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Senate Committee Rules in the 110th Congress: A Comparison of Key Provisions

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Summary

Senate Rule XXVI spells out specific requirements for Senate committee procedures. In addition, all Senate committees are required to adopt rules that govern their organization and operation. Those committee rules then elaborate, within Senate rules, how the committee will handle its business. Rules adopted by a committee may “not be inconsistent with the Rules of the Senate” (Senate Rule XXVI, paragraph 2). Committees may add to the basic rules, but they may not add anything that is in conflict with Senate rules.

This report first provides a brief overview of Senate rules as they pertain to committees. The report then compares the different approaches Senate committees have taken when adopting their rules. A committee’s rules can be extensive and detailed or general and short. The tables at the end of this report compare selected, key features of the rules by committee. The tables, however, represent only a portion of each committee’s rules. Provisions of the rules which are substantially similar to, or which are essentially restatements of, the Senate’s standing rules are not included.

This report will review the requirements contained in Senate rules pertaining to committees; it will then explore how each Senate committee addresses 11 specific issues: Meeting Day; Hearing and Meeting Notice Requirements; Scheduling of Witnesses; Hearing Quorum; Business Quorum; Amendment Filing Requirements; Proxy Voting; Polling; Nominations; Investigations; and Subpoenas. In addition, the report looks at the unique provisions some committees have included in their rules in the Miscellaneous category.

This report will be updated during the first session of each Congress after all Senate committees have printed their rules in the *Congressional Record*.

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Senate Committee Rules in the 110th Congress: A Comparison of Key Provisions

Introduction

Senate Rule XXVI spells out specific requirements for Senate committee procedures. In addition, all Senate committees are required to adopt rules that govern their organization and operation. Those committee rules then elaborate, within Senate rules, how the committee will handle questions of order and procedure. A committee's rules may "not be inconsistent with the Rules of the Senate."¹ Committees may add to the basic rules, but they may not add anything that is in conflict with Senate rules.

Examining the rules for each committee can show how each approaches issues of comity and fairness in the conduct of its business. The rules also serve to illustrate how each committee handles the division of power and the allocation of responsibility within its membership. Several committees, for example, require that if the committee is conducting business with a quorum that is less than a majority of its members, a member from the minority party must be present. When issuing subpoenas or starting investigations, committees may take different approaches on how to give authority to the chair of the committee while still allowing the ranking minority member a role in the process. Some committees require the agreement of the ranking minority member, others require that he or she be notified before the subpoena is issued.

The requirement that each committee must adopt its own set of rules dates back to the 1970 Legislative Reorganization Act (P.L. 91-510). That law built on the 1946 Legislative Reorganization Act (P.L. 79-601) which created a framework for most Senate committees by setting out some basic requirements that most committees must adhere to. Under the provisions of the 1970 law, Senate committees must adopt their rules and have them printed in the *Congressional Record* not later than March 1 of the first year of a Congress. Typically, the Senate also publishes a compilation of the rules of all the committees each Congress, and some individual committees also publish their rules as a committee print.²

While committee rules govern the actions of Senators in committee proceedings, there is no means for the Senate to enforce rules on committee conduct if the

¹ Senate Rule XXVI, paragraph 2.

² U.S. Congress, Senate, *Authority and Rules of Senate Committees, 2005-2006*, S.Doc. 109-8, 109th Cong., 1st sess., prepared by the Committee on Rules and Administration (Washington: GPO, 2005).

requirement that a physical majority be present for reporting a measure or matter is met. There also is no means for the Senate to enforce committee rules which go beyond those set out in the Senate's standing rules. So, for example, if a committee's rules contained a provision requiring that a member of the minority party be present for a quorum, but the committee acts without regard to that provision, the minority could register their disapproval with the committee's actions, but there is no point of order that could be raised on the Senate floor.

This report analyzes the different approaches Senate committees have taken with their rules, focusing on additions to the overall Senate committee rules structure or unique provisions. A committee's rules can be extensive and detailed or general and short. The tables at the end of this report compare key features of the rules by committee. The tables, however, represent only a portion of each committee's rules. Provisions of the rules which are substantially similar to or which are essentially restatements of the Senate's standing rules are not included.

This report will review the requirements contained in Senate rules for committees, then explore how each Senate committee handles 11 specific procedural issues: Meeting Day; Hearing and Meeting Notice Requirements; Scheduling of Witnesses; Hearing Quorum; Business Quorum; Amendment Requirements; Proxy Voting; Polling; Nominations; Investigations; and Subpoenas. Also, the report looks at unique provisions some committees have included in their rules in a "Miscellaneous" category.

Standing Rules and Standing Orders of the Senate and Committees

While there is some latitude for committees to set their own rules, the standing rules of the Senate set out the specific requirements that each committee must follow.³ The following provisions are taken from Rule XXVI of the Standing Rules of the Senate. Some committees reiterate these rules in their own rules, but even for those committees that do not, these restrictions apply.⁴ This is not an exhaustive explanation of Senate Rules and their impact on committees, rather this summary is intended to provide a background against which to understand each committee's individual rules.

- **Rules.** Each committee must adopt rules; those rules must be published in the *Congressional Record* not later than March 1 of the first year of each Congress. If a committee adopts an amendment to its rules, that change only becomes effective when it is published in the *Record*. (Rule XXVI, paragraph 2)

³ Detailed information on Senate rules comes from U.S. Congress, Senate, *Senate Manual*, S.Doc. 107-1, 107th Cong., 1st sess., prepared by the Committee on Rules and Administration (Washington: GPO, 2002). Exceptions to the rules are noted in footnotes.

⁴ Portions of S. Res 4 (95th Congress), a 1977 Standing Order, also apply to some Senate committees but those provisions are not discussed in this report.

- **Meetings.** Committees and subcommittees are authorized to meet and to hold hearings when the Senate is in session and when it has recessed or adjourned. A committee may not meet on any day (1) after the Senate has been in session for two hours, or (2) after 2:00 p.m. when the Senate is in session.⁵ Each committee must designate a regular day on which to meet weekly, biweekly or monthly (this requirement does not apply to the Appropriations Committee). A committee is to announce the date, place, and subject of each hearing at least one week in advance, though any committee may waive this requirement for “good cause.” (Rule XXVI, paragraph 5(a); Rule XXVI, paragraph 3)
- **Special meeting.** Three members of a committee may make a written request to the chair to call a special meeting. The chair then has three calendar days in which to schedule the meeting, which is to take place within the next seven calendar days. If the chair fails to do so, a majority of the committee members can file a written motion to hold the meeting at a certain date and hour. (Rule XXVI, paragraph 3)
- **Open meetings.** Unless closed for reasons specified in Senate rules, such as a need to protect national security information, committee and subcommittee meetings, including hearings, are open to the public. When a committee or subcommittee schedules or cancels a meeting, it is required to provide that information, including the time, place, and purpose of the meeting, for inclusion in the Senate’s computerized schedule information system. Any hearing that is open to the public also may be open to radio and television broadcasting, at the committee’s discretion. Committees and subcommittees may adopt rules to govern how the media may broadcast the event. A vote by the committee in open session is required to close a meeting. (Rule XXVI, paragraph 5(b))
- **Quorums.** Committees may set a quorum for doing business that is not less than one-third of the membership. A majority of a committee must be physically present when the committee votes to order the reporting of any measure, matter, or recommendation. The motion to order the reporting of a measure or matter requires the support of a majority of the members who are present and, in turn, the members who are physically present must constitute a majority of the committee. Proxies cannot be used to constitute a quorum. (Rule XXVI, paragraph Rule XXVI, paragraph 7(a)(1))

⁵ This prohibition does not apply to the Appropriations and Budget Committees, and it can be waived for other committees by unanimous consent requests made on the Senate floor. It also may be waived by an agreement between the Majority and Minority Leaders or their designees.

- **Proxy voting.** A committee may adopt rules permitting proxy voting. A committee may not permit a proxy vote to be cast unless the absent Senator has been notified about the question to be decided and has requested that his or her vote be cast by proxy. A committee may prohibit the use of proxy votes on votes to report. (Rule XXVI, paragraph 7(a)(3))
- **Investigations and subpoenas.** Each standing committee and its subcommittees is empowered to investigate matters within its jurisdiction and to issue subpoenas for persons and papers. (Rule XXVI, paragraph 1)
- **Witnesses selected by the minority.** During hearings on any measure or matter, the minority shall be allowed to select witnesses to testify on at least one day, when the chair receives such a request from a majority of the minority party members. This provision does not apply to the Appropriations Committee. (Rule XXVI, paragraph 4(d))
- **Reporting.** Senate committees may report original bills and resolutions, in addition to those that have been referred to the panel. As stated in the quorum requirement, a majority of the committee must be physically present for a measure or matter to be reported. Also, a majority of those present are required to order a measure or matter reported. A Senate Committee is not required to issue a written report to accompany a measure or matter it reports; if the committee does write such a report, Senate rules specify a series of required elements that must be included in the report. (Rule XXVI, paragraph 7(a)(3); Rule XXVI, paragraph 10(c), among others, see CRS Report 98-305, *Senate Committee Reports: Required Contents*)

A Comparison of Select Committee Rules

Regular Meeting Day. In their rules for the 110th Congress, no Senate Committee uses either Monday or Friday for its regular meeting day, and the committees are relatively evenly spread over the remaining three days: 5 committees chose Tuesdays, 7 committees selected Wednesdays and 7 committees picked Thursdays as their regular meeting days (see **Table 1**). Two committees, Appropriations and Select Aging, meet at the call of the chair. Within those categories, some committees, including the Armed Services; Commerce, Science and Transportation; Foreign Relations; Indian Affairs; and Judiciary provide for meeting at least once a week. The other committees set the meetings at once or twice a month.

Hearing and Meeting Notice Requirements. Committees must, according to Senate Rules, provide one week's notice of their hearings and business meetings. The rule, however, allows shorter notice, if "the committee determines there is good cause" to hold a hearing or meeting with less notice. When it comes

to the determination of what “good cause” is, Senate committees allocate the task of making that decision differently (see **Table 1**). The rules of the Armed Services Committee, for example, say it is the decision of the committee as a whole.

Four committees, Agriculture, Nutrition and Forestry; Banking, Housing and Urban Affairs; Finance; and Indian Affairs, give the chair of the panel the authority to schedule a hearing or meeting with less than a week’s notice.

Six committees require some type of cooperation between the chair and ranking member of the committee to meet with less than a week’s notice. Four of those committees, Budget; Environment and Public Works; Judiciary; and Special Aging, require the chair to obtain the agreement of the ranking member to make the decision to hold a hearing or meeting with less than usual notice. The Energy and Natural Resources Committee gives the responsibility to the chair and the committee together, while the Foreign Relations Committee chair must consult with the ranking minority member on the committee.

Scheduling of Witnesses. Several committees go beyond Senate requirements in their rules regarding scheduling of witnesses, giving greater opportunity to the minority to include witnesses of their choosing during a hearing (see **Table 1**). The Finance Committee calls on its staff to ensure there is a “balance of views” early on in a hearing, and allows each member of the committee to designate individuals to testify. The Foreign Relations Committee minority may request an equal number of witnesses as the majority, and the Small Business and Entrepreneurship Committee allows for an equal number of witnesses for the majority and minority unless there is to be just one administration witness. Similarly, if the Senate is evenly divided, the Budget Committee provides for equal numbers of witnesses for the majority and minority, with the same exception for a single administration witness.

The Ethics and Select Intelligence committees’ rules have provisions according an opportunity for an individual to testify before the committee if that person believes his or her reputation is at issue or if his or her name came up in previous testimony.

Hearing Quorum. For receiving testimony at hearings, most Senate committees reduce their quorum requirements to one or sometimes two Senators. One panel, the Armed Services Committee, requires that a member of the minority be present, unless the full committee orders otherwise.

Business Quorum. The “conduct of business” at a committee meeting typically refers to actions such as debating and voting on amendments, that allow the committee to proceed on measures up to the point of reporting the measure to the full Senate. For the conduct of business, the requirement that a member of the minority be present is a common feature of committee quorum rules. In order to report out a measure, Senate rules require that a majority of the committee be physically present. A dozen committees feature some kind of minority attendance requirement for the conduct of business during a committee business meeting (see **Table 2**). The Environment and Public Works Committee’s business quorum requires two members of the minority and six members of the committee in total. The Homeland Security and Governmental Affairs, and Small Business and Entrepreneurship committees

require the presence of one member of the minority, as do the Veterans' Affairs and Special Aging committees. The Veterans' Affairs Committee rules also contain a provision designed to make sure that the lack of a minority member cannot indefinitely delay action on a measure or matter.

The Finance Committee requires one member from the majority and one member of the minority for its business quorum as do the Agriculture, Nutrition and Forestry; Foreign Relations and Ethics committees. The Health, Education, Labor and Pensions Committee requires that any business quorum that is less than a majority of the committee include a member of the minority. The Armed Services Committee sets a business quorum at eight members, which must include a member of the minority party. The Judiciary Committee also specifies a quorum of eight, with two members of the minority present.

The Indian Affairs Committee has a rule stating that a quorum is presumed to be present unless the absence of a quorum is noted by a Member.

Amendment Filing Requirements. Several committees require that Senators file any first degree amendments they may offer during a committee markup before the committee meets (see **Table 2**). This provision allows the chair and ranking member of the committee to see what kind of issues may come up at the markup, and also may allow them the opportunity to try to negotiate agreements with amendment sponsors before the formal markup session begins. It also provides an opportunity to Members to draft second degree amendments to possible first degree amendments before the markup begins.

The Banking, Housing and Urban Affairs and Small Business and Entrepreneurship committees call for submitting such amendments two business days before the markup, if sufficient notice of the markup has been given.

The Appropriations; Environment and Public Works; Health, Education, Labor and Pensions; Homeland Security and Governmental Affairs; and Veterans' Affairs committees require 24 hours notice of first degree amendments. The Judiciary Committee requires that first degree amendments be filed with the committee by 5 p.m. of the day before the markup. All of these committees allow the full committee to waive this filing requirement and, in some cases, it is waived automatically if Senators were not given sufficient notice of the markup.

Proxy Voting. Most Senate committees permit some form of proxy voting, where a Senator does not have to be physically present to record his or her position on a measure or matter before the committee (see **Table 3**). The Armed Services; Foreign Relations; Homeland Security and Governmental Affairs; Select Intelligence; Small Business and Entrepreneurship; and Veterans' Affairs committees require that proxies be executed in writing. The Small Business and Entrepreneurship Committee requires that the responsibility for voting the proxy be assigned to a Senator who is present at the markup.

The Commerce, Science and Transportation; Environment and Public Works; and Judiciary committees allow several other methods of transmitting a Senator's

proxy intentions, including telephone or personal instructions to another Member of the committee.

Proxies cannot be used in any committee to count toward a quorum for reporting a measure or matter. The Budget Committee prohibits proxy voting during its annual markup of the budget resolution, and the Ethics Committee does not permit a Senator to vote by proxy on a motion to initiate an investigation.

Polling of Committee. Polling is a method of taking a “vote” of the committee on a matter without the committee physically coming together. As such, it cannot be used to report out measure or matters (that would violate Senate rules which require a physical majority to be present to report a measure or matter). Polling can be used, however, for internal housekeeping matters before the committee, such as questions concerning staffing or perhaps how the committee ought to proceed on a measure or matter (see **Table 3**). Only five committees have provisions for polling in their rules: Agriculture, Nutrition and Forestry; Budget; Health, Education, Labor and Pensions; Homeland Security and Government Affairs; and Aging. Of those, all the committees except the Health, Education, Labor and Pensions Committee, allow a member to request that the matter being polled be formally voted on by the committee at the next business meeting.

Nominations. Many committees set out timetables in their rules for action on presidential nominations, and most committees also contain provisions allowing the timetables to be waived (see **Table 3**). The Banking, Housing and Urban Affairs, Health, Education, Labor and Pensions, and Veterans’ Affairs committees require a five-day layover between receipt of the nomination and committee action on it. The Foreign Relations Committee requires a six-day delay, the Armed Services Committee a seven-day delay and the Intelligence Committee calls for a fourteen-day waiting period before action on a nomination. In addition, the Intelligence panel rules require that the committee not act until seven days after the committee receives background and financial information on the nominee.

The Agriculture, Nutrition and Forestry; Banking, Housing and Urban Affairs; Budget and Homeland Security and Governmental Affairs committees require that nominees testify before their committees under oath. The Energy and Natural Resources; Indian Affairs; and Veterans’ Affairs committees have provisions requiring the nominee or someone testifying at a nomination hearing to testify under oath. The Finance Committee allows any member to request that the testimony from witnesses be taken under oath.

Investigations. Several committees require advance permission for staff or a Senator to launch an investigation (see **Table 4**). The Select Intelligence Committee, for example, prohibits investigations unless any five committee members request it. The Banking, Housing and Urban Affairs Committee requires that either the full Senate, the full committee, or the chair and ranking member jointly authorize an investigation before it may begin. The Select Aging Committee authorizes its staff to initiate an investigation with the approval of the chair and ranking minority member and requires that all investigations be conducted in a bipartisan basis. The Energy and Natural Resources Committee requires that the full committee authorize any investigation, as does the Health, Education, Labor and Pensions Committee.

The Agriculture, Nutrition and Forestry Committee requires full committee approval for any investigation involving subpoenas.

Subpoenas. Six Senate committees do not have a specific rules which set out how the panel will decide to issue subpoenas (see **Table 4**). The lack of a subpoena provision does not mean the committees cannot issue subpoenas, just that the process for doing so is not specified in the committee's written rules.

Of the committees that do have rules on subpoenas, one, the Special Committee on Aging, grants the authority to issue the subpoena to the chair alone. Seven other committees, Agriculture, Nutrition and Forestry; Banking; Energy and Natural Resources; Homeland Security and Governmental Affairs; Indian Affairs; Small Business and Entrepreneurship; and Veterans' Affairs, require that the chair seek the agreement, approval, concurrence, or consent of the ranking member before issuing a subpoena. In all seven instances, however, the chair also may gain approval for a subpoena from a majority of the committee.

Four committees — Foreign Relations; Health, Education, Labor and Pensions; Ethics; and Select Intelligence — give the decision as to whether to issue a subpoena to the full committee as a whole.

Miscellaneous. Some committees have unique provisions that are not included in other committee rules.

The Budget Committee's rules limit the size and number of charts a Senator can display during debate on a subject. The Commerce, Science and Transportation Committee permits broadcasting of its proceedings only upon agreement by the chair and ranking member. The chair and ranking member of the Rules Committee are authorized to approve any rule or regulation which the committee must approve, and the Small Business and Entrepreneurship Committee allows any member to administer the oath to any witness testifying "as to fact."

Both the Finance and the Judiciary committees allow the chair to call a vote on whether to end debate on a pending measure or matter. This ability to end debate on a measure or matter does not appear in any other committees' rules and may allow these committees to move controversial measure through their panels.

The Foreign Relations Committee includes in its rules a provision stating that, as much as possible, the committee not "resort" to formal parliamentary procedure. That would seem to suggest a committee where Senators attempt to resolve controversial issues before the committee markup, rather than relying on parliamentary tools to push legislation or nominations through.

Both the Veterans' Affairs and the Environment and Public Works committees are charged with naming certain federal facilities, so their rules provide guidance on how those names may be chosen. The rules of the Banking, Housing and Urban Affairs Committee require that any measure seeking to give out the Congressional Gold Medal have 67 cosponsors to be considered.

The Select Intelligence Committee gives direction to its staff director to ensure that covert programs are reviewed at least once per quarter.

The Appropriations Committee rules empower any member of the committee who is managing an appropriations bill on the floor to make points of order against amendments being offered that would seem to violate Senate rules.

The Armed Services Committee's rules reach out to the executive branch and call on the committee to obtain executive branch response to any measure referred to the committee. The Homeland Security and Governmental Affairs Committee requires that any report on a measure also include an evaluation of the regulatory impact of the measure. The Select Committee on Aging requires that investigative reports containing findings or recommendations may be published only with the approval of a majority of committee members.

The Indian Affairs Committee urges its Members to disclose their finances in the same way in which they require nominees to presidentially appointed position to do.

The Energy and Natural Resources Committee appears to allow any Member to place a measure or matter on the committee's agenda, if the Member does so at least one week in advance of the business meeting at which it will be considered. The Judiciary Committee allows any member to delay consideration for one week any item on its agenda. The Select Committee on Ethics also allows any member of the committee to postpone discussion of a pending matter until a majority of the committee is present.

Table 1. Meeting Day(s), Hearing and Meeting Notice Requirements, Scheduling of Witnesses

Committee/Rule	Meeting Day(s)	Hearing & Meeting Notice Requirements	Scheduling of Witnesses
Agriculture, Nutrition and Forestry	1 st and 3 rd Wednesday when Congress is in session	For hearings, one week's notice is required, unless full or subcommittee chair determines it is noncontroversial or that "special circumstances" apply and a majority of the committee or subcommittee concurs. There is a minimum of 24 hours notice.	Upon request, the minority shall be entitled to call witnesses during at least one day of hearings.
Appropriations	Call of the chair	No provision	No provision
Armed Services	Tuesdays & Thursdays	One week's notice is required, unless committee determines there is "good cause" to act sooner.	The committee or subcommittee chair shall consult with the ranking minority member before naming witnesses.
Banking, Housing and Urban Affairs	Last Tuesday of the month	Three days written notice is required for a business meeting unless the chair determines there is "exigent circumstances" to hold it earlier.	No provision
Budget	1 st Thursday of each month	One week's notice of date, time, and place, is required unless chair and ranking member determine there is "good cause" to begin sooner. 48 hours notice for business meetings, including agenda, is required.	If the Senate is equally divided, the ranking member may call as many witnesses as the chair, unless there is to be just one administration official.

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Committee/Rule	Meeting Day(s)	Hearing & Meeting Notice Requirements	Scheduling of Witnesses
Commerce, Science and Transportation	1 st and 3 rd Tuesdays of each month	At a business meeting, it is not in order to proceed to any bill or resolution unless it has been filed with the committee clerk not less than 48 hours in advance of the meeting. This may be waived with concurrence of chair and ranking member.	No provision
Energy and Natural Resources	3 rd Wednesday when Congress is in session	One week's notice of date, time and place for hearing is required, unless the full or subcommittee chair deems it noncontroversial or that "special circumstances" require expedited procedures, and a majority of the panel concurs. 24 hours notice is the minimum allowed. Three days notice is required for the agenda for a business meeting. Nothing may be added to the agenda after it is published except by majority vote of committee.	No provision
Environment and Public Works	1 st and 3 rd Thursday of each month at 10 a.m.	One week's notice of date, time and place for hearing is required, unless the chair with the concurrence of the ranking member, agree there is good cause to provide shorter notice. 24 hours notice is the minimum allowed. 72 hours notice is required for a business meeting, including the agenda.	No provision

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Committee/Rule	Meeting Day(s)	Hearing & Meeting Notice Requirements	Scheduling of Witnesses
Finance	2 nd and 4 th Tuesday of each month	One week's notice for hearings is required. At least forty-eight hours notice is required for a business meeting, unless the chair decides it is an "emergency."	The staff shall "attain a balance of views early in the hearing."
Foreign Relations	Every Tuesday	One week's notice is required for hearings, unless chair in consultation with ranking member, determines there is "good cause" to begin sooner.	To ensure that the subject of the hearing is presented as fully and fairly as possible, whenever a hearing is conducted by the Committee or a subcommittee upon any measure or matter, the ranking member of the committee or subcommittee may request that an equal number of non-governmental witnesses selected by the ranking member be called to testify at that hearing.
Health, Education, Labor and Pensions	2 nd & 4 th Wednesday of each month at 10 a.m. in SD-430, Dirksen Office Building	The committee "shall undertake" to announce hearings it intends to hold one week in advance.	No provision

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Committee/Rule	Meeting Day(s)	Hearing & Meeting Notice Requirements	Scheduling of Witnesses
Homeland Security and Governmental Affairs	1 st Thursday of each month when Congress is in session	One week's notice for hearing is required, though notice may be less if the committee or subcommittee determines there is "good cause." Members are to get a written agenda for business meetings three days in advance (excluding Saturdays, Sundays and holidays). Notice may be less if "unforeseen requirements" occur.	Upon a request to the chair, a majority of the minority may call witnesses during at least one day of hearings.
Indian Affairs	Thursdays when Congress is in session	One week's notice is required, unless chair decides the hearing is non-controversial or that "special circumstances" require expedited procedures. 24 hours notice is the minimum allowed. There is a two day notice for business meetings, with an agenda. No item may be added to an agenda after it is published unless by majority vote of committee.	No provision
Judiciary	Each Thursday the Senate is in session at 9:30 a.m.	Seven calendar days notice for hearings is required, unless chair with consent of ranking member determines there is "good cause" for less notice. Three days notice for business meetings or, with consent of ranking minority member, less, is required.	No provision

Committee/Rule	Meeting Day(s)	Hearing & Meeting Notice Requirements	Scheduling of Witnesses
Rules and Administration	2 nd and 4 th Wednesdays of each month at 10 a.m.	One week's written notice "normally" is required for hearings; The agenda for business meeting is sent one day in advance, "normally."	No provision
Small Business and Entrepreneurship	1 st Wednesday of each month	Written notice shall be provided five business days in advance "where practicable." for both business meetings and hearings.	Chair and ranking member may call an equal number of witnesses, not counting administration witnesses unless there is only one administration witness, then the ranking member is allowed one witness.
Veterans' Affairs	1 st Wednesday of each month	Written notice of a committee meeting, including agenda, shall be provided 72 hours in advance, excluding Saturdays, Sundays or federal holidays. If this notice is prevented by unforeseen requirements or committee business, staff shall communicate by "quickest appropriate means" with members.	No provision

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Committee/Rule	Meeting Day(s)	Hearing & Meeting Notice Requirements	Scheduling of Witnesses
Select Committee on Ethics	1 st Thursday of each month while Congress is in session	One week's notice is required, unless there is "good cause" to hold it earlier, in which case members will be given notice at the earliest possible time.	Any person whose name is mentioned or who is specifically identified or otherwise referred to in testimony or statements made by a committee member, staff or outside counsel, and who reasonably believes that the statement tends to adversely affect his or her reputation may request to appear before the committee or file a sworn statement.
Select Committee on Intelligence	Every other Wednesday	"Reasonable notice" for meetings is required. At least 24 hours notice for meetings in Washington is required except in "extraordinary circumstances" and 48 hours notice for a meeting outside the Capitol.	A person who believes his or her reputation was damaged by evidence presented at a public hearing may request a chance to present his or her own testimony.
Special Committee on Aging	Call of the chair	One week's notice for a hearing is required, and five days notice for meeting. Either may be called on 24 hours notice if the chair, with the concurrence of the ranking member, determines there is "good cause."	The minority may call witnesses during at least one day of a hearing. They must make the request to do so before the end of the hearing in question.

Table 2. Hearing Quorum, Business Quorum, Amendment Filing Requirements

Committee/Rule	Hearing Quorum	Business Quorum	Amendment Filing Requirements
Agriculture, Nutrition and Forestry	One Member for taking testimony	One-third of committee membership, including one member of each party to conduct business other than reporting out a measure or matter	No provision
Appropriations	One member for taking unsworn testimony, for sworn testimony, three members for full committee and one member for a subcommittee	One-third of the committee for all but reporting out a measure or matter	To the extent possible, amendments and report language intended to be offered at full committee markup should be given to the chair and ranking member and appropriate subcommittee chair and ranking member 24-hours prior to markup.
Armed Services	For taking sworn testimony, three members of the committee, including one minority party member, unless otherwise ordered by a majority of the full committee	Nine members including one minority member or a majority of the committee for transaction of business	No provision

Committee/Rule	Hearing Quorum	Business Quorum	Amendment Filing Requirements
Banking, Housing and Urban Affairs	One Member for the purposes of taking testimony, swearing in of witnesses and receiving evidence	No executive session unless a majority of the committee is present	No first degree amendments are in order unless 50 copies are filed two business days before markup in committee offices. This requirement may be waived by a majority vote of the committee or subcommittee or by agreement of the chair and ranking member. This applies only when members have been given three business days notice of a markup. A motion to strike a section does not have to be filed in advance.
Budget	For the purpose of taking sworn or unsworn testimony, one Senator	One-third of the membership of committee is a quorum for the conduct of business, except for reporting a measure or matter.	No provision
Commerce, Science and Transportation	For the purposes of taking sworn testimony for the committee or a subcommittee, one Senator	Eight members are a quorum for the conduct of business, other than reporting. A majority of committee members, which shall include at least one member of the minority, is a quorum for reporting a bill, resolution or nomination.	No provision

Committee/Rule	Hearing Quorum	Business Quorum	Amendment Filing Requirements
Energy and Natural Resources	For the purposes of conducting a hearing or taking testimony one Senator	No measure or matter shall be reported unless 12 committee members are actually present. Eight members are needed for the conduct of business other than reporting.	No provision
Environment and Public Works	One Senator for a hearing	Six members, including two minority members, are required for a business meeting and for the purpose of approving the issuance of a subpoena or approving a committee resolution.	First degree amendments must be filed with the committee or subcommittee 24 hours before a business meeting. The chair shall promptly distribute all amendments to members after the filing deadline.
Finance	One Senator for a hearing	A business quorum (except for reporting) consists of one-third of the committee members and not less than one majority member and one minority member.	No provision
Foreign Relations	One Senator for purposes of taking testimony	One-third of the committee membership, including at least one member from each party, is a quorum for business, other than reporting out legislation or nominations.	No provision

Committee/Rule	Hearing Quorum	Business Quorum	Amendment Filing Requirements
<p>Health, Education, Labor and Pensions</p>	<p>With approval of full committee or subcommittee chair, one member may conduct hearings other than for sworn testimony, three members needed for sworn testimony, may be lowered to one member by the concurrence of chair and ranking minority member</p>	<p>One-third of the committee membership, actually present, is a business quorum. Any quorum which is composed of less than a majority of the committee shall include at least one member of the majority and one member of the minority.</p>	<p>First degree amendments must be filed with the chair at least 24 hours before a markup. All amendments filed will be given to members. The chair may modify this rule to meet “special circumstances,” with the concurrence of the ranking minority member.</p>
<p>Homeland Security and Governmental Affairs</p>	<p>For taking sworn or unsworn testimony, one Senator.</p>	<p>One-third of the committee membership, including at least one member of the minority is a business quorum.</p>	<p>It shall not be in order for the committee or a subcommittee to consider a first degree amendment unless a written copy of amendment has been provided to the committee or subcommittee at least 24 hours before the meeting at which the amendment is to be proposed. This may be waived by a majority of those present. This requirement only applies when 72 hours written notice of markup has been given.</p>

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Committee/Rule	Hearing Quorum	Business Quorum	Amendment Filing Requirements
Indian Affairs	Taking testimony, one Senator	A majority of members constitute a business quorum. A quorum is presumed to be present unless the absence of a quorum is noted by a member. A measure may be reported from the committee unless a member objects, in which case a recorded vote of the members shall be required.	No provision
Judiciary	One Senator to take sworn testimony	Six members of the committee to are required to “discuss business,” and eight members, including two members of the minority, must be present to transact business.	If there has been seven days notice of the agenda and the text of proposed bill or resolution has been available also seven days in advance, no first degree amendment shall be in order unless it is filed by 5 p.m. the day before the start of the meeting. This may be waived by an agreement of chair and ranking minority member. Motions to strike are in order without advance filing.

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Committee/Rule	Hearing Quorum	Business Quorum	Amendment Filing Requirements
Rules and Administration	Two members of the committee may take testimony under oath; one member is a quorum if testimony is unsworn.	One-third of the members of the committee is the quorum for the transaction of business, including consideration of amendments.	If there has been five days notice of agenda and the text of proposed bill or resolution has been available also five days in advance, no first degree amendment shall be in order unless it is filed by 5 p.m. the day before the start of the markup. This may be waived by the agreement of chair and ranking minority member. Motions to strike are in order without advance filing.
Small Business and Entrepreneurship	One Senator for all testimony	One-third of the membership of the committee is required for routine business, including at least one member of the minority. This includes the consideration of legislation and voting on amendments.	No first degree amendment is in order unless 30 copies of it are provided to the clerk of the committee two business days before meeting. This may be waived by an agreement of the chair and ranking member or by a majority vote of the committee.

Committee/Rule	Hearing Quorum	Business Quorum	Amendment Filing Requirements
Veterans' Affairs	One Senator for taking testimony	Five members are a quorum to conduct business on amendments and eight members are a quorum to report a measure or matter. In both these instances, a quorum requires one member of the minority. If a member of the minority is not present, the business will lay over one calendar day. The business may then be conducted by "appropriate" quorum.	First degree amendments are not in order unless a written copy has been delivered to each member of the committee 24 hours in advance. This may be waived by a majority vote of the committee and it only applies if there was 72 hours notice of the meeting.
Select Committee on Ethics	The select committee may fix a lesser number as a quorum for the purpose of taking testimony.	A majority of the committee is required for business involving complaints, or allegations of or information about misconduct. Three members are required for the transaction of other routine business, and that must include one majority member and one minority member.	No provision
Select Committee on Intelligence	One Senator for the purpose of hearing witnesses and taking sworn testimony, and receiving evidence under oath.	One-third of committee membership is required to conduct business.	No provision
Special Committee on Aging	One Senator for the receipt of evidence and taking of testimony	One-third of the committee membership is required to conduct business, provided it includes one member of the minority.	No provision

Table 3. Proxy Voting, Polling of Committee, Nominations

Committee/Rule	Proxy Voting	Polling of Committee	Nominations
Agriculture, Nutrition and Forestry	Voting by proxy as authorized by Senate rules for specific bills or subjects shall be allowed whenever a quorum is present.	The committee may poll any matters of committee business, other than reporting or closing a meeting, provided that every member is polled and every poll consists of the following two questions: (1) Do you agree or disagree to poll the proposal; and (2) Do you favor or oppose the proposal? If any member requests, any matter to be polled may be held for a meeting. The chief clerk shall keep a record of all polls.	The full committee considers nominations. No business meeting may occur on a nomination on the same day as a hearing unless the chair and ranking minority member agree. The nominee shall testify under oath. No hearing shall take place until 48 hours after nominee has responded to committee questionnaire.
Appropriations	Except for reporting a bill, proxy voting may be cast by any member who so requests.	No provision	No provision
Armed Services	Proxy voting is permitted on all measures and matters. A proxy must be in writing, the member must know what will be decided by the vote and ask to be so recorded.	No provision	Unless otherwise ordered by the committee, nominations shall be held at least seven days before being voted on.

Committee/Rule	Proxy Voting	Polling of Committee	Nominations
Banking, Housing and Urban Affairs	Voting by proxy shall be allowed when proxy is “sufficiently clear” on how the Senator wants to be recorded. Proxies are to be kept in committee files with vote tally. Proxies may be withdrawn in writing.	No provision	Nominations will be considered by the committee at least five days after receipt of a completed committee questionnaire, unless this is waived by a majority vote of the committee. All nominees must testify under oath.
Budget	No member may vote by proxy during deliberations on the Budget Resolution. Proxy votes are permitted on other matters if the absent member has been informed of the pending matter and affirmatively asks to be so recorded.	The committee may poll internal committee matters, steps in an investigation (including subpoenas), and other business the committee has designated to be polled. The chair shall circulate polling sheets to each member specifying what is to be polled and the time limit on the poll. If any member requests, the matter shall be held over for a meeting. Any member may move at the committee meeting following a poll for a vote on the polled decision.	Nominee must testify under oath. The staff may report on nominee. A nominee is required to file biographical and financial statement with committee. No action may take place on the nomination until at least 72 hours after required paperwork has been filed with the committee and a report by staff, if one requested, has been given to the chair and ranking member.
Commerce, Science and Transportation	Proxy voting is permitted. The Senator may indicate their choice in writing, by telephone or through personal instructions.	No provision	No provision

Committee/Rule	Proxy Voting	Polling of Committee	Nominations
Energy and Natural Resources	Proxy voting is permitted on all matters. Proxies may be used on the date given and upon items published on the agenda for that day.	No provision	The testimony of the nominee, and, at the request of any member, any other witness, shall be under oath. All nominees must submit a financial disclosure statement.
Environment and Public Works	Proxy voting is permitted on all matters. Members may vote by proxy in writing, orally or through personal instructions. A proxy given in writing is valid until revoked; proxy given orally or by personal instruction is valid only on that day.	No provision	No provision
Finance	Except as prohibited by Senate rule XXVI, proxy voting is permitted.	At the discretion of the committee, those members not recorded as having voted during a business meeting and who did not utilize a proxy vote may be polled for the purpose of recording their vote.	Witnesses called to testify on a nomination may be required to testify under oath.

Committee/Rule	Proxy Voting	Polling of Committee	Nominations
Foreign Relations	Proxies are allowed on all measures, except that the member must know what is under consideration and affirmatively ask to be recorded by proxy. A proxy must be in writing and signed.	No provision	Unless otherwise directed by the chair and ranking member, the committee will not consider a nomination until six calendar days after its submission. To be reported to the Senate, each nomination must meet five specific criteria including obtaining a security clearance and filing a financial disclosure form with the committee.
Health, Education, Labor and Pensions	Proxies are allowed on all measures. The member must know what the matter is under consideration and affirmatively ask to be recorded by proxy.	The committee may poll any matters of committee business as a matter of unanimous consent, provided that every member is polled and every poll consists of the following two questions: (1) Do you agree or disagree to poll the proposal; and (2) Do you favor or oppose the proposal?	No action on nomination may take place until five days after nominee submits forms required by committee, this may be waived by chair with the concurrence of the ranking member. Nominees must submit background and financial interest information.

Committee/Rule	Proxy Voting	Polling of Committee	Nominations
<p>Homeland Security and Governmental Affairs</p>	<p>Proxies on a vote to report may be used solely to record a member’s position; the member must know what the matter is under consideration and affirmatively ask to be so recorded. The proxy must be filed with the chief committee clerk, shall be in writing and shall contain information to identify the measure and how the member wants to be recorded.</p>	<p>The committee or its subcommittees may poll: (1) internal committee or subcommittee matters, including staff, records and budget; (2) steps in an investigation, and other committee business. Only the chair or a committee member or staffer designated by chair may conduct a poll. If any member requests, the matter shall be held over for a meeting. Any member may move at the committee meeting following a poll for a vote on the polled decision.</p>	<p>The committee shall conduct a public hearing during which the nominee shall be called to testify under oath. A markup may not occur on the same day as a hearing. Staff may make an oral presentation on the nominee’s qualifications before the markup.</p>
<p>Indian Affairs</p>	<p>Proxy voting is permitted on all matters. A proxy may be used only for the date specified and only upon the items specified in the published agenda for that day.</p>	<p>No provision</p>	<p>The testimony of the nominee, and, at the request of any member, any other witness, shall be under oath. Nominees shall submit a financial statement, at the committee’s specifications, and will swear to its accuracy and completeness.</p>
<p>Judiciary</p>	<p>Proxies are permitted on anything before the committee, and may be done in writing, by telephone or personal instructions. Proxies must be specific.</p>	<p>Provided all members of a subcommittee consent, any matter may be polled out of subcommittee.</p>	<p>No provision</p>

Committee/Rule	Proxy Voting	Polling of Committee	Nominations
Rules and Administration	Proxies are allowed on all measures and matters before the committee.	No provision	No provision
Small Business and Entrepreneurship	Proxies must be signed and the Senator must assign the right to vote to another member who is present at the meeting.	No provision	The nominee shall be called to testify under oath in all matters related to his or her nomination for office.
Veterans' Affairs	Proxies must be written and are valid only for the day given. They may contain personal instructions.	No provision	Nominee's testimony and, at the request of any member, any other witness, shall be under oath. No action on nominee may take place until five days after committee receives background and financial information, unless this is waived by the chair with the concurrence of ranking member.
Select Committee on Ethics	Proxy voting is not allowed when the committee is considering the initiation or continuation of a preliminary inquiry or an adjudicatory review or the issuance of a recommendation on such a matter. On other matters, the committee may order the record be held open for absent members or to record proxies. Proxies shall be in writing and shall be delivered to the chair or vice chair to be recorded.	No provision	No provision

Committee/Rule	Proxy Voting	Polling of Committee	Nominations
<p>Select Committee on Intelligence</p>	<p>Proxies are allowed for any measure or matter. They must be in writing, designate a committee member to exercise the proxy and be limited to a specific measure or matter and amendments thereto.</p>	<p>No provision</p>	<p>Unless otherwise ordered by the committee, nominations shall be held for 14 days before committee vote. No confirmation hearing may be held until seven days after the committee's receipt of a nominee's background and financial information, unless the committee votes otherwise. No committee vote on the nomination until 48 hours after transcripts of the hearing are given to committee, unless this is waived by the committee by unanimous consent.</p>
<p>Special Committee on Aging</p>	<p>No provision</p>	<p>The committee may poll internal committee matters, and other business the committee has designated to be polled. The chair shall circulate polling sheets to each member specifying what is to be polled and the time limit on the poll. If any member requests, the matter shall be held over for a meeting. Any member may move at the committee meeting following a poll for a vote on the polled decision.</p>	<p>No provision</p>

Table 4. Investigations, Subpoenas, Miscellaneous

Committee/Rule	Investigations	Subpoenas	Miscellaneous
Agriculture, Nutrition and Forestry	Any investigations involving depositions or subpoenas must be authorized by a majority of the full committee at a business meeting.	The chair, with the approval of the ranking minority member, may issue subpoenas in connection with an authorized investigation. If the ranking minority member does not approve, a majority of the committee may authorize it. The chair may issue subpoena without approval of the ranking member, if there has been no response from the ranking member within 72 hours.	
Appropriations	No provision	No provision	Any member of the committee who is the floor manager for an appropriations bill may make points of order against amendments offered on the floor in violation of Senate Rules. Attendance of staff members at closed sessions of the committee shall be limited to those members of the committee staff who have a responsibility associated with the matter being considered at such meeting. This may be waived by unanimous consent.

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Committee/Rule	Investigations	Subpoenas	Miscellaneous
Armed Services	No provision	Subpoenas shall be issued by the chairman or his designee after consultation with the ranking minority member but only when authorized by a majority of the committee.	Unless otherwise ordered, measures referred to the committee shall be referred by the clerk of the committee to the appropriate department or agency of government for reports thereon.
Banking, Housing and Urban Affairs	No investigations shall be initiated unless the Senate, the full committee, or the chair and ranking member, have specifically authorized it.	The chair or subcommittee chair, with the agreement of the ranking minority member, may issue subpoenas for witnesses. A majority of the committee or subcommittee also may authorize the subpoena.	At least 67 Senators must cosponsor any Congressional Gold Medal or commemorative coin bill or resolution before the committee will consider it.
Budget	No provision	No provision	Graphics displays used during any meeting or hearings of the committee are limited to the following: (1) charts, photographs or renderings cannot be larger than 36 inches by 48 inches; (2) must be on an easel next to the member's seat or at the rear of the committee room; (3) can only be displayed at the time the member is speaking; and (4) no more than two may be displayed at one time.

Committee/Rule	Investigations	Subpoenas	Miscellaneous
Commerce, Science and Transportation	No provision	No provision	Public hearings of the full committee or any subcommittee shall be televised only when authorized by the chair and the ranking minority member of the full committee.
Energy and Natural Resources	No investigations shall be initiated unless a majority of the full committee has specifically authorized it.	A majority of the committee is required to issue a subpoena for witnesses or documents, unless the committee adopts a resolution during an investigation empowering the chair, with the concurrence of the ranking member, to issue subpoenas within the scope of the investigation.	A legislative measure, nomination or other matter shall be included on the agenda of the next following business meeting of the full committee or subcommittee if a written request for such inclusion has been filed with the chair of the committee or subcommittee at least one week prior to such meeting.
Environment and Public Works	No provision	No provision	The committee may not name a building, structure or facility for any living person, except former Presidents or former Vice Presidents, former Members of Congress over 70 years of age, or former Justices of the United States Supreme Court over 70 years of age or Federal Judges who are fully retired and over 75 years of age, or have taken senior status and are 75 years of age.

Committee/Rule	Investigations	Subpoenas	Miscellaneous
Finance	No provision	A subpoena may be issued by the chair with the agreement of the ranking minority member or by a majority vote of the committee.	If the chair determines that a motion or amendment has been adequately debated, he or she may call for a vote on such motion or amendment, and the vote shall then be taken, unless the committee votes to continue debate on such motion or question, as the case may be. The vote on a motion to continue debate on any motion or amendment shall be taken without debate.
Foreign Relations	No provision	A chair or any member of the committee once authorized by a majority vote of the committee shall have the authority to issue subpoenas. Any member may request that the committee authorize subpoenas only at a meeting of the committee.	Insofar as possible, proceedings of the committee will be conducted without resort to the formalities of parliamentary procedure and with due regard for the views of all members. Issues of procedure which may arise from time to time shall be resolved by a decision from the chair, in consultation with the ranking minority member. The chair, in consultation with the ranking minority member, may also propose special procedures to govern the consideration of particular matters by the committee.

Committee/Rule	Investigations	Subpoenas	Miscellaneous
<p>Health, Education, Labor and Pensions</p>	<p>A majority vote of the full committee is required to begin an investigation.</p>	<p>The committee may by majority vote allow the chair or subcommittee chair or any member designated by the chairs to issue subpoenas. Prior to issuance of a subpoena, the ranking minority member or any other member who desires to be, shall be notified. Subpoenas may only be issued in cases where a majority of the committee has voted for an investigation.</p>	<p>No measure or matter may be reported from a subcommittee unless a majority is present that includes one member of the minority who is subcommittee member. If this quorum is not met because of the absence of a minority member, then the matter lies over one day. If the quorum is still not met, a majority of subcommittee members actually present may vote to report measure or matter.</p>
<p>Homeland Security and Governmental Affairs</p>	<p>No provision</p>	<p>The chair, with the approval of the ranking member, may issue subpoenas. Chair may issue subpoena if ranking minority member has not responded within 72 hours (excluding Saturdays or Sundays) after being notified of subpoena request. If the subpoena is disapproved by the ranking member, a vote of committee members may authorize it.</p>	<p>Reports accompanying bills or joint resolutions must include an evaluation made by the committee of the regulatory impact which would be incurred in carrying out the bill or joint resolution.</p>

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Committee/Rule	Investigations	Subpoenas	Miscellaneous
Indian Affairs	No provision	The chair, with the agreement of the vice chair (ranking minority member) or the committee by majority vote may authorize issuance of subpoenas.	Members of the committee are urged to make a public disclosure of their financial interests on forms to be perfected by the committee in the same manner required in the case of Presidential nominees.
Judiciary	No provision	No provision	Any member may ask that an item on an agenda be put over for one week or until the next committee meeting, whichever is later. The chair shall entertain a non-debatable motion to bring a matter before the committee to a vote. The motion requires 10 votes, including one member of the minority, to succeed.
Rules and Administration	No provision	No provision	The chair and ranking minority member acting jointly are authorized to approve for the committee any rule or regulation for which the committee's approval is required, provided advanced notice is given to committee members

Committee/Rule	Investigations	Subpoenas	Miscellaneous
Small Business and Entrepreneurship	No provision	The chair may issue a subpoena with the consent of the ranking minority member or the consent of a majority of the committee. Consent may be given without a meeting but must be in writing. The chair may issue a subpoena if ranking minority member has not responded within 72 hours (not including Saturdays, Sundays and holidays) after being notified of the subpoena request.	Any member of the committee shall be empowered to administer the oath to any witness testifying as to fact.
Veterans' Affairs	No provision	The chair, with concurrence of the ranking minority member or by majority vote of committee, may issue subpoenas. If the ranking member does not object within 48 hours of being asked about subpoena (excluding Saturdays, Sundays, and federal holidays) chair may issue same.	Rules limit who Department of Veterans Affairs facilities may be named after. Individuals must be deceased, and meet one of four eligibility requirements. All members of the state's congressional delegation must agree to the naming in writing, and a majority of the state chapters of veterans organizations with national membership of at least 50,000 must agree in writing.

Committee/Rule	Investigations	Subpoenas	Miscellaneous
Select Committee on Ethics	The Select Committee shall initiate a preliminary inquiry upon receipt of a sworn complaint or other allegation or information about a member, officer or employee of the Senate. If a preliminary inquiry shows substantial cause, the committee will begin an adjudicatory review of matter.	Subpoenas may be issued by a majority vote of the committee or the chair and the vice chair acting jointly.	During the transaction of “routine business,” any member of the Select Committee constituting the quorum shall have the right to postpone further discussion of a pending matter until such time as a majority of the members of the Select Committee are present.
Select Committee on Intelligence	No investigation shall be started by the chair unless five members of the committee have specifically requested it.	Subpoenas are authorized by the committee and may be issued by chair, vice chair or anyone designated by the chair.	The staff director shall ensure that covert action programs of the U.S. government “receive appropriate consideration” by the committee at least once a quarter.
Special Committee on Aging	All investigations shall be conducted on a bipartisan basis by staff and may be initiated by staff, upon approval of chair and ranking member.	Subpoenas shall be issued by chair. Ranking member shall be notified about contents of subpoena.	Investigative reports containing findings or recommendations based on an investigation may be printed only with the approval of a majority of committee members.