

1965, and printed as House Document No. 296, which was also referred to the Committee on the District of Columbia.

Immediately thereafter, the House granted unanimous consent.

*Parliamentarian's Note:* The executive communication which contained the genesis of this proposal, No. 1629 of Sept. 30, 1965, and House Joint Resolution 678, were both rereferred by this request. It should be noted, however, that the two were not identical. Mr. William B. Widnall, of New Jersey, who sponsored House Joint Resolution 678, had added to it a new section 3(d) which directed the commission to develop a plan for the relocation of the John F. Kennedy Center for the Performing Arts from the Potomac site to one on Pennsylvania Avenue. This particular addition, while itself a matter which fell within the jurisdiction of the Committee on Public Works, was subsidiary to the main purpose of the legislation.

### *Renaming Reservoirs*

**§ 40.22 In the 93d Congress, the Committee on Interior and Insular Affairs, and not the Committee on Public Works, had jurisdiction of a bill to direct the Secretary of the Interior to rename the**

**Alamogordo Reservoir in New Mexico, although that reservoir was a flood control project.**

On June 28, 1973,<sup>(14)</sup> Mr. Ray Roberts, of Texas, a member of the Committee on Public Works, obtained unanimous consent to have that committee discharged from further consideration of the bill (H.R. 8094), and to have it rereferred to the Committee on Interior and Insular Affairs.

*Parliamentarian's Note:* The Alamogordo Reservoir was authorized as a flood control project by 53 Stat. 1414, a bill reported by the Committee on Public Works.

## **§ 41. Committee on Internal Security**

On Feb. 18, 1969,<sup>(15)</sup> the Committee on Internal Security became a standing committee of the House, replacing the Committee on Un-American Activities which, itself, had been a standing committee since 1945. Several special committees with a similar investigative jurisdiction but without legislative jurisdiction existed prior to that date, including a

14. 119 CONG. REC. 22103, 93d Cong. 1st Sess.

15. 115 CONG. REC. 3746, 91st Cong. 1st Sess.

Special Committee to Investigate Communist Activities (1930), a Special Committee to Investigate Un-American Activities (1934), a Committee on Un-American Activities (1935), and a Special Committee to Investigate Un-American Propaganda Activities (1938).

The jurisdiction of the Committee on Internal Security pursuant to the 1973 rules<sup>(16)</sup> read as I follows:

(a) Communist and other subversive activities affecting the internal security of the United States.

(b) The Committee on Internal Security, acting as a whole or by subcommittee, is authorized to make investigations from time to time of (1) the extent, character, objectives, and activities within the United States of organizations or groups, whether of foreign or domestic origin, their members, agents, and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or of any State thereof, by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means, (2) the extent, character, objectives, and activities within the United States of organizations or groups, their members, agents, and affiliates, which incite or employ acts of force, violence, terrorism, or any unlawful means, to ob-

struct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the internal security of the United States, and (3) all other questions, including the administration and execution of any law of the United States, or any portion of law, relating to the foregoing that would aid the Congress or any committee of the House in any necessary remedial legislation.

The Committee on Internal Security shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Internal Security, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, 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. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

As the precedents indicate, the jurisdiction of the committee's precursor, the Committee on Un-American Activities extended to such matters as a resolution to

16. Rule XI clause 11, *House Rules and Manual* §703 (1973).

define “Communism,”<sup>(17)</sup> and a bill to regulate and control the operation of foreign agencies acting within the United States or its I territories or dependencies.<sup>(18)</sup>

The committee regarded its oversight jurisdiction as applying “across the board to the internal security activities of all Executive departments.”<sup>(19)</sup>

The committee did not ordinarily employ subcommittees. However, where hearings on a particular subject were anticipated to be lengthy, a special subcommittee was sometimes created.

In the 94th Congress, the Committee on Internal Security was abolished, its jurisdiction was transferred to the Committee on the Judiciary, and records and staff of the Committee on Internal Security were transferred to the Committee on the Judiciary.<sup>(20)</sup>

### ***Redefining Jurisdiction; Name Change***

#### **§ 41.1 The rules were amended to change the name of the**

17. § 41.2, *infra*.

18. § 41.3, *infra*.

19. Dennis J. Taylor, “Monographs on the Committees of the House of Representatives” (93d Cong. 2d Sess., Dec. 13, 1974), committee print, p. 90.

20. H. Res. 5, 121 CONG. REC. 20–22, 94th Cong. 1st Sess., Jan. 14, 1975.

#### **Committee on Un-American Activities to the Committee on Internal Security and to redefine its jurisdiction.**

On Feb. 18, 1969,<sup>(1)</sup> William M. Colmer, of Mississippi, Chairman of the Committee on Rules, called up House Resolution 89 and asked for its immediate consideration. The resolution read as follows:

*Resolved*, That Rule XI of the Rules of the House of Representatives is amended—

(1) by striking out clause 19;<sup>(2)</sup>

(2) by renumbering clauses 11 through 18 as clauses 12 through 19, respectively; and

1. 115 CONG. REC. 3723, 91st Cong. 1st Sess.
2. At the time, this clause [H. Jour. 1317, 90th Cong. 2d Sess. (1968)] identified the committee’s jurisdiction as follows: “19. Committee on un-American Activities. (a) un-American activities. (b) The Committee on un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States, of subversive and Un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.”

(3) by inserting immediately after clause 10 the following new clause:

"11. Committee on Internal Security.

"(a) Communist and other subversive activities affecting the internal security of the United States.

"(b) The Committee on Internal Security, acting as a whole or by subcommittee, is authorized to make investigations from time to time of (1) the extent, character, objectives, and activities within the United States of organizations or groups, whether of foreign or domestic origin, their members, agents, and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or of any State thereof, by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means, (2) the extent, character, objectives, and activities within the United States of organizations or groups, their members, agents, and affiliates, which incite or employ acts of force, violence, terrorism, or any unlawful means, to obstruct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the internal security of the United States, and (3) all other questions, including the administration and execution of any law of the United States, or any portion of law, relating to the foregoing that would aid the Congress or any committee of the House in any necessary remedial legislation.

"The Committee on Internal Security shall report to the House (or to the

Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable. . . ."

(b) Clause 31 of rule XI of the Rules of the House of Representatives is amended by striking out "Un-American Activities" and inserting in lieu thereof "Internal Security". . . .<sup>(3)</sup>

Sec. 4. Nothing in this resolution shall affect (1) the validity of any action or proceeding of the Committee on Un-American Activities or of the House of Representatives before the date of adoption of this resolution, or (2) the validity of any action or proceeding by any officer or agency of the executive branch of the Government, or by any court of competent jurisdiction, based on any action or proceeding referred to in clause (1) of this sentence. Any action or proceeding referred to in clause (2) of the preceding sentence and pending on the date of adoption of this resolution shall be continued by the officer, agency, or court concerned in the same manner and to the same extent as if this resolution had not been adopted.

After lengthy debate,<sup>(4)</sup> the previous question was moved, the

3. This clause then stated [H. Jour. 1319, 90th Cong. 2d Sess. (1968)] that: "31. No committee of the House, except the Committees on Government Operations, Rules, on Standards of Official Conduct, and Un-American Activities, shall sit, without special leave, while the House is in session."

4. For discussion of the problems in overlapping jurisdiction which the resolution brought about, see §29.8, *supra*.

motion carried, and the resolution, itself, was agreed to.<sup>(5)</sup>

### *Defining Communism*

**§ 41.2 The Committee on Un-American Activities (later the Committee on Internal Security), and not the Committee on the Judiciary had jurisdiction of a resolution to “define communism.”**

On Mar. 20, 1947,<sup>(6)</sup> Mr. Gordon L. McDonough, of California, obtained unanimous consent to have the Committee on the Judiciary discharged from further consideration of the resolution (H. Res. 99), and to have it rereferred to the Committee on Un-American Activities<sup>(7)</sup> (later the Committee on Internal Security).

### *Regulating Foreign Agencies Within the United States*

**§ 41.3 The Committee on Un-American Activities (later**

5. 115 CONG. REC. 3745, 3746, 91st Cong. 1st Sess.

6. 93 CONG. REC. 2315, 80th Cong. 1st Sess.

7. The abolition of the Committee on Un-American Activities and the creation of the Committee on Internal Security were simultaneous actions but were not solely the result of a name change. The jurisdiction of the successor committee was also changed. See §29.8, supra.

**the Committee on Internal Security), and not the Committee on the Judiciary had jurisdiction of a bill to regulate and control the operation of foreign agencies acting within the United States or its territories or dependencies.**

On Feb. 5, 1948,<sup>(8)</sup> Earl C. Michener, of Michigan, Chairman of the Committee on the Judiciary, asked unanimous consent to have his committee discharged from further consideration of the bill (H.R. 2948), and to have it rereferred to the Committee on Un-American Activities (later the Committee on Internal Security). In so doing, Mr. Michener stated that he had conferred with the author of the bill as well as the acting chairman of the Committee on Un-American Activities and observed that it was “agreeable to them that I submit this request.”

Immediately thereafter, the House granted unanimous consent.

**§ 41.4 The Committee on Un-American Activities (later the Committee on Internal Security), had jurisdiction of a bill to protect the United States against certain Un-**

8. 94 CONG. REC. 1150, 80th Cong. 2d Sess.

**American and subversive activities by requiring registration of Communist organizations.**

On Aug. 22, 1950,<sup>(9)</sup> the Committee on Un-American Activities reported the bill (H.R. 9490), which was then referred to the Union Calendar. This measure became the Subversive Activities Control Act of 1950.<sup>(10)</sup>

**§42. Committee on Interstate and Foreign Commerce**

The House first established a Committee on Commerce and Manufactures in 1795.<sup>(11)</sup> The committee was split in 1819, and one of the offspring of that split, the Committee on Commerce, was renamed in 1892—becoming the Committee on Interstate and Foreign Commerce.<sup>(12)</sup>

During the course of its history, the committee has undergone a number of jurisdictional changes. Until 1883, it had reported the rivers and harbors appropriation bill.<sup>(13)</sup> In 1935, jurisdiction over

9. 96 CONG. REC. 13062, 81st Cong. 2d Sess.

10. 64 Stat. 987.

11. 4 Hinds' Precedents § 4096.

12. 4 Hinds' Precedents § 4096.

13. 4 Hinds' Precedents § 4096.

measures dealing with water transportation, the Coast Guard, lifesaving service, lighthouses, lightships, ocean derelicts, the Coast and Geodetic Survey, and the Panama Canal was transferred to the Committee on Merchant Marine and Fisheries.<sup>(14)</sup> At the same time, the Committee on Interstate and Foreign Commerce received exclusive jurisdiction over measures pertaining to radio.<sup>(1)</sup> In 1947, by virtue of the Legislative Reorganization Act of 1946, the committee's jurisdiction was expanded to include most of its current responsibilities. In 1958, however, matters relating to the Bureau of Standards, standardization of weights and measures, and the metric system became the responsibility of the Committee on Science and Astronautics.<sup>(2)</sup>

The jurisdiction of the Committee on Interstate and Foreign Commerce pursuant to the 1973 rules read as follows:<sup>(3)</sup>

14. Rule XI clause 12, *House Rules and Manual* §704 (1973). See Rule X clause 1(l), *House Rules and Manual* §681 (1979).

1. Rule XI clause 12, *House Rules and Manual* §704 (1973). See Rule X clause 1(l), *House Rules and Manual* §681 (1979).

2. 104 CONG. REC. 14513, 85th Cong. 2d Sess., July 21, 1958.

3. Rule XI clause 12, *House Rules and Manual* §704 (1973). See Rule X