

the original referral, nor any names subsequently disclosed, were parties to any complicity in these errors.

It may be argued that the tally clerk should have sought assistance during this period. Undoubtedly he would have done so had he recognized the effect the increasing work load was producing in his performance.

Addressing the larger matter of the entire system of tallying, the Committee has made what it feels is the most detailed analysis of the subject ever undertaken and has arrived at numerous statistical conclusions. All of these support the conviction that an unacceptably small percentage of the random error inherent in the present system is subsequently corrected by the Members. While these errors have had absolutely no effect on legislative results, they should be eliminated to the greatest extent possible. Early indications are that there has been some improvement in the 91st Congress to date in the correction of errors but not enough to obviate the need for a modernized system of roll call recording.

In view of the foregoing, the Committee renews its earlier recommendation for installation of a modernized voting system at the earliest possible date.

## § 50. Committee on Veterans' Affairs

The Committee on Veterans' Affairs was created on Jan. 2, 1947, as part of the Legislative Reorganization Act of 1946,<sup>(3)</sup> and was

3. 60 Stat. 812.

accorded jurisdiction formerly held by the Committee on World War Veterans' Legislation (created in 1924),<sup>(4)</sup> the Committee on Invalid Pensions (created in 1831),<sup>(5)</sup> and the Committee on Pensions (created in 1825).<sup>(6)</sup>

In 1967,<sup>(7)</sup> jurisdiction over veterans' cemeteries administered by the Department of Defense was transferred to the committee from the Committee on Interior and Insular Affairs.

In 1973, the jurisdiction of the committee under the rules read as follows:<sup>(8)</sup>

- (a) Veterans' measures generally.
- (b) Cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior.
- (c) Compensation, vocational rehabilitation, and education of veterans.
- (d) Life insurance issued by the Government on account of service in the armed forces.
- (e) Pensions of all the wars of the United States, general and special.

4. 7 Cannon's Precedents § 2077.

5. 4 Hinds' Precedents § 4258.

6. *Id.* at § 4260.

7. 113 CONG. REC. 29566, 90th Cong. 1st Sess., Oct. 20, 1967 (H. Res. 241).

8. Rule XI clause 20, *House Rules and Manual* § 722 (1973). See Rule X clause l(u), *House Rules and Manual* § 690 (1979).

(f) Readjustment of servicemen to civil life.

(g) Soldiers' and sailors' civil relief.

(h) Veterans' hospitals, medical care, and treatment of veterans.

Further insight into the scope of the committee's jurisdiction is provided by the legislative subject categories list prepared by the staff of the Select Committee on Committees.<sup>(9)</sup> With respect to the Committee on Veterans' Affairs, the list reads, as follows [enumeration added]:

- (1) Administration of the Veterans' Administration;
- (2) Veterans' cemeteries;
- (3) Veterans' compensation;
- (4) Veterans' education;
- (5) Veterans' employment;
- (6) Veterans' health care;
- (7) Veterans' housing;
- (8) Veterans' insurance;
- (9) Veterans' pensions;
- (10) Veterans' readjustment; and
- (11) Veterans' training.

As the precedents reveal, the jurisdiction of the committee has also extended to such matters as the erection of headstones to mark honorary burial places for deceased and missing veterans;<sup>(10)</sup> veterans' civil liabilities;<sup>(11)</sup> sur-

9. Terrence T. Finn, "Monographs on the Committees of the House of Representatives" (93d Cong. 2d Sess., Dec. 13, 1974), committee print, p. 144.

10. §§ 50.3, 50.4, *infra*.

11. §§ 50.1, 50.2, *infra*.

vivors' death benefits;<sup>(12)</sup> and veterans' cemeteries not administered by the Secretary of the Interior.<sup>(13)</sup>

The committee's oversight responsibilities revolve around the Veterans' Administration (VA) with particular emphasis on the administration of VA hospitals.

In 1973, the committee maintained five subcommittees, as follows:

- (1) Subcommittee on Compensation;
- (2) Subcommittee on Education and Training;
- (3) Subcommittee on Hospitals;
- (4) Subcommittee on Housing;
- (5) Subcommittee on Insurance.

### ***Soldiers' and Sailor Civil Relief Act of 1940***

**§ 50.1 The Committee on Veterans' Affairs and not the Committee on Armed Services has jurisdiction of a bill to amend section 200 of the Soldiers' and Sailors' Civil Relief Act of 1940 to permit the establishment of certain facts by a declaration under penalty of perjury in lieu of an affidavit.**

On Feb. 4, 1959,<sup>(14)</sup> Carl Vinson, of Georgia, Chairman of the Com-

12. § 50.6, *infra*.

13. § 50.7, *infra*.

14. 105 CONG. REC. 1812, 86th Cong. 1st Sess.

mittee on Armed Services, obtained unanimous consent to have his committee discharged from further consideration of the bill (H.R. 3313), and to have it re-referred to the Committee on Veterans' Affairs.<sup>(15)</sup>

*Parliamentarian's Note:* The Soldiers' and Sailors' Civil Relief Act of 1940<sup>(16)</sup> was enacted in order to suspend temporarily the enforcement of civil liabilities, in certain cases, of persons in the military service in order to enable such individuals to devote their entire energy to the defense needs of the United States.

**§ 50.2 The Committee on Veterans' Affairs and not the Committee on Armed Services has jurisdiction of bills pertaining to the Soldiers' and Sailors' Civil Relief Act of 1940 (1) to provide that it shall not apply to divorce proceedings, (2) to render sections 200(1) and 200(2) inapplicable to future actions and proceedings relating to default judgments, and (3) to amend it so as to guarantee to persons after their period of military service certain**

15. H.R. 3133 was reported by the Committee on Veterans' Affairs on Mar. 2, 1960 (H. Rept. No. 1309).

16. Pub. L. No. 76-861, 54 Stat. 1178.

**rights with respect to employment.**

On Apr. 2, 1948,<sup>(1)</sup> Mr. Walter G. Andrews, of New York, obtained unanimous consent that the four bills described above (H.R. 3137, H.R. 4580, regarding divorce proceedings, H.R. 3808, regarding default judgments, H.R. 582, with respect to employment), be rereferred from the Committee on Armed Services to the Committee on Veterans' Affairs.

***Erection of Headstones; Payment Therefor***

**§ 50.3 The Committee on Veterans' Affairs and not the Committee on Armed Services has jurisdiction of a bill providing for the erection of headstones for certain members of the armed forces buried outside the United States, lost at sea, or reported missing in the performance of duty.**

On Feb. 13, 1947,<sup>(2)</sup> Mr. Walter G. Andrews, of New York, obtained unanimous consent to have the Committee on Armed Services discharged from further consideration of the bill (H.R. 243), and to

1. 94 CONG. REC. 4070, 80th Cong. 2d Sess.

2. 93 CONG. REC. 1001, 80th Cong. 1st Sess.

have it rereferred to the Committee on Veterans' Affairs.

**§ 50.4 The Committee on Veterans' Affairs and not the Committee on Armed Services has jurisdiction of bills authorizing the Secretary of War to furnish headstones to mark honorary burial places and relating to the payment therefor.**

On Feb. 13, 1947,<sup>(3)</sup> Mr. Walter G. Andrews, of New York, asked unanimous consent to have the Committee on Armed Services discharged from further consideration of a bill (H.R. 1184), authorizing the furnishing of headstones and of a companion measure (H.R. 507), providing for the payment of such headstones. He additionally requested that both measures be referred to the Committee on Veterans' Affairs.

Immediately thereafter, the House granted unanimous consent.

***Interest on Government Life Insurance Loans***

**§ 50.5 The Committee on World War Veterans' Legislation (now the Committee on Veterans' Affairs), and not the**

3. 93 CONG. REC. 1001, 80th Cong. 1st Sess.

**Committee on Ways and Means had jurisdiction of a bill to reduce the interest on loans on U.S. Government (converted) life insurance.**

On Nov. 28, 1941,<sup>(4)</sup> Mr. Victor Wickersham, of Oklahoma, asked unanimous consent to have the bill (H.R. 6114), rereferred from the Committee on Ways and Means to the Committee on World War Veterans' Legislation<sup>(5)</sup> (now the Committee on Veterans' Affairs). In so doing, he stated that he had talked to the Chairman of the Committee on Ways and Means, and there was no objection.

Immediately thereafter, the House granted unanimous consent.

4. 87 CONG. REC. 9248, 77th Cong. 1st Sess.

5. At the time, the jurisdiction of the committee consisted of subjects relating "to war-risk insurance of soldiers, sailors, and marines, and other persons in the military and naval service of the United States during or growing out of the World War, the United States Veterans' Bureau, the compensations, allowances, and pensions of such persons and their beneficiaries, and all legislation affecting them other than civil service, public lands, adjusted compensations, and private claims." Rule XI clause 40, H. Jour. 825, 77th Cong. 1st Sess. (1941)

***Survivors' Death Benefits for Military Retirees***

**§ 50.6 The Committee on Veterans' Affairs and not the Committee on Armed Services has jurisdiction of a bill "To amend §102 of the Servicemen's and Veterans' Survivor Benefits Act to provide that all retired members of the uniformed services who served not less than 25 years on active duty and who thereafter die shall be considered to have died service-connected deaths."**

On May 18, 1959,<sup>(6)</sup> Carl Vinson, of Georgia, Chairman of the Committee on Armed Services, obtained unanimous consent to have his committee discharged from further consideration of the bill (H. R. 1129), and to have it referred to the Committee on Veterans' Affairs.

***Veterans' Cemeteries Not Administered by Secretary of the Interior***

**§ 50.7 The rules of the House were amended to transfer jurisdiction over all veterans' cemeteries not administered by the Secretary of the Inte-**

6. 105 CONG. REC. 8273, 86th Cong. 1st Sess.

**rior from the Committee on Interior and Insular Affairs to the Committee on Veterans' Affairs.**

On Oct. 20, 1967,<sup>(7)</sup> by direction of the Committee on Rules, Mr. Richard Bolling, of Missouri, called up a resolution (H. Res. 241), and asked for its immediate consideration. The Clerk read the resolution; a quorum call followed, after which the House considered and agreed to the committee amendments.

The resolution, with committee amendments, read as follows:

*Resolved*, That clause 10 of rule XI<sup>(8)</sup> of the Rules of the House of Representatives is amended by striking out paragraph (h) and inserting in lieu thereof the following:

"(h) Military parks and battlefields."

Sec. 2. Clause 19 of rule XI of the Rules of the House of Representatives<sup>(9)</sup> is amended by inserting a new subsection (b), as follows:

7. 113 CONG. REC. 29560, 90th Cong. 1st Sess.
8. At the time, Rule XI clause 10, prescribed the jurisdiction of the Committee on Interior and Insular Affairs. Clause 10 (h) stated [H. Jour. 1482, 89th Cong. 2d Sess. (1966)] specifically: "(h) Military parks and battlefields; national cemeteries administered by the Secretary of the Interior."
9. At the time, this clause [H. Jour. 1483, 89th Cong. 2d Sess. (1966)] set forth the jurisdiction of the Committee on Veterans' Affairs.

“(b) Cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior”.

In the course of the ensuing discussion, Mr. James H. Quillen, of Tennessee, pointed out<sup>(10)</sup> that under the then-prevailing rules, no less than three committees (Veterans' Affairs, Interior and Insular Affairs, and Armed Services) possessed jurisdictional interests<sup>(11)</sup> in matters relating to national cemeteries. He noted that such cemeteries were distinguishable insofar as they belonged to one of two main categories; to wit, those which were in active use as burial grounds for military veterans, and those which were inactive for all practical purposes.

With respect to the active cemeteries, he stated:

. . . Those cemeteries still open and available for the burial of our service men ought uniformly to be under the jurisdiction of the Committee on Veterans' Affairs. This committee is charged with the overall direction and formulation of our national policy with regard to our service veterans. The committee also deals on a regular and day to day basis with the Veterans' Administration, the agency which handles the matter of veteran burials.

**10.** 113 CONG. REC. 29562, 90th Cong. 1st Sess.

**11.** See §40.16, *supra*.

As the debate proceeded, Mr. E. Ross Adair, of Indiana, further explained the distinction between the types of cemeteries and the rationale behind the resolution:<sup>(12)</sup>

Under this resolution the Committee on Veterans' Affairs will assume legislative jurisdiction over all national cemeteries except 13 which are now administered by the Secretary of the Interior as a part of the national park system. Seven of these cemeteries are closed to further burials. These cemeteries are located in national historical parks and battlefields. They are administered by the National Park Service because their significance as national monuments overshadows their importance as places of current burial. Therefore, it seems appropriate that legislative jurisdiction over this small group of national cemeteries should remain with the Committee on Interior and Insular Affairs.

After additional discussion, the resolution as amended was agreed to, unanimously, by roll call vote.<sup>(13)</sup>

## §51. Committee on Ways and Means

The Committee on Ways and Means was established as a standing committee on Jan. 7, 1802,<sup>(14)</sup> at which time it held ju-

**12.** 113 CONG. REC. 29563, 90th Cong. 1st Sess.

**13.** *Id.* at p. 29566.

**14.** 4 Hinds' Precedents §4020.