practices by candidates for the House.**

ported on Jan. 30, 1973 (H. Rept. No. 2).

On Aug. 4, 1970,<sup>(17)</sup> the House by voice vote approved House Resolution 1062, authorizing the Speaker to appoint a special committee to investigate and report to the House on candidate expenditures and donations of services and funds received as well as violations of election laws. The resolution was called up by Mr. Thomas P. O'Neill, Jr., of Massachusetts, who referred to it as authorizing the biennial special committee to investigate campaign expenditure."<sup>(18)</sup>

17. 116 CONG. REC. 27125, 27126, 91st Cong. 2d Sess. The resolution was reported on June 11, 1970 (H. Rept. No. 1187) from the Committee on Rules.

18. See also 112 CONG. REC. 19079-81, 89th Cong. 2d Sess., Aug. 11, 1966; and 90 CONG. REC. 6392, 6393-98, 78th Cong. 2d Sess., June 21, 1944, for other examples of voice vote approvals of H. Res. 929 and 551, respectively, creating special committees to investigate campaign expenditures.

*Parliamentarian's Note:* Since the 93d Congress, the special committee has not been reconstituted. On Aug. 21, 1974, the House agreed to H. Res. 737, a privileged resolution reported from the Committee on Rules, authorizing the Committee on House Administration to conduct investigations within its jurisdiction (including elections of Members) and authorizing that committee to issue subpoenas. 120 CONG. REC. 29653, 29654, 93d Cong. 2d Sess.

**§ 1.4 The House established a select committee to study and investigate the welfare and education of congressional pages.**

On Sept. 30, 1964,<sup>(19)</sup> the House by voice vote approved House Resolution 847 (called up as privileged by direction of the Committee on Rules), to create a select committee to investigate the welfare and education of congressional pages including dining, recreational, educational, and physical training facilities and opportunities as well as rates of pay, hours of work, and other working conditions.

**§ 1.5 The House established a select committee to investigate lobbying activities.**

On Aug. 12, 1949,<sup>(20)</sup> the House by voice vote approved House Resolution 298 (called up as privileged by direction of the Committee on Rules), creating a select committee of seven members to investigate all lobbying activities and all activities of federal agen-

19. 110 CONG. REC. 23187, 23188, 88th Cong. 2d Sess. The resolution was reported on Sept. 16, 1964 (H. Rept. No. 1887).

20. 95 CONG. REC. 11385-89, 81st Cong. 1st Sess. The resolution was reported on Aug. 3, 1949 (H. Rept. No. 1185).

cies intended to influence, encourage, promote, or retard legislation.

***Structure and Operation of the Executive Branch***

**§ 1.6 The House established a select committee to study executive agencies.**

On Apr. 29, 1936,<sup>(1)</sup> the House by a roll call vote of yeas 269 to nays 44 approved House Resolution 460 (called up as privileged by direction of the Committee on Rules), authorizing the Speaker to appoint a select committee of five members to study activities of executive departments, bureaus, boards, commissions, and agencies to determine whether any of these agencies should be abolished or coordinated with other agencies in the interest of simplification, efficiency, and economy.

This resolution, called up by Mr. John J. O'Connor, of New York, had been requested by President Franklin D. Roosevelt, in a Mar. 20, 1936, letter to Speaker Joseph W. Byrns, of Tennessee, seeking cooperation of the House in incorporating agencies created during the depression into the regular executive organization.<sup>(2)</sup>

1. 80 CONG. REC. 6375, 6376, 6385, 6386, 74th Cong. 2d Sess. The resolution was reported on Apr. 28, 1936 (H. Rept. No. 2504).

2. See 80 CONG. REC. 6376, 74th Cong. 2d Sess., for the text of this letter.

**§ 1.7 The House established a special committee to investigate acts of executive agencies.**

On Feb. 11, 1943,<sup>(3)</sup> the House by a roll call vote of yeas 294 to nays 50, approved House Resolution 102 (called up as privileged by direction of the Committee on Rules), establishing a special committee of five members to investigate any action, rule, procedure, regulation, order, or directive taken or promulgated by any department or independent agency of the federal government where complaint is made that any action or rule (1) is beyond the scope of the department or agency, (2) invades constitutional rights, privileges, or immunities of citizens, or (3) inflicts penalties for non-compliance without an opportunity to present a defense.<sup>(4)</sup>

**§ 1.8 The House rejected a resolution establishing a select committee to investigate the transfer of certain government agencies and bureaus**

3. 89 CONG. REC. 872, 883, 884, 78th Cong. 1st Sess. The resolution was reported on Feb. 8, 1943 (H. Rept. No. 104).
4. Authority to continue this subcommittee was granted by a roll call vote of yeas 254 to nays 55 on H. Res. 88, on Jan. 18, 1945. 91 CONG. REC. 344-346, 79th Cong. 1st Sess.

**from the District of Columbia.**

On July 15, 1941,<sup>(5)</sup> the House by a vote of yeas 72 to nays 204, rejected House Resolution 257 (called up as privileged by direction of the Committee on Rules), creating a select committee of five members to investigate the feasibility and desirability of transferring any government agencies and bureaus to locations outside the District of Columbia and to investigate the location, extent, and cost of office space and other facilities rented by the various federal departments, bureaus, and agencies within and without the District of Columbia.

***Specific Agencies***

**§ 1.9 The House approved a resolution establishing a select committee to investigate the organization, personnel, and activities of the Federal Communications Commission.**

On Jan. 19, 1943,<sup>(6)</sup> the House by voice vote approved House Res-

5. 87 CONG. REC. 6073, 6082, 6083, 77th Cong. 1st Sess. The resolution was reported on July 10, 1941 (H. Rept. No. 932).
6. 89 CONG. REC. 233, 235, 78th Cong. 1st Sess. The resolution was reported on Jan. 18, 1943 (H. Rept. No. 8).

olution 21 (called up as privileged by direction of the Committee on Rules), establishing a select committee of five members to determine whether the Federal Communications Commission acted in accordance with law and the public interest in its organization, selection of personnel, and conduct of its activities.

**§ 1.10 The House established a select committee to investigate activities of the Farm Security Administration.**

On Mar. 18, 1943,<sup>(7)</sup> the House by voice vote approved House Resolution 119 (called up as privileged by direction of the Committee on Rules), creating a select committee to investigate activities of the Farm Security Administration to determine whether congressional policies were being followed.<sup>(8)</sup>

**§ 1.11 The House established a select committee to investigate the financial position of the White County Bridge Commission.**

On May 25, 1955,<sup>(9)</sup> the House by a roll call vote of yeas 205 to

7. 89 CONG. REC. 2194, 78th Cong. 1st Sess. The resolution was reported on Mar. 11, 1945 (H. Rept. No. 241).

8. See 89 CONG. REC. 1859, 78th Cong. 1st Sess., for text of the resolution.

9. 101 CONG. REC. 7036, 7043, 7044, 84th Cong. 1st Sess. The resolution

nays 166, approved House Resolution 244 (called up as privileged by direction of the Committee on Rules), creating a select committee of three members to investigate and study the White County Bridge Commission, established by Public Law 37 of the 77th Congress, to ascertain whether that bridge, located near New Harmony, Ind., should be toll free, and to study receipts and expenditures of the commission since it was established in 1941.

**§ 1.12 The House approved a resolution establishing a select committee to investigate the National Labor Relations Board.**

On July 20, 1939,<sup>(10)</sup> the House on a roll call vote of 254 yeas to 134 nays approved House Resolution 258 (called up as privileged by direction of the Committee on Rules), establishing a select committee of five members to investigate the fairness of the National Labor Relations Board in its dealings with labor organizations and employers; the effect of the National Labor Relations Act on disputes between employers and em-

was reported on May 24, 1955 (H. Rept. No. 614).

10. 84 CONG. REC. 9582, 9592, 9593, 76th Cong. 1st Sess. The resolution was reported on July 18, 1939 (H. Rept. No. 1215).

ployees, on employment, and on general economic conditions; the desirability of amendments to the National Labor Relations Act; whether the Board has attempted to write into the National Labor Relations Act intents and purposes not justified by the act; and the need for legislation further to define and clarify the meaning of the term "interstate commerce" and the relationship between employers and employees.

### *Economics*

#### **§ 1.13 The House rejected a resolution creating a special committee to study prices paid for the necessities of life.**

On June 27, 1941,<sup>(11)</sup> the House by a roll call vote of yeas 100 to nays 200, rejected House Resolution 212 (called up as privileged by direction of the Committee on Rules), to establish a select committee of five members to study prices paid for the necessities of life, and various problems facing purchasers of goods in the markets of the country.

#### **§ 1.14 The House established a special committee known as**

- 11.** 87 CONG. REC. 5624, 5634, 77th Cong. 1st Sess. The resolution was reported on June 24, 1941 (H. Rept. No. 848).

#### **the Committee on Post-War Economic Policy and Planning.**

On Jan. 26, 1944,<sup>(12)</sup> the House by voice vote approved House Resolution 408 (called up as privileged by direction of the Committee on Rules), creating a special committee of 18 members to investigate all matters relating to post-war economic policy and programs; to gather and study information, plans, and suggestions; and to report to the House periodically.

#### **§ 1.15 The House established a select committee to investigate supplies and shortages of food, particularly meat.**

On Mar. 27, 1945,<sup>(13)</sup> the House on a roll call vote of 292 yeas to 7 nays approved House Resolution 195 (called up as privileged by direction of the Committee on Rules), creating a select committee to investigate shortages of food, particularly civilian meat supplies; factors relating to production and distribution of essential foodstuffs, particularly meat;

- 12.** 90 CONG. REC. 753, 762, 763, 78th Cong. 2d Sess. The resolution was reported on Jan. 25, 1944 (H. Rept. No. 1021).

- 13.** 91 CONG. REC. 2862, 2863, 79th Cong. 1st Sess. The resolution was reported on Mar. 21, 1945 (H. Rept. No. 356).

the presence of black markets in all kinds of meat; and the diversion of meat from normal, legitimate commercial channels of trade.<sup>(14)</sup>

**§ 1.16 The House established a select committee to investigate newsprint supplies.**

On Feb. 26, 1947,<sup>(15)</sup> the House by a roll call vote of yeas 269 to nays 100, approved House Resolution 58 (called up as privileged by direction of the Committee on Rules), creating a select committee to study and investigate the need for adequate American supplies of newsprint, printing and wrapping paper, paper products, paper pulp and pulpwood; possible means of increasing these supplies by domestic production or import; and the assistance that could be rendered by American agencies or officers to increase supplies.

**§ 1.17 The House established a select committee to investigate transactions on commodity exchanges.**

On Dec. 18, 1947,<sup>(16)</sup> the House by voice vote approved House Res-

14. See 91 CONG. REC. 2784, 79th Cong. 1st Sess., Mar. 26, 1945, for text of this resolution.

15. 93 CONG. REC. 1457, 1458, 1465, 80th Cong. 1st Sess. The resolution was reported on Feb. 18, 1947 (H. Rept. No. 41).

16. 93 CONG. REC. 11640, 11648, 80th Cong. 1st Sess. The resolution was

Resolution 403 (called up as privileged by direction of the Committee on Rules), creating a select committee to investigate purchases and sales of commodities, including any activities of federal departments and agencies which have affected or may affect food prices as well as private acts and official activities of federal authorities in connection with the purchase or sale of other commodities.

**§ 1.18 The House established a select committee to investigate the disposition of surplus property.**

On May 9, 1946,<sup>(17)</sup> the House by voice vote approved House Resolution 385 (called up as privileged by direction of the Committee on Rules),<sup>(18)</sup> creating a se-

reported on Dec. 17, 1947 (H. Rept. No. 1221).

17. 92 CONG. REC. 4750, 79th Cong. 2d Sess. The resolution was reported on Apr. 9, 1946 (H. Rept. No. 1889).

18. See 92 CONG. REC. 4568, 79th Cong. 2d Sess., May 7, 1946, for the text of this resolution, and for discussion of the division of time for debate. In this instance, the Chairman of the Committee on Rules obtained unanimous consent to provide an additional hour for debate. Since the chairman was opposed to the resolution and had made the request in the absence of the Member in charge of the resolution, some discussion en-

lect committee to study and investigate contracts entered into between the United States and purchasers and lessees of surplus real and personal property; methods by which such contracts were awarded and opportunities to bid on the contracts; the effects of this program of disposition; the disposition of surplus outside the United States; the advisability of governmental operation of facilities and the effect of governmental competition with private business in such operations; the adequacy or inadequacy of present statutes; and other matters deemed appropriate by the committee.

### ***Small Business***

#### **§ 1.19 The House established a select committee to investigate and study war-time problems of small business.**

On Jan. 18, 1945,<sup>(19)</sup> the House by voice vote approved House Resolution 64 (called up as privileged by direction of the Committee on Rules), creating a select committee of nine members to investigate and study the problems of

sued as to the effect of the request in the circumstances.

19. 91 CONG. REC. 337, 341, 79th Cong. 1st Sess. The resolution was reported on Jan. 16, 1945 (H. Rept. No. 21).

small business arising because of World War II, with particular reference to (1) whether the potentialities of small business were being adequately developed and utilized and, if not, what factors hindered development; (2) whether adequate consideration was being given to small business needs; (3) whether small business was being treated fairly; and (4) the need for a sound program for the solution of post-war problems of small business.<sup>(20)</sup>

#### **§ 1.20 The House established a select committee to investigate problems of small business.**

On Feb. 5, 1969,<sup>(1)</sup> the House by voice vote approved House Resolution 66 (called up as privileged by direction of the Committee on Rules), creating a select committee of 15 members to investigate problems affecting small business, including impediments to normal operations, growth, and development; administration of federal laws; and adequacy of gov-

20. The nine-member Select Committee on Small Business with the same jurisdiction was created on Jan. 22, 1943, by voice vote approval of H. Res. 18. 89 CONG. REC. 309, 310, 317, 78th Cong. 1st Sess.
1. 115 CONG. REC. 2778, 91st Cong. 1st Sess. The resolution was reported on Jan. 23, 1969 (H. Rept. No. 7).

ernment service to the needs of small business.<sup>(2)</sup>

*Parliamentarian's Note:* After adopting the rules for the 92d Congress on Jan. 22, 1971,<sup>(3)</sup> establishing the permanent Select Committee on Small Business (Rule X clause 3) the House by voice vote approved House Resolution 19 (called up as privileged by direction of the Committee on Rules), which dealt with the size of the committee, conferred subpoena power, and authorized domestic travel.<sup>(4)</sup> Beginning in the 94th Congress, the Committee on Small Business became a standing committee of the House (see Rule X clause 1(s), *House Rules and Manual*, 1975).

### **Taxation**

#### **§ 1.21 The House established a special committee to inves-**

2. See also, for example, 113 CONG. REC. 2148-50, 90th Cong. 1st Sess., Feb. 1, 1967, in which the House by voice vote approved H. Res. 53, establishing a select committee to investigate problems of small business and providing the same jurisdiction as would H. Res. 66, of the 91st Congress. Authority for a select committee on small business had been granted biennially since 1941 (H. Res. 294, 77th Congress).
3. 117 CONG. REC. 143, 144, 92d Cong. 1st Sess. See 117 CONG. REC. 14, 92d Cong. 1st Sess., Jan. 21, 1971, for the text of H. Res. 5, relating to adoption of the rules.
4. See 117 CONG. REC. 4593-95, 92d Cong. 1st Sess., Mar. 2, 1971, for the text of and vote on H. Res. 19.

#### **tigate tax-exempt foundations.**

On July 27, 1953,<sup>(5)</sup> the House by a roll call vote of yeas 209 to nays 163, approved House Resolution 217 (called up as privileged by direction of the Committee on Rules), creating a special committee to investigate and study tax-exempt educational and philanthropic foundations to determine whether their funds were being used for the purposes for which they were established, or for un-American and subversive activities, propaganda, attempts to influence legislation, or other political purposes.

#### **§ 1.22 The House substituted the Committee on Ways and Means for a select committee to investigate duplication and overlapping of taxes.**

On Sept. 27, 1951,<sup>(6)</sup> the House, after voice vote adoption of a Committee on Rules amendment substituting the Committee on Ways and Means for a select com-

5. 99 CONG. REC. 10015, 10030, 83d Cong. 1st Sess. The resolution was reported on July 13, 1953 (H. Rept. No. 773).
6. 97 CONG. REC. 12263, 12265, 82d Cong. 1st Sess. H. Res. 414 was reported from the Committee on Rules on Sept. 26, 1951 (H. Rept. No. 1056), and subsequently called up as privileged.

mittee of five members to investigate means and methods of eliminating overlapping between and duplication of sources of federal, state, and local taxes, approved House Resolution 414 authorizing such investigation by voice vote.

### ***Domestic Military Activities***

#### **§ 1.23 The House established the select committee to investigate the seizure of property of Montgomery Ward & Co.**

On May 5, 1944,<sup>(7)</sup> the House by a roll call vote of yeas 300 to nays 60, approved House Resolution 521 (called up as privileged by direction of the Committee on Rules), creating a select committee of seven members to investigate the seizure by the Army of property of Montgomery Ward & Co., on Apr. 26, 1944, pursuant to Executive Order No. 9438.<sup>(8)</sup>

### ***Military Preparedness***

#### **§ 1.24 The House established a select committee known as**

7. 90 CONG. REC. 4047, 4069, 4070, 78th Cong. 2d Sess. The resolution was reported on May 2, 1944 (H. Rept. No. 1410).

8. See *Public Papers and Addresses of Franklin D. Roosevelt*, 1944, 1945, Harper and Brothers Publishers (N.Y.), note p. 453, for a discussion of this and other executive orders to seize property of Montgomery Ward & Co.

#### **the Committee on Post-War Military Policy.**

On Mar. 28, 1944,<sup>(9)</sup> the House by voice vote created a select committee of 23 members to investigate all matters relating to post-war military requirements of the United States, to gather and study information, plans, and suggestions, and to report findings and conclusions to the House.

#### **§ 1.25 After defeating the motion for the previous question, the House laid on the table a resolution reported by the Committee on Rules to create a special committee to investigate national defense.**

On Mar. 11, 1941,<sup>(10)</sup> after defeating the motion for the previous question, the House by voice vote laid on the table House Resolution 120 (called up as privileged by direction of the Committee on Rules), creating a select committee to investigate all federal activities relating to the national

9. 90 CONG. REC. 3199, 3207, 78th Cong. 2d Sess. See H. Res. 465 (called up as privileged by the Committee on Rules. The resolution was reported on Mar. 24, 1944 (H. Rept. No. 1286).

10. 87 CONG. REC. 2182, 2189, 2190, 77th Cong. 1st Sess. The resolution was reported on Mar. 10, 1941 (H. Rept. No. 222).

defense and to prepare, compile, and analyze data pertinent thereto to enable Congress to determine the need for appropriations or further legislation facilitating or abolishing any such activities.

***Foreign Military Operations and Foreign Affairs***

**§ 1.26 The House agreed to a resolution establishing a select committee to travel to Southeast Asia, investigate all aspects of American military involvement there, and report back to the House within 45 days.**

On June 8, 1970,<sup>(11)</sup> the House by a vote of 224 yeas to 101 nays approved House Resolution 976 (called up as privileged by direction of the Committee on Rules), directing the Speaker to appoint a select committee of 12 members, including two from the Committee on Armed Services, two from the Committee on Foreign Affairs, and eight from the House at large, to travel to Southeast Asia to investigate all aspects of American military involvement and report to the House within 45 days.

**§ 1.27 The House established a select committee to inves-**

11. 116 CONG. REC. 18656-71, 91st Cong. 2d Sess. The resolution was reported on June 4, 1970 (H. Rept. No. 1160).

**tigate the Katyn Forest massacre.**

On Sept. 18, 1951,<sup>(12)</sup> the House by voice vote approved House Resolution 390 (called up as privileged by direction of the Committee on Rules), creating a select committee of seven members to study and investigate the facts, evidence, and extenuating circumstances relating to the massacre of thousands of Polish officers buried in a mass grave in the Katyn Forest on the banks of the Dnieper, near Smolensk, when it was a Nazi-occupied territory formerly controlled by the Union of Soviet Socialist Republics.

**§ 1.28 The House established a select committee to investigate the seizure of Lithuania, Latvia, and Estonia by the Union of Soviet Socialist Republics.**

On July 27, 1953,<sup>(13)</sup> the House by voice vote approved House Resolution 346 (called up as privileged by direction of the Committee on Rules), creating a select committee to study and inves-

12. 97 CONG. REC. 11545, 11554, 82d Cong. 1st Sess. The resolution was reported on Aug. 16, 1951 (H. Rept. No. 885).

13. 99 CONG. REC. 10031, 10037, 83d Cong. 1st Sess. The resolution was reported on July 23, 1953 (H. Rept. No. 903).

tigate the seizure and forced incorporation of Lithuania, Latvia, and Estonia by the Union of Soviet Socialist Republics and the treatment of the people in such areas during and following the seizure and incorporation.

### *Veterans' Benefits*

#### **§ 1.29 The House established a select committee to investigate alleged abuses in the education and training program for World War II veterans.**

On Aug. 28, 1950,<sup>(14)</sup> the House by voice vote approved House Resolution 474 (called up as privileged by direction of the Committee on Rules), creating a select committee of nine members to investigate and study alleged abuses in the education and training program for World War II veterans, and action taken or not taken by the Veterans' Administration and state authorities to prevent abuses under the Servicemen's Readjustment Act, as amended.

#### **§ 1.30 The House established a select committee to investigate education, training,**

14. 96 CONG. REC. 13629, 13632, 81st Cong. 2d Sess. The resolution was reported on Aug. 16, 1950 (H. Rept. No. 2927).

#### **and loan guaranty programs for veterans.**

On Feb. 2, 1951,<sup>(15)</sup> the House by voice vote approved House Resolution 93 (called up as privileged by direction of the Committee on Rules), creating a select committee of nine members to investigate, study, and evaluate alleged abuses in education, training, and loan guaranty programs for World War II veterans, and the action taken or not taken by the Veterans' Administration and state agencies to prevent abuses arising under the national service life insurance program (38 USC § 701).

#### **§ 1.31 The House established a select committee to investigate and study the benefits under federal law for the survivors of deceased members of the armed forces.**

On Feb. 2, 1955,<sup>(16)</sup> the House by voice vote approved House Resolution 35 (called up as privileged by direction of the Committee on Rules), creating a select committee of five members to investigate federal benefits for sur-

15. 97 CONG. REC. 876, 82d Cong. 1st Sess. The resolution was reported on Jan. 29, 1951 (H. Rept. No. 19).

16. 101 CONG. REC. 1079-81, 84th Cong. 1st Sess. The resolution was reported on Jan. 31, 1955 (H. Rept. No. 13).

vivors of members and former members of the armed forces.

*Un-American Activities*

**§ 1.32 The House established a special committee to investigate un-American propaganda activities.**

On May 26, 1938,<sup>(17)</sup> the House by voice vote approved House Resolution 282 (called up as privileged by direction of the Committee on Rules), authorizing the Speaker to appoint a special committee of seven members to investigate un-American propaganda activities in the United States, domestic diffusion of such propaganda, and all other questions relating thereto.<sup>(18)</sup>

- 17. 83 CONG. REC. 7568, 7586, 75th Cong. 3d Sess. The resolution was reported on May 10, 1938 (H. Rept. No. 2319).
- 18. Authority for the select committee to investigate un-American propaganda with the same jurisdiction as the above resolution was continued, by subsequent privileged resolutions reported from the Committee on Rules, as follows: by roll call vote of 302 yeas to 94 nays, on H. Res. 65 on Feb. 10, 1943 (89 CONG. REC. 795, 809, 810, 78th Cong. 1st Sess.); 331 yeas to 46 nays, on H. Res. 420 on Mar. 11, 1942 (88 CONG. REC. 2282, 2297, 77th Cong. 2d Sess.); 354 yeas to 6 nays, on H. Res. 90 on Feb. 11, 1941 (87 CONG. REC. 886-899, 77th Cong. 1st Sess.); 344 yeas to 21 nays,

**§ 1.33 The House tabled a resolution to create a special committee to investigate un-American activities.**

On Apr. 8, 1937,<sup>(19)</sup> the House on a division vote of yeas 184 to nays 38, laid on the table House Resolution 88 (called up as privileged by direction of the Committee on Rules), creating a special committee of seven members

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on H. Res. 321 on Jan. 23, 1940 (86 CONG. REC. 572, 604, 605, 76th Cong. 3d Sess.); and 344 yeas to 35 nays, on H. Res. 26 on Feb. 3, 1939 (84 CONG. REC. 1098, 1127, 1128, 76th Cong. 1st Sess.). An amendment to the rules, contained in H. Res. 5, established the standing Committee on Un-American Activities on Jan. 3, 1945 (91 CONG. REC. 10-15, 79th Cong. 1st Sess.). The Committee on Internal Security, established on Feb. 18, 1969 (115 CONG. REC. 3723, 3746, 91st Cong. 1st Sess.) by approval on a vote of 306 yeas to 80 nays, of H. Res. 89, reported as privileged from the Committee on Rules, assumed the jurisdiction of the Committee on Un-American Activities. Commencing with the 94th Congress, the Committee on Internal Security was abolished and its jurisdiction, files and staff transferred to the Committee on the Judiciary (see Rule X clause 1(m), *House Rules and Manual*, 1975).

- 19. 81 CONG. REC. 3283, 3290, 75th Cong. 1st Sess. The resolution was reported on Apr. 1, 1937 (H. Rept. No. 534).

to investigate organizations or groups of individuals operating within the United States which diffuse slanderous or libelous un-American propaganda of a religious, racial, or subversive nature tending to incite to the use of force and violence; and to investigate the extent and use of United States mail and postal services for the diffusion of these materials.

*Parliamentarian's Note:* The House had previously created the Special Committee to Investigate Communist Activities, chaired by Hamilton Fish, Jr., of New York, and the Special Committee on Un-American Activities, chaired by John W. McCormack, of Massachusetts, in 1930 and 1934, respectively. Authority for each of these special committees had expired at the time House Resolution 88 was introduced.<sup>(20)</sup>

### *Scientific Activities*

#### **§ 1.34 The House established the Select Committee on Astronautics and Space Exploration.**

On Mar. 5, 1958,<sup>(1)</sup> the House by voice vote approved House Res-

20. See the remarks of Mr. Lindsay C. Warren (N.C.), at 81 CONG. REC. 3287, 76th Cong. 1st Sess., Apr. 8, 1937.

1. 104 CONG. REC. 3443, 85th Cong. 2d Sess.

olution 496, which had been submitted by Majority Leader John W. McCormack, of Massachusetts, by unanimous consent. The resolution was for purposes of creating the Select Committee on Astronautics and Space Exploration of 13 members to investigate all aspects of and problems relating to the exploration of outer space and the control, development, and use of astronomical resources, personnel, and facilities.

On July 21, 1958,<sup>(2)</sup> the standing Committee on Science and Astronautics was established by voice vote approval of House Resolution 580 (called up as privileged by direction of the Committee on Rules), amending Rule X clause 1 by adding subclause (q).<sup>(3)</sup>

#### **§ 1.35 The House established a select committee to investigate research programs.**

On Sept. 11, 1963,<sup>(4)</sup> the House by a roll call vote of 336 yeas to 0

2. 104 CONG. REC. 14513, 14514, 85th Cong. 2d Sess.

3. The resolution was reported on May 29, 1958 (H. Rept. No. 1837). See § 1.44, *infra*, for a discussion of Senate establishment of the Special Committee on Astronautical and Space Exploration and a successor standing committee, the Committee on Astronautical and Space Sciences.

4. 109 CONG. REC. 16744, 16753, 16754, 88th Cong. 1st Sess. The res-

nays approved House Resolution 504 (called up as privileged by direction of the Committee on Rules), creating a select committee of nine members to investigate expenditures for research programs, government departments and agencies which conduct research and amounts expended thereby, and facilities for coordinating research programs, including grants to colleges and universities.

#### ***Chemicals in Food Production***

##### **§ 1.36 The House established a select committee to investigate the use of chemicals in the production of food products.**

On June 20, 1950,<sup>(5)</sup> the House by voice vote approved House Resolution 323 (called up as privileged by direction of the Committee on Rules), creating a select committee of seven members to investigate and study the use of chemicals, pesticides, and insecticides in the production of food products and fertilizers and their effects on the health and welfare of the nation, stability of the agri-

olution was reported on Aug. 28, 1963 (H. Rept. No. 718).

5. 96 CONG. REC. 8933-36, 81st Cong. 2d Sess. The resolution was reported on June 12, 1950 (H. Rept. No. 2214).

cultural economy, soil, health of animals, and vegetation.

#### ***Airplane Crashes***

##### **§ 1.37 The House established a select committee to investigate crashes of commercial airplanes in 1940 and 1941.**

On Mar. 6, 1941,<sup>(6)</sup> the House by voice vote approved House Resolution 125 (called up as privileged by direction of the Committee on Rules), creating a select committee of five members to investigate air crashes and other accidents in the United States in 1940 and 1941 occurring on commercial airlines; to ascertain pertinent facts relating to the construction of flying and ground equipment and the management and operation of airlines; to examine laws and regulations relating to operation and inspection of airplanes and safety equipment, and the liability of airlines for loss of life or injury to persons or property; and to investigate other matters as deemed necessary by the committee.

#### ***Migration of Destitute Citizens***

##### **§ 1.38 The House established a select committee to inves-**

6. 87 CONG. REC. 1930, 1931, 1940, 77th Cong. 1st Sess. The resolution was reported on Mar. 4, 1941 (H. Rept. No. 183).

**investigate the interstate migration of destitute citizens.**

On Apr. 22, 1940,<sup>(7)</sup> the House by voice vote approved House Resolution 63 (called up as privileged by direction of the Committee on Rules), creating a select committee of five members to investigate the social and economic needs and interstate migration of destitute persons.<sup>(8)</sup>

***Pensions***

**§ 1.39 The House established a select committee to investigate old-age pension plans.**

On Mar. 10, 1936,<sup>(9)</sup> the House by voice vote approved House Resolution 443, authorizing the

7. 86 CONG. REC. 4880, 4884, 76th Cong. 3d Sess. The resolution was reported on Apr. 19, 1940 (H. Rept. No. 1998).

8. Authority for this select committee was continued by voice vote approval of H. Res. 113, on Mar. 31, 1941. 87 CONG. REC. 2730, 2736, 77th Cong. 1st Sess. The resolution which was privileged, was reported on Mar. 31 from the Committee on Rules (H. Rept. No. 350). It was called up that same day, by direction of the Committee on Rules, by Mr. Lawrence Lewis [Colo.], who asked unanimous consent for its consideration.

9. 80 CONG. REC. 3506, 3507, 74th Cong. 2d Sess. See *Id.* at p. 2360 (Feb. 19, 1936), for adoption of the related resolution H. Res. 418.

Speaker to appoint eight members to a select committee to inquire into old-age pension plans with respect to which legislation had been submitted to the House, particularly the plan embodied in a House bill (H.R. 7154), providing for retirement annuities; and to examine the conduct, history, and records of persons or groups promoting such plans. The resolution was, by unanimous consent, submitted by Mr. C. Jasper Bell, of Missouri, and was intended as a modification and clarification of House Resolution 418, which had previously been reported from the Committee on Rules (H. Rept. No. 2005), and adopted.

***Offensive Literature***

**§ 1.40 The House established a select committee to investigate current literature.**

On May 12, 1952,<sup>(10)</sup> the House by voice vote approved House Resolution 596 (called up as privileged by direction of the Committee on Rules), creating a select committee of nine members to investigate and study the extent to which current literature, books, and magazines containing im-

10. 98 CONG. REC. 5061, 5062, 5069, 82d Cong. 2d Sess. The resolution was reported on Apr. 30, 1952 (H. Rept. No. 1837).

moral, obscene, or otherwise offensive matter, or placing an improper emphasis on crime, violence, and corruption, were being made available to Americans through the mail and otherwise, and to determine the adequacy of existing law to prevent the publication and distribution of this literature.

### *Crime*

#### **§ 1.41 The House established a select committee to study crime in the United States.**

On May 1, 1969,<sup>(11)</sup> the House by a roll call vote of yeas 345 to nays 18, approved House Resolution 17, reported as privileged from the Committee on Rules, establishing a select committee of seven members to investigate all aspects of crime in the United States including causes and effects; preparation of statistics; exchange of information among federal, state, local, and foreign law enforcement agencies; treatment and rehabilitation of offenders; and prevention and control.<sup>(12)</sup>

11. 115 CONG. REC. 11087, 11100, 11101, 91st Cong. 1st Sess. The resolution was reported on Apr. 22, 1969 (H. Rept. No. 150).

12. The House by voice vote approved H. Res. 115, which authorized an investigation of the same issues on Mar.

### *Energy*

#### **§ 1.42 The House rejected a resolution establishing a select committee to investigate energy resources.**

On May 26, 1971,<sup>(13)</sup> the House by a roll call vote of yeas 128 and nays 218, rejected House Resolution 155 (called up as privileged by direction of the Committee on Rules), creating a select committee of seven members to investigate availability and ownership of oil, gas, coal, and nuclear energy reserves; reasons and possible solutions for delay in new starts of fossil fueled power plants; effects of pricing practices; effects of import of low sulfur fuels; measures to increase transportation of fuel materials and close the gap between supply and demand of electric energy; and the environmental effects of the electricity industry

### *Sit-down Strikes*

#### **§ 1.43 The House laid on the table a resolution to create a special committee to investigate sit-down strikes.**

9, 1971. 117 CONG. REC. 5587, 5588, 5610, 92d Cong. 1st Sess.

13. 117 CONG. REC. 16984, 17002, 17003, 92d Cong. 1st Sess. The resolution was reported on May 19, 1971 (H. Rept. No. 217).

On Apr. 8, 1937,<sup>(14)</sup> the House by voice vote agreed to a motion to table House Resolution 162 (called up as privileged by direction of the Committee on Rules), to authorize the Speaker to appoint a special committee to investigate the causes and management of sit-down strikes and state and local efforts to prevent them, as well as persons instigating such strikes.

### *Senate Precedents*

#### **§ 1.44 The Senate established the Special Committee on Astronautical and Space Exploration.**

On Feb. 6, 1958,<sup>(15)</sup> the Senate on a roll call vote of 78 yeas to 1 nay approved Senate Resolution 256, establishing a special committee of 13 Senators to investigate all aspects and problems relating to the exploration of outer space and control, development, and use of astronautical resources, personnel, equipment, and facilities.<sup>(16)</sup>

14. 81 CONG. REC. 3291, 3301, 75th Cong. 1st Sess. The resolution was reported on Apr. 2, 1937 (H. Rept. No. 555)
15. 104 CONG. REC. 1804, 1806, 85th Cong. 2d Sess.
16. The Senate established the standing Committee on Astronautical and

#### **§ 1.45 The Senate established a special committee to investigate contracts under the national defense program.**

On Mar. 1, 1941,<sup>(17)</sup> the Senate by voice vote approved Senate Resolution 71, establishing a special committee of seven Senators to investigate the operation of the program for procurement and construction of supplies, materials, munitions, vehicles, aircraft, vessels, plants, camps, and other articles and facilities in connection with the national defense. Areas of inquiry included (1) types and terms of contracts awarded on behalf of the United States; (2) methods by which contracts are awarded and contractors selected; (3) utilization of small business facilities; (4) geographic distribution of contracts and location of plants and facilities; (5) effect of the program with respect to labor and migration of labor; (6) perform-

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Space Sciences which assumed the functions of the select committee on July 24, 1958. See 104 CONG. REC. 14857, 14858, 85th Cong. 2d Sess., for voice vote approval of S. Res. 327. See also § 1.34, *supra*, for House establishment of the Select Committee on Astronautics and Space Exploration and the successor standing committee, the Committee on Science and Astronautics.

17. 87 CONG. REC. 1615, 77th Cong. 1st Sess.

ance of contracts and accountings required of contractors; (7) benefits accruing to contractors with respect to amortization for taxation and other purposes; and (8) practices of management or labor, and prices, fees, and charges which interfere with the defense program or unduly increase its cost.

**§ 1.46 The Senate established the Select Committee on Presidential Campaign Activities to investigate the extent, if any, of illegal, improper, or unethical activities engaged in by persons involved in the Presidential election of 1972.**

On Feb. 7, 1973,<sup>(18)</sup> the Senate by a roll call vote of 77 yeas to 0 nays approved Senate Resolution 60, establishing the Select Committee on Presidential Campaign Activities to investigate the extent, if any, of involvement in illegal, improper, or unethical conduct by persons in the Presidential campaign of 1972. Areas of inquiry included (1) breaking, entering, and bugging of headquarters or offices of the Democratic National Committee in the Watergate Building; (2) electronic surveillance of the Democratic Na-

tional Committee; (3) surreptitious removal of documents; (4) preparation, transmission, or receipt of reports on the aforementioned activities; (5) whether any person alone or with others planned the aforementioned activities; (6) whether participants in the aforementioned activities were induced by bribery, coercion, or threats to plead guilty or conceal or fail to reveal such activities; (7) efforts to disrupt, hinder, impede, or sabotage campaign activities; (8) whether any person alone or with others induced activities mentioned in (7) above or paid participants; (9) fabrication, dissemination, or publication of false charges or information to discredit Presidential aspirants; (10) planning of activities mentioned in (7), (8), or (9); (11) financial transactions and storage; (12) compliance or noncompliance with congressional acts which require reporting of receipt or disbursement of money; (13) whether secret funds were kept; (14) whether documents or other physical evidence were concealed, suppressed, or destroyed; and (15) any other activities having a tendency to prove or disprove that persons acting alone or with others engaged in illegal, improper, or unethical activities in connection with the Presidential election of 1972.

<sup>18</sup> 119 CONG. REC. 3849-51, 93d Cong. 1st Sess.