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SELECT STANDING ORDERS NOT EMBRACED  
IN THE RULES AFFECTING THE BUSINESS  
OF THE SENATE

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SENATE PROCEDURE FOR THE 117TH CONGRESS

60

SECTION 1. Notwithstanding the provisions of rule XXV of the Standing Rules of the Senate, or any other provision of the Standing Rules or Standing Orders of the Senate—

(1) the committees of the Senate, including joint committees and special committees, for the 117th Congress shall be composed equally of members of both parties, to be appointed at a later time by the two Leaders;

(2) the budgets and office space for such committees, and all other subgroups, shall likewise be equal, with up to an additional 10 percent to be allocated for administrative expenses to be determined by the Committee on Rules and Administration, with the total administrative expenses allocation for all committees not to exceed historic levels; and

(3) the Chairman of a full committee may discharge a subcommittee of any Legislative or Executive Calendar item which has not been reported because of a tie vote and place it on the full committee's agenda.

SEC. 2. The committee ratios under section 1 shall remain in effect for the remainder of the 117th Congress, except that if at any time during the 117th Congress either party attains a majority of the whole number of Senators, then each committee ratio shall be adjusted to reflect the ratio of the parties in the Senate, and the provisions of this resolution shall have no further effect, except that the members who were first appointed by the two Leaders to such committees in the 117th Congress, pursuant to the authority in this resolution, shall no longer be members of the committees, and the committee chairmanships shall be held by the party which has attained a majority of the whole number of Senators.

SEC. 3. Pursuant to the provisions and exceptions described in sections 1 and 2, the following additional Standing Orders of the Senate shall be in effect for the 117th Congress:

(1) If a committee has not reported out a measure or matter because of a tie vote, then—

(A) the Chairman of the committee shall transmit a notice of a tie vote to the Secretary of the Senate and such notice shall be printed in the Record; and

(B) after such notice of a tie vote has been transmitted, the Majority Leader or the Minority Leader may, only after consultation with the Chairman and Ranking Member of the committee, make a motion to discharge such measure or matter, and time for debate on such motion shall be limited to 4 hours, to be equally divided between the two Leaders or their designees, with no other motions, points of order, or amendments in order: *Provided*, That following the use or yielding back of time, the Senate vote on the motion to discharge, without any intervening action, motion, or debate, and if agreed to, the measure or matter be placed immediately on the appropriate Calendar.

(2) Notwithstanding the provisions of rule XXII of the Standing Rules of the Senate, to ensure that any cloture motion shall be offered for the purpose of bringing to a close debate, in no case shall it be in order for any cloture motion to be presented on an amendable item during its first 12 hours of Senate debate: *Provided*, That all other provisions of rule XXII remain in status quo.

SEC. 4. It is the sense of the Senate that both Leaders shall seek to attain an equal balance of the interests of the two parties when scheduling and debating legislative and executive business generally, and in keeping with the present Senate precedents, a motion to proceed to any Legislative or Executive Calendar item shall continue to be considered the prerogative of the Majority Leader, although the Standing Rules of the Senate do not prohibit the right of the Republican Leader, or any other Senator, to move to proceed to any item.

[S. Res. 27, 117–1, Feb. 3, 2021.]

EMERGENCY AUTHORITY RELATING TO SENATE 61  
ADJOURNMENTS AND RECESSES

*Resolved*, That the presiding officer of the Senate may suspend any proceeding of the Senate, including a rollcall vote or a quorum call, and declare a recess or adjournment of the Senate subject to existing authorities or subject to the call of the Chair, within the limits of article I, section 5, clause 4, of the Constitution, whenever the presiding officer has been notified of an imminent threat.

SEC. 2. When the Senate is out of session, the majority and minority leaders, or their designees, may, acting jointly and within the limits of article I, section 5, clause 4, of the Constitution, modify any order for the time or place of the convening of the Senate when, in their opinion, such action is warranted by intervening circumstances.

[S. Res. 296, 108-2, Feb. 3, 2004.]

AUTHORIZING REGULATIONS RELATING TO THE USE OF 62  
OFFICIAL EQUIPMENT

*Resolved*, That (a) the Committee on Rules and Administration of the Senate may issue regulations to authorize a Senator or officer or employee of the Senate to use official equipment for purposes incidental to the conduct of their official duties.

(b) Any use under subsection (a) shall be subject to such terms and conditions as set forth in the regulations.

[S. Res. 238, 108-1, Oct. 2, 2003.]

VOTES SHALL BE CAST FROM ASSIGNED DESK 63

*Resolved*, That it is a standing order of the Senate that during yea and nay votes in the Senate, each Senator shall vote from the assigned desk of the Senator.

[S. Res. 480, 98-2, Oct. 11, 1984.]

AUTHORIZING A SENATOR TO BRING A YOUNG SON OR 64  
DAUGHTER OF THE SENATOR ONTO THE FLOOR OF THE  
SENATE DURING VOTES

*Resolved*, Notwithstanding rule XXIII of the Standing Rules of the Senate, a Senator who has a son or daughter (as defined in section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611)) under 1 year of age may bring the son or daughter onto the floor of the Senate during votes.

[S. Res. 463, 115-2, Apr. 18, 2018.]

- 65 TO PERMIT AN INDIVIDUAL WITH A DISABILITY WITH ACCESS TO THE SENATE FLOOR TO BRING NECESSARY SUPPORTING AIDS AND SERVICES

*Resolved*, That an individual with a disability who has or is granted the privilege of the Senate floor under rule XXIII of the Standing Rules of the Senate may bring necessary supporting aids and services (including service dogs, wheelchairs, and interpreters) on the Senate floor, unless the Senate Sergeant at Arms determines that the use of such supporting aids and services would place a significant difficulty or expense on the operations of the Senate in accordance with paragraph 2 of rule 4 of the Rules for Regulation of the Senate Wing of the United States Capitol.

[S. Res. 110, 105-1, July 31, 1997.]

- 66 FLOWERS IN THE SENATE CHAMBER

*Resolved*, That until further orders the Sergeant at Arms is instructed not to permit flowers to be brought into the Senate Chamber.

[S. Jour. 261, 58-3, Feb. 24, 1905.]

*Resolved*, That notwithstanding the resolution of the Senate of February 24, 1905, upon the death of a sitting Senator, the majority leader and the minority leader may permit a display of flowers to be placed upon the desk of the deceased Senator on the day set aside for eulogies.

[S. Res. 221, 98-1, Sept. 15, 1983.]

- 67 READING OF WASHINGTON'S FAREWELL ADDRESS

*Ordered*, That, unless otherwise directed, on the twenty-second day of February in each year, or if that day shall be on Sunday, then on the day following, immediately after the reading of the Journal, Washington's Farewell Address shall be read to the Senate by a Senator to be designated for the purpose by the Presiding Officer; and that thereafter the Senate will proceed with its ordinary business.

[S. Jour. 103, 56-2, Jan. 24, 1901.]

- 68 DESIGNATION OF THE "DANIEL WEBSTER DESK"

*Resolved*, That during the Ninety-fourth Congress and each Congress thereafter, the desk located within the Senate Chamber and commonly referred to as the "Daniel Webster Desk" shall, at the request of the senior Senator from the State of New Hampshire, be assigned to such Senator for use in carrying out his or her Senatorial duties during that Senator's term of office.

[S. Res. 469, 93-2, Dec. 19, 1974.]

## DESIGNATION OF THE JEFFERSON DAVIS DESK

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*Resolved*, That during the One Hundred Fourth Congress and each Congress thereafter, the desk located within the Senate Chamber and used by Senator Jefferson Davis shall, at the request of the senior Senator from the State of Mississippi, be assigned to such Senator, for use in carrying out his or her senatorial duties during that Senator's term of office.

[S. Res. 161, 104-1, Aug. 8, 1995.]

## DESIGNATION OF THE HENRY CLAY DESK

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*Resolved*, That (a) during the One Hundred Sixth Congress and each Congress thereafter, the desk located within the Senate Chamber and used by Senator Henry Clay shall, at the request of the senior Senator from the State of Kentucky, be assigned to that Senator for use in carrying out his or her senatorial duties during that Senator's term of office.

(b) If, in any Congress, the senior Senator from the State of Kentucky is serving as party leader, the desk referred to in subsection (a) may be assigned to the junior Senator from Kentucky upon the request of the senior Senator.

[S. Res. 89, 106-1, Apr. 28, 1999; S. Res. 630, 109-2, Dec. 8, 2006.]

TELEVISION AND RADIO BROADCAST OF SENATE CHAMBER  
PROCEEDINGS

71

*Resolved*, That (a) the Senate hereby authorizes and directs that there be both television and radio broadcast coverage (together with videotape and audio recordings) of proceedings in the Senate Chamber.

(b) Such broadcast coverage shall be—

(1) provided in accordance with provisions of this resolution;

(2) provided continuously, except for any time when the Senate is conducting a quorum call, or when a meeting with closed doors is ordered; and

(3) provided subject to the provisions pertaining to the Senate gallery contained in the following Standing Rules of the Senate: rule XIX, paragraphs 6 and 7; rule XXV, paragraph 1(n); and rule XXXIII, paragraph 2.

SEC. 2. The radio and television broadcast of Senate proceedings shall be supervised and operated by the Senate.

SEC. 3. The television broadcast of Senate proceedings shall follow the Presiding Officer and Senators who are speaking, clerks, and the chaplain except during rollcall

votes when the television cameras shall show the entire Chamber.

SEC. 4. (a) The broadcast coverage by radio and television of the proceedings of the Senate shall be implemented as provided in this section.

(b) The Architect of the Capitol, in consultation with the Sergeant at Arms and Doorkeeper of the Senate, shall—

(1) construct necessary broadcasting facilities for both radio and television (including a control room and the modification of Senate sound and lighting fixtures);

(2) employ necessary expert consultants; and

(3) acquire and install all necessary equipment and facilities to (A) produce a broadcast-quality “live” audio and color video signal of such proceedings, and (B) provide an archive-quality audio and color video tape recording of such proceedings:

*Provided*, That the Architect of the Capitol, in carrying out the duties specified in clauses (1) through (3) of this subsection, shall not enter into any contract for the purchase or installation of equipment, for employment of any consultant, or for the provision of training to any person, unless the same shall first have been approved by the Committee on Rules and Administration.

(c)(1)<sup>1</sup> The Sergeant at Arms and Doorkeeper of the Senate shall—

(A) employ such staff as may be necessary, working in conjunction with the Senate Recording and Photographic Studios, to operate and maintain all broadcast audio and color video equipment installed pursuant to this resolution;

(B) make audio and video tape recordings, and copies thereof as requested by the Secretary under paragraph (2) of Senate proceedings; and

(C) retain for 30 session-days after the day any Senate proceedings took place, such recordings thereof, and as soon thereafter as possible, transmit to the Secretary of the Senate copies of such recordings.

The Sergeant at Arms and Doorkeeper of the Senate, in carrying out the duties specified in subparagraphs (A) and (B), shall comply with appropriate Senate procurement and other regulations.

<sup>1</sup>As amended, S. Res. 459, 100–2, Sept. 14, 1988.

(2) The Secretary of the Senate is authorized to obtain from the Sergeant at Arms archival quality video recordings of Senate proceedings and, as soon thereafter as possible, transmit such recordings to the Librarian of Congress and to the Archivist of the United States.

SEC. 5. (a) Radio coverage of Senate proceedings shall—

(1) begin as soon as the necessary equipment has been installed; and

(2) be provided continuously at all times when the Senate is in session (or is meeting in Committee of the Whole), except for any time when a meeting with closed doors is ordered.

SEC. 6.<sup>2</sup> (a) The use of any tape duplication of radio or television coverage of the proceedings of the Senate for political campaign purposes is strictly prohibited.

(b)(1) Except as provided in paragraph (2), any tape duplication of radio or television coverage of the proceedings of the Senate furnished to any person or organization shall be made on the condition, agreed to in writing, that the tape duplication shall not be used for political campaign purposes.

(2) Any public or commercial news organization furnished a tape duplication described in paragraph (1) shall be subject to the provisions of paragraph (1) but shall not be required to enter into a written agreement.

SEC. 7. Any changes in the regulations made by this resolution shall be made only by Senate resolution. However, the Committee on Rules and Administration may adopt such procedures and such regulations, which do not contravene the regulations made by this resolution, as it deems necessary to assure the proper implementation of the purposes of this resolution.

SEC. 8. Such funds as may be necessary (but not in excess of \$3,500,000) to carry out this resolution shall be expended from the contingent fund of the Senate.

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SEC. 14. Provided, that if the Senate authorizes the permanent televising of the Senate pursuant to section 15, that radio and television coverage of the Senate shall be made available on a “live” basis and free of charge to (1) any accredited member of the Senate Radio and Television Correspondents Gallery, (2) the coaxial cable system of the Architect of the Capitol, and (3) such other news gathering,

<sup>2</sup>As amended, S. Res. 431, 100–2, June 7, 1988.

educational, or information distributing entity as may be authorized by the Committee on Rules and Administration to receive such broadcasts.

SEC. 15. Television coverage of the Senate shall cease at the close of business July 15, 1986, and television coverage of the Senate and the rules changes contained herein shall continue, if the Senate agrees to the question, which shall be put one hour after the Senate convenes on July 29, 1986, "Shall radio and television coverage continue after this date, and shall the rules changes contained herein continue?"<sup>3</sup> There shall be twelve hours of debate on this question, to be equally divided and controlled in the usual form, at the end of which any Senator may propose as an alternative the question, "Shall the test period continue for thirty days?". On this question there shall be one hour of debate, equally divided and controlled in the usual form. If this question is decided in the affirmative, then thirty days hence, one hour after the Senate convenes, the Senate shall proceed to vote without intervening action on the question, "Shall radio and television coverage continue after this date and shall the rules changes contained herein continue?"

SEC. 16. Provided, that official noting of a Senator's absence from committees while the Senate is on television is prohibited.

[S. Res. 28, 99-2, Feb. 27, 1986.]

SEC. 17. The Secretary of the Senate shall, subject to the approval of the Senate Committee on Rules and Administration, contract with the Secretary of Education to provide closed captioning of the Senate floor proceedings. The Senate authorizes the Secretary of Education to have access to the audio and video broadcast of the Senate floor proceedings for the purpose of captioning. Such funds as may be necessary to carry out the purposes of this section are authorized to be paid from the contingent fund of the Senate.

[S. Res. 13, 101-1, June 21, 1989.]

*Resolved*, That, notwithstanding any other provision of S. Res. 28, agreed to February 27, 1986, television coverage of the Senate shall resume July 21, 1986 under the same basis as provided during the live test period under section

<sup>3</sup>Pursuant to this provision, the question was considered and decided in the affirmative by a vote of 78-21. See Daily Cong. Rec., 99th Cong., 2d sess., July 29, 1986, pp. S9750-S9775.

5 of S. Res. 28 unless the Senate votes pursuant to section 15 of S. Res. 28 to end coverage. [S. Res. 444, 99-2, July 15, 1986.]

## READING OF CONFERENCE REPORTS

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SEC. 903. Beginning on the first day of the 107th Congress, the Presiding Officer of the Senate shall apply all of the precedents of the Senate under Rule XXVIII in effect at the conclusion of the 103d Congress. Further that there is now in effect a Standing order of the Senate that the reading of conference reports is no longer required, if the said conference report is available in the Senate.

[Pub. L. 106-554, Div. A, ch. 9, §903, Dec. 21, 2000.]

PUBLIC DISCLOSURE OF NOTICE OF INTENT TO OBJECT TO  
A MEASURE OR MATTER 73*Resolved*

## SEC. 1. Eliminating Secret Senate Holds.

## (a) In General.—

(1) Covered Request.—This standing order shall apply to a notice of intent to object to the following covered requests:

(A) A unanimous consent request to proceed to a bill, resolution, joint resolution, concurrent resolution, conference report, or amendment between the Houses.

(B) A unanimous consent request to pass a bill or joint resolution or adopt a resolution, concurrent resolution, conference report, or the disposition of an amendment between the Houses.

(C) A unanimous consent request for the disposition of a nomination.

(2) Recognition of Notice of Intent.—The majority and minority leaders of the Senate or their designees shall recognize a notice of intent to object to a covered request of a Senator who is a member of their caucus if the Senator—

(A) submits the notice of intent to object in writing to the appropriate leader and grants in the notice of intent to object permission for the leader or designee to object in the Senator's name; and

(B) not later than 2 session days after submitting the notice of intent to object to the appropriate leader, submits a copy of the notice of intent to object to the Congressional Record and

to the Legislative Clerk for inclusion in the applicable calendar section described in subsection (b).

(3) Form of Notice.—To be recognized by the appropriate leader a Senator shall submit the following notice of intent to object:

“I, Senator \_\_\_\_\_, intend to object to \_\_\_\_\_, dated \_\_\_\_\_. I will submit a copy of this notice to the Legislative Clerk and the Congressional Record within 2 session days and I give my permission to the objecting Senator to object in my name.”. The first blank shall be filled with the name of the Senator, the second blank shall be filled with the name of the covered request, the name of the measure or matter and, if applicable, the calendar number, and the third blank shall be filled with the date that the notice of intent to object is submitted.

(4) Notices on the Senate Floor.—The requirement to submit a notice of intent to object to the Legislative Clerk and the Congressional Record shall not apply in the event a Senator objects on the floor of the Senate and states the following:

“I object to \_\_\_\_\_, on behalf of Senator \_\_\_\_\_.”

(b) Calendar.—

(1) Objection.—Upon receiving the submission under subsection (a)(2)(B), the Legislative Clerk shall add the information from the notice of intent to object to the applicable Calendar section entitled ‘Notices of Intent to Object to Proceeding’ created by Public Law 110–81. Each section shall include the name of each Senator filing a notice under subsection (a)(2)(B), the measure or matter covered by the calendar to which the notice of intent to object relates, and the date the notice of intent to object was filed.

(2) Objection on Behalf.—In the case of an objection made under subsection (a)(4), not later than 2 session days after the objection is made on the floor, the Legislative Clerk shall add the information from such objection to the applicable Calendar section entitled “Notices of Intent to Object to Proceeding” created by Public Law 110–81. Each section shall include the name of the Senator on whose behalf the objection was made, the measure or matter objected to, and the date the objection was made on the floor.

(c) Removal.—A Senator may have notice of intent to object relating to that Senator removed from a calendar to which it was added under subsection (b) by submitting to the Legislative Clerk the following notice:

“I, Senator \_\_\_\_\_, do not object to \_\_\_\_\_, dated \_\_\_\_\_.” The first blank shall be filled with the name of the Senator, the second blank shall be filled with the name of the covered request, the name of the measure or matter and, if applicable, the calendar number, and the third blank shall be filled with the date of the submission to the Legislative Clerk under this subsection.

(d) Objecting on Behalf of a Member.—Except with respect to objections made under subsection (a)(4), if a Senator who has notified his or her leader of an intent to object to a covered request fails to submit a notice of intent to object under subsection (a)(2)(b) within 2 session days following an objection to a covered request by the leader or his or her designee on that Senator’s behalf, the Legislative Clerk shall list the Senator who made the objection to the covered request in the applicable “Notice of Intent to Object to Proceeding” calendar section. [S. Res. 28, 112–1, Jan. 27, 2011.]

PERMITTING THE WAIVING OF THE READING OF AN  
AMENDMENT

74

*Resolved,*

SEC. 1. Reading of Amendments.

(a) Standing Order.—This section shall be a standing order of the Senate.

(b) Waiver.—The reading of an amendment may be waived by a non-debatable motion if the amendment—

(1) has been submitted at least 72 hours before the motion; and

(2) is available in printed or electronic form in the Congressional Record.

[S. Res. 29, 112–1, Jan. 27, 2011.]

TO PROVIDE FOR EXPEDITED SENATE CONSIDERATION OF  
CERTAIN NOMINATIONS SUBJECT TO ADVICE AND CONSENT

75

*Resolved,*

SEC. 1. Procedure For Consideration.

(a) Privileged Nominations; Information Requested—Upon receipt by the Senate of a nomination described in section 2, the nomination shall—

(1) be placed on the Executive Calendar under the heading ‘Privileged Nominations—Information Requested’; and

(2) remain on the Executive Calendar under such heading until the Executive Clerk receives a written certification from the Chairman of the committee of jurisdiction under subsection (b).

(b) Questionnaires—The Chairman of the committee of jurisdiction shall notify the Executive Clerk in writing when the appropriate biographical and financial questionnaires have been received from an individual nominated for a position described in section 2.

(c) Privileged Nominations; Information Received—Upon receipt of the certification under subsection (b), the nomination shall—

(1) be placed on the Executive Calendar under the heading ‘Privileged Nomination—Information Received’ and remain on the Executive Calendar under such heading for 10 session days; and

(2) after the expiration of the period referred to in paragraph (1), be placed on the ‘Nominations’ section of the Executive Calendar.

(d) Referral to Committee of Jurisdiction—During the period when a nomination described in subsection (a) is listed under the ‘Privileged Nomination—Information Requested’ section of the Executive Calendar described in section (a)(1) or the ‘Privileged Nomination—Information Received’ section of the Executive Calendar described in section (c)(1)—

(1) any Senator may request on his or her own behalf, or on the behalf of any identified Senator that the nomination be referred to the appropriate committee of jurisdiction; and

(2) if a Senator makes a request described in paragraph (1), the nomination shall be referred to the appropriate committee of jurisdiction.

#### SEC. 2. Nominations Covered.

The following nominations for the positions described (including total number of individuals to be appointed for the position) shall be considered under the provisions of this resolution:

(1) The Chairman and the Members of the Advisory Board for Cuba Broadcasting (9 Members including Chairman).

(2) The Chairman and the Members of the Corporation for National and Community Service (15 Members including Chairman).

(3) The Chairman and the Members of the Federal Retirement Thrift Investment Boards (5 Members including Chairman).

(4) The Members of the Internal Revenue Service Oversight Board (7 Members).

(5) The Members of the Board of the Millennium Challenge Corporation (4 Members).

(6) The Members of the National Council on the Arts (18 Members).

(7) The Members of the National Council for the Humanities (26 Members).

(8) The Members of the Board of Directors of the Overseas Private Investment Corporation (8 Members).

(9) The Members of the Peace Corps National Advisory Council (15 Members).

(10) The Chairman, Vice Chairman, and the Members of the Board of Directors for the United States Institute of Peace (12 Members including Chairman and Vice Chairman).

(11) The Members of the Board of Directors of the Federal Agricultural Mortgage Corporation (5 Members).

(12) The Members of the Board of Directors of the National Consumer Cooperative Bank (3 Members).

(13) The Members of the Board of Directors of the National Institute of Building Sciences (6 Members).

(14) The Members of the Board of Directors of the Securities Investor Protection Corporation (5 Members).

(15) The Members of the Board of Directors of the Metropolitan Washington Airport Authority (3 Members).

(16) The Members of the Saint Lawrence Seaway Development Corporation Advisory Board (5 Members).

(17) The Members of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation (9 Members).

(18) The Members the Board of Trustees of the Federal Hospital Insurance Trust Fund (2 Members).

(19) The Members of the Board of Trustees of the Federal Old Age and Survivors Trust Fund and Disability Insurance Trust Fund (2 Members).

(20) The Members of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund (2 Members).

(21) The Members of the Social Security Advisory Board (3 Members).

(22) The Members of the Board of Directors of the African Development Foundation (7 Members).

(23) The Members of the Board of Directors of the Inter American Foundation (9 Members).

(24) The Commissioners of the United States Advisory Commission on Public Diplomacy (7 Members).

(25) The Members of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation (8 Members).

(26) The Members of the Board of Trustees of the Harry Truman Scholarship Foundation (8 Members).

(27) The Members of the Board of Trustees of the James Madison Memorial Fellowship Foundation (6 Members).

(28) The Members of the Board of Directors of the Legal Services Corporation (11 Members).

(29) The Members of the Foreign Claims Settlement Commission (2 Members).

(30) The Members of the Board of Directors of the State Justice Institute (11 Members).

(31) Chief Financial Officer, from the following:

(A) Department of Agriculture.

(B) Department of Commerce.

(C) Department of Defense.

(D) Department of Education.

(E) Department of Energy.

(F) Department of Environmental Protection Agency.

(G) Department of Health and Human Services.

(H) Department of Homeland Security.

(I) Department of Housing and Urban Development.

(J) Department of the Interior.

(K) Department of Labor.

- (L) National Aeronautics and Space Administration.
  - (M) Department of State.
  - (N) Department of Transportation.
  - (O) Department of the Treasury.
  - (P) Department of Veterans Affairs.
- (32) Assistant Secretary for Financial Management of the Air Force.
- (33) Assistant Secretary for Financial Management of the Army.
- (34) Assistant Secretary for Financial Management of Navy.
- (35) Controller, Office of Federal Financial Management, Office of Management and Budget.
- (36) Assistant Secretaries or other officials whose primary responsibility is legislative affairs from the following:
- (A) Department of Agriculture.
  - (B) Department of Energy.
  - (C) Department of Defense.
  - (D) Department of Housing and Urban Development.
  - (E) Department of Commerce.
  - (F) Department of Treasury.
  - (G) Department of State.
  - (H) Department of Health and Human Services.
  - (I) United States Agency for International Development.
  - (J) Department of Education.
  - (K) Department of Labor.
  - (L) Department of Justice.
  - (M) Department of Veterans Affairs.
  - (N) Department of Transportation.
- (37) Commissioner, Rehabilitative Services Administration, Department of Education.
- (38) Commissioner, Administration for Children, Youth, and Families, Department of Health and Human Services.
- (39) Commissioner, Administration for Native Americans, Department of Health and Human Services.
- (40) Federal Coordinator, Alaska Natural Gas Transportation Projects.

(41) Assistant Secretary for Administration, Department of Commerce.<sup>4</sup>

SEC. 3. Executive Calendar.

The Secretary of the Senate shall create the appropriate sections on the Executive Calendar to reflect and effectuate the requirements of this resolution.

SEC. 4. Committee Justification for New Executive Positions.

The report accompanying each bill or joint resolution of a public character reported by any committee shall contain an evaluation and justification made by such committee for the establishment in the measure being reported of any new position appointed by the President within an existing or new Federal entity.

SEC. 5. Effective Date.

This resolution shall take effect 60 days after the date of adoption of this resolution.

[S. Res. 116, 112-1, Jun. 29, 2011.]

*Resolved*, That for the purpose of obtaining and laying factual data and information before the Senate Committee on Appropriations, or any subcommittee thereof, for its consideration in the discharge of its functions, the chairman or acting chairman of said committee is hereby authorized and directed, within the limit of funds made available by resolutions of the Senate, to appoint and employ such experts as he may deem necessary to obtain such data and information, and such experts, upon the written authority of the chairman or acting chairman, shall have the right to examine the books, documents, papers, reports, or other records of any department, agency, or establishment of the Federal Government in the District of Columbia and elsewhere; be it further

*Resolved*, That the said committee through its chairman is hereby authorized, within the limit of funds made available by resolutions of the Senate, to appoint additional clerical help and assistants.

[S. Res. 193, 78-1, Oct. 14, 1943; S. Res. 281, 96-2, Mar. 11, 1980.]

<sup>4</sup>Sec. 324 of Pub. L. 114-1, Jan. 12, 2015, established that the 13 members of the Board of Directors of the National Association of Registered Agents and Brokers, "shall be appointed by the President, by and with the advice and consent of the Senate, in accordance with the procedures established under Senate Resolution 116 of the 112th Congress."

## CONSULTANTS FOR THE COMMITTEE ON APPROPRIATIONS 77

*Resolved*, That within the limit of funds appropriated for expenses of inquiries and investigations for the Committee on Appropriations, the committee may expend such sums as it deems appropriate and necessary for the procurement of the services of individual consultants or organizations. Such services in the case of individuals or organizations may be procured by contract as independent contractors, or in the case of individuals by employment at daily rates of compensation not in excess of the per diem equivalent of the highest gross rate of compensation which may be paid to a regular employee of the committee. Such contracts may be made in the same manner and subject to the same conditions with respect to advertising as required of other standing committees of the Senate under section 202(i)(2) of the Legislative Reorganization Act of 1946, as amended.

[S. Res. 140, 94-1, May 14, 1975.]

## SELECT COMMITTEE ON ETHICS 78

*Resolved*, That (a) there is hereby established a permanent select committee of the Senate to be known as the Select Committee on Ethics (referred to hereinafter as the "Select Committee") consisting of six Members of the Senate, of whom three shall be selected from members of the majority party and three shall be selected from members of the minority party. Members thereof shall be appointed by the Senate in accordance with the provisions of paragraph 1 of rule XXIV of the Standing Rules of the Senate at the beginning of each Congress. The Select Committee shall select a chairman or a vice chairman from among its members. For purposes of paragraph 4<sup>5</sup> of rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairman of the Select Committee shall not be taken into account.

(b) Vacancies in the membership of the Select Committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be filled in the same manner as original appointments thereto are made.

(c)(1) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business involving complaints and allegations of misconduct, includ-

<sup>5</sup> Changed from "paragraph 6" as a result of the adoption of S. Res. 274, 96-1, Nov. 14, 1979.

ing the consideration of matters involving sworn complaints, unsworn allegations or information, resultant preliminary inquiries, initial reviews, investigations, hearings, recommendations or reports, and matters relating to S. Res. 400, agreed to May 19, 1976.

(2) Three members shall constitute a quorum for the transaction of the routine business of the Select Committee not covered by the first paragraph of this subparagraph, including requests for opinions and interpretations concerning the Code of Official Conduct or any other statute or regulation under the jurisdiction of the Select Committee, if one member of the quorum is a member of the majority party and one member of the quorum is a member of the minority party. 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.

(3) The Select Committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

(d) (Repealed by S. Res. 271, 96-1, Oct. 31, 1979.)

(e)(1) A member of the Select Committee shall be ineligible to participate in any initial review or investigation relating to his own conduct, the conduct of any officer or employee he supervises, or the conduct of any employee of any officer he supervises, or relating to any complaint filed by him, and the determinations and recommendations of the Select Committee with respect thereto. For purposes of this subparagraph, a Member of the Select Committee and an officer of the Senate shall be deemed to supervise any officer or employee consistent with the provision of paragraph 11 of rule XXXVII<sup>6</sup> of the Standing Rules of the Senate.

(2) A member of the Select Committee may, at his discretion, disqualify himself from participating in any initial review or investigation pending before the Select Committee and the determinations and recommendations of the Select Committee with respect thereto. Notice of such disqualification shall be given in writing to the President of the Senate.

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<sup>6</sup> Changed from "paragraph 12 of rule XLV" as a result of the adoption of S. Res. 274, 96-1, Nov. 14, 1979; further changed from "paragraph 11 of rule XLV" as a result of the adoption of S. Res. 389, 96-2, Mar. 25, 1980.

(3) Whenever any member of the Select Committee is ineligible under paragraph (1) to participate in any initial review or investigation or disqualifies himself under paragraph (2) from participating in any initial review or investigation, another Member of the Senate shall, subject to the provisions of subsection (d), be appointed to serve as a member of the Select Committee solely for purposes of such initial review or investigation and the determinations and recommendations of the Select Committee with respect thereto. Any Member of the Senate appointed for such purposes shall be of the same party as the Member who is ineligible or disqualifies himself.

SEC. 2. (a) It shall be the duty of the Select Committee to—

(1) receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, violations of the Senate Code of Official Conduct, and violations of rules and regulations of the Senate, relating to the conduct of individuals in the performance of their duties as Members of the Senate, or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto;

(2) recommend to the Senate by report or resolution by a majority vote of the full committee disciplinary action (including, but not limited to, in the case of a Member: censure, expulsion, or recommendation to the appropriate party conference regarding such Member's seniority or positions of responsibility; and, in the case of an officer or employee: suspension or dismissal) to be taken with respect to such violations which the Select Committee shall determine, after according to the individuals concerned due notice and opportunity for hearing, to have occurred;

(3) recommend to the Senate, by report or resolution, such additional rules or regulations as the Select Committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the Senate, and by officers or employees of the Senate, in the performance of their duties and the discharge of their responsibilities; and

(4) report violations by a majority vote of the full committee of any law to the proper Federal and State authorities.

(b)(1) Each sworn complaint filed with the Select Committee shall be in writing, shall be in such form as the Select Committee may prescribe by regulation, and shall be under oath.

(2) For purposes of this section, “sworn complaint” means a statement of facts within the personal knowledge of the complainant alleging a violation of law, the Senate Code of Official Conduct, or any other rule or regulation of the Senate relating to the conduct of individuals in the performance of their duties as Members, officers, or employees of the Senate.

(3) Any person who knowingly and willfully swears falsely to a sworn complaint does so under penalty of perjury, and the Select Committee may refer any such case to the Attorney General for prosecution.

(4) For the purposes of this section, “investigation” is a proceeding undertaken by the Select Committee after a finding, on the basis of an initial review, that there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred.

(c)(1) No investigation of conduct of a Member or officer of the Senate, and no report, resolution, or recommendation relating thereto, may be made unless approved by the affirmative recorded vote of not less than four members of the Select Committee.

(2) No other resolution, report, recommendation, interpretative ruling, or advisory opinion may be made without an affirmative vote of a majority of the members of the Select Committee voting.

(d)(1) When the Select Committee receives a sworn complaint against a Member or officer of the Senate, it shall promptly conduct an initial review of that complaint. The initial review shall be of duration and scope necessary to determine whether there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred.

(2) If as a result of an initial review under paragraph (1), the Select Committee determines by a recorded vote that there is not such substantial credible evidence, the Select Committee shall report such determination to the complainant and to the party charged, together with an explanation of the basis of such determination.

(3) If as a result of an initial review under paragraph (1), the Select Committee determines that a violation is inadvertent, technical, or otherwise of a de minimis nature, the Select Committee may attempt to correct or prevent such a violation by informal methods.

(4) If as the result of an initial review under paragraph (1), the Select Committee determines that there is such substantial credible evidence but that the violation, if proven, is neither of a de minimis nature nor sufficiently serious to justify any of the penalties expressly referred to in subsection (a)(2), the Select Committee may propose a remedy it deems appropriate. If the matter is thereby resolved, a summary of the Select Committee's conclusions and the remedy proposed shall be filed as a public record with the Secretary of the Senate and a notice of such filing shall be printed in the Congressional Record.

(5) If as the result of an initial review under paragraph (1), the Select Committee determines that there is such substantial credible evidence, the Select Committee shall promptly conduct an investigation if (A) the violation, if proven, would be sufficiently serious, in the judgment of the Select Committee, to warrant imposition of one or more of the penalties expressly referred to in subsection (a)(2), or (B) the violation, if proven, is less serious, but was not resolved pursuant to paragraph (4) above. Upon the conclusion of such investigation, the Select Committee shall report to the Senate, as soon as practicable, the results of such investigation together with its recommendations (if any) pursuant to subsection (a)(2).

(6) Upon the conclusion of any other investigation respecting the conduct of a Member or officer undertaken by the Select Committee, the Select Committee shall report to the Senate, as soon as practicable, the results of such investigation together with its recommendations (if any) pursuant to subsection (a)(2).

(e) When the Select Committee receives a sworn complaint against an employee of the Senate, it shall consider the complaint according to procedures it deems appropriate. If the Select Committee determines that the complaint is without substantial merit, it shall notify the complainant and the accused of its determination, together with an explanation of the basis of such determination.

(f) The Select Committee may, in its discretion, employ hearing examiners to hear testimony and make findings

of fact and/or recommendations to the Select Committee concerning the disposition of complaints.

(g) Notwithstanding any other provision of this section, no initial review or investigation shall be made of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provision of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code. The Select Committee may conduct an initial review or investigation of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Select Committee.

(h) The Select Committee shall adopt written rules setting forth procedures to be used in conducting investigations of complaints.

(i) The Select Committee from time to time shall transmit to the Senate its recommendation as to any legislative measures which it may consider to be necessary for the effective discharge of its duties.

SEC. 3. (a) The Select Committee is authorized to (1) make such expenditures; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony orally or by deposition; (7) employ and fix the compensation of a staff director, a counsel, an assistant counsel, one or more investigators, one or more hearing examiners, and such technical, clerical, and other assistants and consultants as it deems advisable; and (8) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, by contract as independent contractors or, in the case of individuals, by employment at daily rates of compensation not in excess of the per diem equivalent of the highest rate of compensation which may be paid to a regular employee of the Select Committee.

(b)(1) The Select Committee is authorized to retain and compensate counsel not employed by the Senate (or by any department or agency of the executive branch of the Government) whenever the Select Committee determines that the retention of outside counsel is necessary or appropriate for any action regarding any complaint or allegation, which, in the determination of the Select Committee is more appropriately conducted by counsel not employed by the Government of the United States as a regular employee.

(2) Any investigation conducted under section 2 shall be conducted by outside counsel as authorized in paragraph (1), unless the Select Committee determines not to use outside counsel.

(c) With the prior consent of the department or agency concerned, the Select Committee may (1) utilize the services, information, and facilities of any such department or agency of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee thereof, the Select Committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the Select Committee determines that such action is necessary and appropriate.

(d) Subpoenas may be issued (1) by the Select Committee or (2) by the chairman and vice chairman, acting jointly. Any such subpoena shall be signed by the chairman or the vice chairman and may be served by any person designated by such chairman or vice chairman. The chairman of the Select Committee or any member thereof may administer oaths to witnesses.

(e)(1) The Select Committee shall prescribe and publish such regulations as it feels are necessary to implement the Senate Code of Official Conduct.

(2) The Select Committee is authorized to issue interpretative rulings explaining and clarifying the application of any law, the Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction.

(3) The Select Committee shall render an advisory opinion, in writing within a reasonable time, in response to a written request by a Member or officer of the Senate or a candidate for nomination for election, or election to

the Senate, concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(4) The Select Committee may in its discretion render an advisory opinion in writing within a reasonable time in response to a written request by any employee of the Senate concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(5) Notwithstanding any provision of the Senate Code of Official Conduct or any rule or regulation of the Senate, any person who relies upon any provision or finding of an advisory opinion in accordance with the provisions of paragraphs (3) and (4) and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of any such act, be subject to any sanction by the Senate.

(6) Any advisory opinion rendered by the Select Committee under paragraphs (3) and (4) may be relied upon by (A) any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered: *Provided, however,* That the request for such advisory opinion included a complete and accurate statement of the specific factual situation; and (B) any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which such advisory opinion is rendered.

(7) Any advisory opinion issued in response to a request under paragraph (3) or (4) shall be printed in the Congressional Record with appropriate deletions to assure the privacy of the individual concerned. The Select Committee shall to the extent practicable, before rendering an advisory opinion, provide any interested party with an opportunity to transmit written comments to the Select Committee with respect to the request for such advisory opinion. The advisory opinions issued by the Select Committee shall be compiled, indexed, reproduced, and made available on a periodic basis.

(8) A brief description of a waiver granted under section 102(a)(2)(B) of Title I of Ethics in Government Act of 1978<sup>7</sup> or paragraph 1 of rule XXXV<sup>8</sup> of the Standing Rules of the Senate shall be made available upon request in the Select Committee office with appropriate deletions to assure the privacy of the individual concerned.

SEC. 4. The expenses of the Select Committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Select Committee.

SEC. 5. As used in this resolution, the term “officer or employee of the Senate” means—

(1) an elected officer of the Senate who is not a Member of the Senate;

(2) an employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

(3) the Legislative Counsel of the Senate or any employee of his office;

(4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties;

(5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate;

(6) an employee of the Vice President if such employee’s compensation is disbursed by the Secretary of the Senate;

(7) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.

[S. Res. 338, 88-2, July 24, 1964; S. Res. 368, 93-2, July 25, 1974; S. Res. 4, 95-1, Feb. 4, 1977; S. Res. 110, 95-1, Apr. 1, 1977; S. Res. 230, 95-1, July 25, 1977; S. Res. 312, 95-1, Nov. 1, 1977; S. Res. 271, 96-1, Oct. 31, 1979; S. Res. 78, 97-1, Feb. 24, 1981.]

SELECT COMMITTEE ON ETHICS—ADDITIONAL  
RESPONSIBILITY

79

*Resolved*, That the Senate assigns responsibility for administering the reporting requirements of Title I of the Ethics in Government Act of 1978 to the Select Committee on Ethics.

[S. Res. 223, 96-1, Aug. 2, 1979.]

<sup>7</sup> Changed from “paragraph 2(c), of rule XLII” as a result of the adoption of S. Res. 220, 96-1, Aug. 3, 1979.

<sup>8</sup> Changed from “paragraph 1 of rule XLIII” as a result of the adoption of S. Res. 389, 96-2, Mar. 25, 1980.

**80** SELECT COMMITTEE ON ETHICS—CHAIRMAN AND VICE-CHAIRMAN LEGISLATIVE ASSISTANTS CLERK-HIRE ALLOWANCE

*Resolved*, That effective October 31, 1979, service of a Senator as the chairman or ranking minority member of the Select Committee on Ethics shall not be taken into account for purposes of applying section 111(b) of the Legislative Branch Appropriation Act, 1978.

[S. Res. 290, 96-1, Nov. 27, 1979.]

**81** AUTHORIZING THE SELECT COMMITTEE ON ETHICS TO PROVIDE TRAINING ASSISTANCE TO ITS PROFESSIONAL STAFF

*Resolved*, That the Select Committee on Ethics (hereinafter referred to as the "Select Committee") is authorized, with the approval of the Committee on Rules and Administration, to provide assistance for members of its professional staff in obtaining specialized training, whenever the Select Committee determines that such training will aid it in the discharge of its responsibilities.

SEC. 2. (a) Assistance provided under authority of this resolution may be in the form of continuance of pay during periods of training or grants of funds to pay tuition, fees, or such other expenses of training, or both, as may be approved by the Committee on Rules and Administration.

(b) The Select Committee shall obtain from any employee receiving such assistance such agreement with respect to continued employment with the Select Committee as it may deem necessary to assure that it will receive the benefits of such employee's services upon completion of his training.

SEC. 3. The expenses of the Select Committee in providing assistance under authority of this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Select Committee.

[S. Res. 425, 97-2, Aug. 12, 1982.]

**82** SELECT COMMITTEE ON INTELLIGENCE

*Resolved*, That it is the purpose of this resolution to establish a new select committee of the Senate, to be known as the Select Committee on Intelligence, to oversee and make continuing studies of the intelligence activities and programs of the United States Government, and to submit to the Senate appropriate proposals for legislation and report to the Senate concerning such intelligence activities and programs. In carrying out this purpose, the Select

Committee on Intelligence shall make every effort to assure that the appropriate departments and agencies of the United States provide informed and timely intelligence necessary for the executive and legislative branches to make sound decisions affecting the security and vital interests of the Nation. It is further the purpose of this resolution to provide vigilant legislative oversight over the intelligence activities of the United States to assure that such activities are in conformity with the Constitution and laws of the United States.

SEC. 2. (a)(1) There is hereby established a select committee to be known as the Select Committee on Intelligence (hereinafter in this resolution referred to as the “select committee”). The select committee shall be composed of not to exceed fifteen Members appointed as follows:

(A) two members from the Committee on Appropriations;

(B) two members from the Committee on Armed Services;

(C) two members from the Committee on Foreign Relations;

(D) two members from the Committee on the Judiciary; and

(E) not to exceed seven members to be appointed from the Senate at large.

(2) Members appointed from each committee named in clauses (A) through (D) of paragraph (1) shall be evenly divided between the two major political parties and shall be appointed by the President pro tempore of the Senate upon the recommendations of the majority and minority leaders of the Senate. Of any members appointed under paragraph (1)(E), the majority leader shall appoint the majority members and the minority leader shall appoint the minority members, with the majority having a one vote margin.

(3)(A) The majority leader of the Senate and the minority leader of the Senate shall be ex officio members of the select committee but shall have no vote in the Committee and shall not be counted for purposes of determining a quorum.

(B) The Chairman and Ranking Member of the Committee on Armed Services (if not already a member of the select Committee) shall be ex officio members of the select Committee but shall have no vote in the Committee and shall not be counted for purposes of determining a quorum.

(b) At the beginning of each Congress, the Majority Leader of the Senate shall select a chairman of the select Committee and the Minority Leader shall select a vice chairman for the select Committee. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. Neither the chairman nor the vice chairman of the select committee shall at the same time serve as chairman or ranking minority member of any other committee referred to in paragraph 4(e)(1) of rule XXV of the Standing Rules of the Senate.

(c) The select Committee may be organized into subcommittees. Each subcommittee shall have a chairman and a vice chairman who are selected by the Chairman and Vice Chairman of the select Committee, respectively.

SEC. 3. (a) There shall be referred to the select committee all proposed legislation, messages, petitions, memorials, and other matters relating to the following:

(1) The Office of the Director of National Intelligence and the Director of National Intelligence.

(2) The Central Intelligence Agency and the Director of the Central Intelligence Agency.

(3) Intelligence activities of all other departments and agencies of the Government, including, but not limited to, the intelligence activities of the Defense Intelligence Agency, the National Security Agency, and other agencies of the Department of Defense; the Department of State; the Department of Justice; and the Department of the Treasury.

(4) The organization or reorganization of any department or agency of the Government to the extent that the organization or reorganization relates to a function or activity involving intelligence activities.

(5) Authorizations for appropriations, both direct and indirect, for the following:

(A) The Office of the Director of National Intelligence and the Director of National Intelligence.

(B) The Central Intelligence Agency and the Director of the Central Intelligence Agency.

(C) The Defense Intelligence Agency.

(D) The National Security Agency.

(E) The intelligence activities of other agencies and subdivisions of the Department of Defense.

(F) The intelligence activities of the Department of State.

(G) The intelligence activities of the Federal Bureau of Investigation.

(H) Any department, agency, or subdivision which is the successor to any agency named in clause (A), (B), (C) or (D); and the activities of any department, agency, or subdivision which is the successor to any department, agency, bureau, or subdivision named in clause (E), (F), or (G) to the extent that the activities of such successor department, agency, or subdivision are activities described in clause (E), (F), or (G).

(b)(1) Any proposed legislation reported by the select Committee except any legislation involving matters specified in clause (1), (2), (5)(A), or (5)(B) of subsection (a), containing any matter otherwise within the jurisdiction of any standing committee shall, at the request of the chairman of such standing committee, be referred to such standing committee for its consideration of such matter and be reported to the Senate by such standing committee within 10 days after the day on which such proposed legislation, in its entirety and including annexes, is referred to such standing committee; and any proposed legislation reported by any committee, other than the select Committee, which contains any matter within the jurisdiction of the select Committee shall, at the request of the chairman of the select Committee, be referred to the select Committee for its consideration of such matter and be reported to the Senate by the select Committee within 10 days after the day on which such proposed legislation, in its entirety and including annexes, is referred to such committee.

(2) In any case in which a committee fails to report any proposed legislation referred to it within the time limit prescribed in this subsection, such Committee shall be automatically discharged from further consideration of such proposed legislation on the 10th day following the day on which such proposed legislation is referred to such committee unless the Senate provides otherwise, or the Majority Leader or Minority Leader request, prior to that date, an additional 5 days on behalf of the Committee to which the proposed legislation was sequentially referred. At the end of that additional 5 day period, if the Committee fails to report the proposed legislation within that 5 day period, the Committee shall be automatically discharged from fur-

ther consideration of such proposed legislation unless the Senate provides otherwise.

(3) In computing any 10 or 5 day period under this subsection there shall be excluded from such computation any days on which the Senate is not in session.

(4) The reporting and referral processes outlined in this subsection shall be conducted in strict accordance with the Standing Rules of the Senate. In accordance with such rules, committees to which legislation is referred are not permitted to make changes or alterations to the text of the referred bill and its annexes, but may propose changes or alterations to the same in the form of amendments.

(c) Nothing in this resolution shall be construed as prohibiting or otherwise restricting the authority of any other committee to study and review any intelligence activity to the extent that such activity directly affects a matter otherwise within the jurisdiction of such committee.

(d) Nothing in this resolution shall be construed as amending, limiting, or otherwise changing the authority of any standing committee of the Senate to obtain full and prompt access to the product of the intelligence activities of any department or agency of the Government relevant to a matter otherwise within the jurisdiction of such committee.

SEC. 4. (a) The select committee, for the purposes of accountability to the Senate, shall make regular and periodic, but not less than quarterly, reports to the Senate on the nature and extent of the intelligence activities of the various departments and agencies of the United States. Such committee shall promptly call to the attention of the Senate or to any other appropriate committee or committees of the Senate any matters requiring the attention of the Senate or such other committee or committees. In making such report, the select committee shall proceed in a manner consistent with section 8(c)(2) to protect national security.

(b) The select committee shall obtain an annual report from the Director of National Intelligence, the Director of the Central Intelligence Agency, the Secretary of Defense, the Secretary of State, and the Director of the Federal Bureau of Investigation. Such reports shall review the intelligence activities of the agency or department concerned and the intelligence activities of foreign countries directed at the United States or its interest. An unclassified version of each report may be made available to the public at the

discretion of the select committee. Nothing herein shall be construed as requiring the public disclosure in such reports of the names of individuals engaged in intelligence activities for the United States or the divulging of intelligence methods employed or the sources of information on which such reports are based or the amount of funds authorized to be appropriated for intelligence activities.

(c) On or before March 15 of each year, the select committee shall submit to the Committee on the Budget of the Senate the views and estimates described in section 301(c) of the Congressional Budget Act of 1974 regarding matters within the jurisdiction of the select committee.

SEC. 5. (a) For the purposes of this resolution, the select committee is authorized in its discretion (1) to make investigations into any matter within its jurisdiction, (2) to make expenditures from the contingent fund of the Senate, (3) to employ personnel, (4) to hold hearings, (5) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (6) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents, (7) to take depositions and other testimony, (8) to procure the service of individual consultants or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946, and (9) with the prior consent of the government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The chairman of the select committee or any member thereof may administer oaths to witnesses.

(c) Subpoenas authorized by the select committee may be issued over the signature of the chairman, the vice chairman or any member of the select committee designated by the chairman, and may be served by any person designated by the chairman or any member signing the subpoenas.

SEC. 6. No employee of the select committee or any person engaged by contract or otherwise to perform services for or at the request of such committee shall be given access to any classified information by such committee unless such employee or person has (1) agreed in writing and under oath to be bound by the rules of the Senate (including the jurisdiction of the Select Committee on Ethics) and

of such committee as to the security of such information during and after the period of his employment or contractual agreement with such committee; and (2) received an appropriate security clearance as determined by such committee in consultation with the Director of National Intelligence. The type of security clearance to be required in the case of any such employee or person shall, within the determination of such committee in consultation with the Director of National Intelligence, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by such committee.

SEC. 7. The select committee shall formulate and carry out such rules and procedures as it deems necessary to prevent the disclosure, without the consent of the person or persons concerned, of information in the possession of such committee which unduly infringes upon the privacy or which violates the constitutional rights of such person or persons. Nothing herein shall be construed to prevent such committee from publicly disclosing any such information in any case in which such committee determines the national interest in the disclosure of such information clearly outweighs any infringement on the privacy of any person or persons.

SEC. 8. (a) The select committee may, subject to the provisions of this section, disclose publicly any information in the possession of such committee after a determination by such committee that the public interest would be served by such disclosure. Whenever committee action is required to disclose any information under this section, the committee shall meet to vote on the matter within five days after any member of the committee requests such a vote. No member of the select committee shall disclose any information, the disclosure of which requires a committee vote, prior to a vote by the committee on the question of the disclosure of such information or after such vote except in accordance with this section.

(b)(1) In any case in which the select committee votes to disclose publicly any information which has been classified under established security procedures, which has been submitted to it by the Executive branch, and which the Executive branch requests be kept secret, such committee shall—

(A) first, notify the Majority Leader and Minority Leader of the Senate of such vote; and

(B) second, consult with the Majority Leader and Minority Leader before notifying the President of such vote.

(2) The select committee may disclose publicly such information after the expiration of a five-day period following the day on which notice of such vote is transmitted to the Majority Leader and the Minority Leader and the President, unless, prior to the expiration of such five-day period, the President, personally in writing, notifies the committee that he objects to the disclosure of such information, provides his reasons therefore, and certifies that the threat to the national interest of the United States posed by such disclosure is of such gravity that it outweighs any public interest in the disclosure.

(3) If the President, personally, in writing, notifies the Majority Leader and Minority Leader of the Senate and the select Committee of his objections to the disclosure of such information as provided in paragraph (2), the Majority Leader and Minority Leader jointly or the select Committee, by majority vote, may refer the question of the disclosure of such information to the Senate for consideration.

(4) Whenever the select committee votes to refer the question of disclosure of any information to the Senate under paragraph (3), the Chairman shall not later than the first day on which the Senate is in session following the day on which the vote occurs, report the matter to the Senate for its consideration.

(5) One hour after the Senate convenes on the fourth day on which the Senate is in session following the day on which any such matter is reported to the Senate, or at such earlier time as the majority leader and the minority leader of the Senate jointly agree upon in accordance with paragraph 5 of rule XVII of the Standing Rules of the Senate, the Senate shall go into closed session and the matter shall be the pending business. In considering the matter in closed session the Senate may—

(A) approve the public disclosure of all or any portion of the information in question, in which case the committee shall publicly disclose the information ordered to be disclosed,

(B) disapprove the public disclosure of all or any portion of the information in question, in which case the committee shall not publicly disclose the information ordered not to be disclosed, or

(C) refer all or any portion of the matter back to the committee, in which case the committee shall make the final determination with respect to the public disclosure of the information in question.

Upon conclusion of the consideration of such matter in closed session, which may not extend beyond the close of the ninth day on which the Senate is in session following the day on which such matter was reported to the Senate, or the close of the fifth day following the day agreed upon jointly by the majority and minority leaders in accordance with paragraph 5 of rule XVII of the Standing Rules of the Senate (whichever the case may be), the Senate shall immediately vote on the disposition of such matter in open session, without debate, and without divulging the information with respect to which the vote is being taken. The Senate shall vote to dispose of such matter by one or more of the means specified in clauses (A), (B), and (C) of the second sentence of this paragraph. Any vote of the Senate to disclose any information pursuant to this paragraph shall be subject to the right of a Member of the Senate to move for reconsideration of the vote within the time and pursuant to the procedures specified in rule XIII of the Standing Rules of the Senate, and the disclosure of such information shall be made consistent with that right.

(c)(1) No information in the possession of the select committee relating to the lawful intelligence activities of any department or agency of the United States which has been classified under established security procedures and which the select committee, pursuant to subsection (a) or (b) of this section, has determined should not be disclosed shall be made available to any person by a Member, officer, or employee of the Senate except in a closed session of the Senate or as provided in paragraph (2).

(2) The select committee may, under such regulations as the committee shall prescribe to protect the confidentiality of such information, make any information described in paragraph (1) available to any other committee or any other Member of the Senate. Whenever the select committee makes such information available, the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the Senate received such information. No Member of the Senate who, and no committee which, receives any

information under this subsection, shall disclose such information except in a closed session of the Senate.

(d) It shall be the duty of the Select Committee on Ethics to investigate any unauthorized disclosure of intelligence information by a Member, officer or employee of the Senate in violation of subsection (c) and to report to the Senate concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Select Committee on Ethics shall release to such individual at the conclusion of its investigation a summary of its investigation together with its findings. If, at the conclusion of its investigation, the Select Committee on Ethics determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the Senate, it shall report its findings to the Senate and recommend appropriate action such as censure, removal from committee membership, or expulsion from the Senate, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

SEC. 9. The select committee is authorized to permit any personal representative of the President, designated by the President to serve as a liaison to such committee, to attend any closed meeting of such committee.

SEC. 10. Upon expiration of the Select Committee on Governmental Operations With Respect to Intelligence Activities, established by Senate Resolution 21, Ninety-fourth Congress, all records, files, documents, and other materials in the possession, custody, or control of such committee, under appropriate conditions established by it, shall be transferred to the select committee.

SEC. 11. (a) It is the sense of the Senate that the head of each department and agency of the United States should keep the select committee fully and currently informed with respect to intelligence activities, including any significant anticipated activities, which are the responsibility of or engaged in by such department or agency: *Provided*, That this does not constitute a condition precedent to the implementation of any such anticipated intelligence activity.

(b) It is the sense of the Senate that the head of any department or agency of the United States involved in any intelligence activities should furnish any information or

document in the possession, custody, or control of the department or agency, or person paid by such department or agency, whenever requested by the select committee with respect to any matter within such committee's jurisdiction.

(c) It is the sense of the Senate that each department and agency of the United States should report immediately upon discovery to the select committee any and all intelligence activities which constitute violations of the constitutional rights of any person, violations of law, or violations of Executive orders, Presidential directives, or departmental or agency rules or regulations; each department and agency should further report to such committee what actions have been taken or are expected to be taken by the departments or agencies with respect to such violations.

SEC. 12. Subject to the Standing Rules of the Senate, no funds shall be appropriated for any fiscal year beginning after September 30, 1976, with the exception of a continuing bill or resolution, or amendment thereto, or conference report thereon, to, or for use of, any department or agency of the United States to carry out any of the following activities, unless such funds shall have been previously authorized by a bill or joint resolution passed by the Senate during the same or preceding fiscal year to carry out such activity for such fiscal year:

(1) The activities of the Office of the Director of National Intelligence and the Director of National Intelligence.

(2) The activities of the Central Intelligence Agency and the Director of the Central Intelligence Agency.

(3) The activities of the Defense Intelligence Agency.

(4) The activities of the National Security Agency.

(5) The intelligence activities of other agencies and subdivisions of the Department of Defense.

(6) The intelligence activities of the Department of State.

(7) The intelligence activities of the Federal Bureau of Investigation.

SEC. 13. (a) The select committee shall make a study with respect to the following matters, taking into consideration with respect to each such matter, all relevant aspects of the effectiveness of planning, gathering, use, security, and dissemination of intelligence:

(1) the quality of the analytical capabilities of United States foreign intelligence agencies and means for integrating more closely analytical intelligence and policy formulation;

(2) the extent and nature of the authority of the departments and agencies of the Executive branch to engage in intelligence activities and the desirability of developing charters for each intelligence agency or department;

(3) the organization of intelligence activities in the Executive branch to maximize the effectiveness of the conduct, oversight, and accountability of intelligence activities; to reduce duplication or overlap; and to improve the morale of the personnel of the foreign intelligence agencies;

(4) the conduct of covert and clandestine activities and the procedures by which Congress is informed of such activities;

(5) the desirability of changing any law, Senate rule or procedure, or any Executive order, rule, or regulation to improve the protection of intelligence secrets and provide for disclosure of information for which there is no compelling reason for secrecy;

(6) the desirability of establishing a standing committee of the Senate on intelligence activities;

(7) the desirability of establishing a joint committee of the Senate and the House of Representatives on intelligence activities in lieu of having separate committees in each House of Congress, or of establishing procedures under which separate committees on intelligence activities of the two Houses of Congress would receive joint briefings from the intelligence agencies and coordinate their policies with respect to the safeguarding of sensitive intelligence information;

(8) the authorization of funds for the intelligence activities of the Government and whether disclosure of any of the amounts of such funds is in the public interest; and

(9) the development of a uniform set of definitions for terms to be used in policies or guidelines which may be adopted by the executive or legislative branches to govern, clarify, and strengthen the operation of intelligence activities.

(b) The select committee may, in its discretion, omit from the special study required by this section any matter it

determines has been adequately studied by the Select Committee To Study Governmental Operations With Respect to Intelligence Activities, established by Senate Resolution 21, Ninety-fourth Congress.

(c) The select committee shall report the results of the study provided for by this section to the Senate, together with any recommendations for legislative or other actions it deems appropriate, no later than July 1, 1977, and from time to time thereafter as it deems appropriate.

SEC. 14. (a) As used in this resolution, the term "intelligence activities" includes (1) the collection, analysis, production, dissemination, or use of information which relates to any foreign country, or any government, political group, party, military force, movement, or other association in such foreign country, and which relates to the defense, foreign policy, national security, or related policies of the United States, and other activity which is in support of such activities; (2) activities taken to counter similar activities directed against the United States; (3) covert or clandestine activities affecting the relations of the United States with any foreign government, political group, party, military force, movement or other association; (4) the collection, analysis, production, dissemination, or use of information about activities of persons within the United States, its territories and possessions, or nationals of the United States abroad whose political and related activities pose, or may be considered by any department, agency, bureau, office, division, instrumentality, or employee of the United States to pose, a threat to the internal security of the United States, and covert or clandestine activities directed against such persons. Such term does not include tactical foreign military intelligence serving no national policy-making function.

(b) As used in this resolution, the term "department or agency" includes any organization, committee, council, establishment, or office within the Federal Government.

(c) For purposes of this resolution, reference to any department, agency, bureau, or subdivision shall include a reference to any successor department, agency, bureau, or subdivision to the extent that such successor engages in intelligence activities now conducted by the department, agency, bureau, or subdivision referred to in this resolution.

SEC. 15. (a) In addition to other committee staff selected by the select Committee, the select Committee shall hire or appoint one employee for each member of the select Committee to serve as such Member's designated representative on the select Committee. The select Committee shall only hire or appoint an employee chosen by the respective Member of the select Committee for whom the employee will serve as the designated representative on the select Committee.

(b) The select Committee shall be afforded a supplement to its budget, to be determined by the Committee on Rules and Administration, to allow for the hire of each employee who fills the position of designated representative to the select Committee. The designated representative shall have office space and appropriate office equipment in the select Committee spaces. Designated personal representatives shall have the same access to Committee staff, information, records, and databases as select Committee staff, as determined by the Chairman and Vice Chairman.

(c) The designated employee shall meet all the requirements of relevant statutes, Senate rules, and committee security clearance requirements for employment by the select Committee.

(d) Of the funds made available to the select Committee for personnel—

(1) not more than 60 percent shall be under the control of the Chairman; and

(2) not less than 40 percent shall be under the control of the Vice Chairman.

SEC. 16. Nothing in this resolution shall be construed as constituting acquiescence by the Senate in any practice, or in the conduct of any activity, not otherwise authorized by law.

SEC. 17. (a)(1) Except as provided in subsections (b) and (c), the Select Committee shall have jurisdiction to review, hold hearings, and report the nominations of civilian individuals for positions in the intelligence community for which appointments are made by the President, by and with the advice and consent of the Senate.

(2) Except as provided in subsections (b) and (c), other committees with jurisdiction over the department or agency of the Executive Branch which contain a position referred to in paragraph (1) may hold hearings and interviews with

individuals nominated for such position, but only the Select Committee shall report such nomination.

(3) In this subsection, the term ‘intelligence community’ means an element of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(b)(1) With respect to the confirmation of the Assistant Attorney General for National Security, or any successor position, the nomination of any individual by the President to serve in such position shall be referred to the Committee on the Judiciary and, if and when reported, to the Select Committee for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

(2) If, upon the expiration of the period described in paragraph (1), the Select Committee has not reported the nomination, such nomination shall be automatically discharged from the Select Committee and placed on the Executive Calendar.

(c)(1) With respect to the confirmation of appointment to the position of Director of the National Security Agency, Inspector General of the National Security Agency, Director of the National Reconnaissance Office, or Inspector General of the National Reconnaissance Office, or any successor position to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is a member of the Armed Forces on active duty, shall be referred to the Committee on Armed Services and, if and when reported, to the Select Committee for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

(2) With respect to the confirmation of appointment to the position of Director of the National Security Agency, Inspector General of the National Security Agency, Director of the National Reconnaissance Office, or Inspector General or the National Reconnaissance Office, or any successor position to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is not a member of the Armed

Forces on active duty, shall be referred to the Select Committee and, if and when reported, to the Committee on Armed Services for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Committee on Armed Services shall have an additional 5 calendar days after the Senate reconvenes to report the nomination.

(3) If, upon the expiration of the period of sequential referral described in paragraphs (1) and (2), the committee to which the nomination was sequentially referred has not reported the nomination, the nomination shall be automatically discharged from that committee and placed on the Executive Calendar.

[S. Res. 400, 94-2, May 19, 1976, as amended S. Res. 470, 113-2, July 7, 2014; S. Res. 4, Feb. 4, 1977; S. Res. 445, 108-2, Oct. 9, 2004, Pub. L. 109-77, § 506, 120 Stat. 247, March 9, 2006; S. Res. 50, 110-1, Feb. 14, 2007.]

#### HOMELAND SECURITY AND INTELLIGENCE OVERSIGHT 83

To eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence.

*Resolved,*

##### SEC. 100. Purpose.

It is the purpose of titles I through V of this resolution to improve the effectiveness of the Senate Select Committee on Intelligence, especially with regard to its oversight of the Intelligence Community of the United States Government, and to improve the Senate's oversight of homeland security.

##### TITLE I—HOMELAND SECURITY OVERSIGHT REFORM

##### SEC. 101. Homeland Security.

(a) COMMITTEE ON HOMELAND SECURITY AND GOVERNMENT AFFAIRS.—The Committee on Governmental Affairs is renamed as the Committee on Homeland Security and Governmental Affairs.

(b) JURISDICTION.—There shall be referred to the committee all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

(1) Department of Homeland Security, except matters relating to—

(A) the Coast Guard, the Transportation Security Administration, the Federal Law Enforcement Training Center or the Secret Service; and

(B)(i) the United States Citizenship and Immigration Service; or

(ii) the immigration functions of the United States Customs and Border Protection or the United States Immigration and Customs Enforcement or the Directorate of Border and Transportation Security; and

(C) the following functions performed by any employee of the Department of Homeland Security—

(i) any customs revenue function including any function provided for in section 415 of the Homeland Security Act of 2002 (Public Law 107–296);

(ii) any commercial function or commercial operation of the Bureau of Customs and Border Protection or Bureau of Immigration and Customs Enforcement, including matters relating to trade facilitation and trade regulation; or

(iii) any other function related to clause (i) or (ii) that was exercised by the United States Customs Service on the day before the effective date of the Homeland Security Act of 2002 (Public Law 107–296).

The jurisdiction of the Committee on Homeland Security and Governmental Affairs in this paragraph shall supersede the jurisdiction of any other committee of the Senate provided in the rules of the Senate: *Provided*, That the jurisdiction provided under section 101(b)(1) shall not include the National Flood Insurance Act of 1968, or functions of the Federal Emergency Management Agency related thereto.

(2) Archives of the United States.

(3) Budget and accounting measures, other than appropriations, except as provided in the Congressional Budget Act of 1974.

(4) Census and collection of statistics, including economic and social statistics.

(5) Congressional organization, except for any part of the matter that amends the rules or orders of the Senate.

(6) Federal Civil Service.

(7) Government information.

(8) Intergovernmental relations.

(9) Municipal affairs of the District of Columbia, except appropriations therefor.

(10) Organization and management of United States nuclear export policy.

(11) Organization and reorganization of the executive branch of the Government.

(12) Postal Service.

(13) Status of officers and employees of the United States, including their classification, compensation, and benefits.

(c) ADDITIONAL DUTIES.—The committee shall have the duty of—

(1) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the Senate as it deems necessary or desirable in connection with the subject matter of such reports;

(2) studying the efficiency, economy, and effectiveness of all agencies and departments of the Government;

(3) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government; and

(4) studying the intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.

(d) JURISDICTION OF BUDGET COMMITTEE.—Notwithstanding paragraph (b)(3) of this section, and except as otherwise provided in the Congressional Budget Act of 1974, the Committee on the Budget shall have exclusive jurisdiction over measures affecting the congressional budget process, which are—

(1) the functions, duties, and powers of the Budget Committee;

(2) the functions, duties, and powers of the Congressional Budget Office;

(3) the process by which Congress annually establishes the appropriate levels of budget authority, outlays, revenues, deficits or surpluses, and public debt—including subdivisions thereof—and including the establishment of mandatory ceilings on spending and appropriations, a floor on revenues, timetables for congressional action on concurrent resolutions, on the

reporting of authorization bills, and on the enactment of appropriation bills, and enforcement mechanisms for budgetary limits and timetables;

(4) the limiting of backdoor spending devices;

(5) the timetables for Presidential submission of appropriations and authorization requests;

(6) the definitions of what constitutes impoundment—such as “rescissions” and “deferrals”;

(7) the process and determination by which impoundments must be reported to and considered by Congress;

(8) the mechanisms to insure Executive compliance with the provisions of the Impoundment Control Act, title X—such as GAO review and lawsuits; and

(9) the provisions which affect the content or determination of amounts included in or excluded from the congressional budget or the calculation of such amounts, including the definition of terms provided by the Budget Act.

(e) OMB NOMINEES.—The Committee on the Budget and the Committee on Homeland Security and Governmental Affairs shall have joint jurisdiction over the nominations of persons nominated by the President to fill the positions of Director and Deputy Director for Budget within the Office of Management and Budget, and if one committee votes to order reported such a nomination, the other must report within 30 calendar days session, or be automatically discharged.

#### TITLE II—INTELLIGENCE OVERSIGHT REFORM

#### SEC. 201. Intelligence Oversight.

(a) COMMITTEE ON ARMED SERVICES MEMBERSHIP.—Section 2(a)(3) of Senate Resolution 400, agreed to May 19, 1976 (94th Congress) (referred to in this section as “S. Res. 400”) is amended by—

(1) inserting “(A)” after “(3)”; and

(2) inserting at the end the following:

“(B) The Chairman and Ranking Member of the Committee on Armed Services (if not already a member of the select Committee) shall be ex officio members of the select Committee but shall have no vote in the Committee and shall not be counted for purposes of determining a quorum.”.

(b) NUMBER OF MEMBERS.—Section 2(a) of S. Res. 400 is amended—

(1) in paragraph (1), by inserting “not to exceed” before “fifteen members”;

(2) in paragraph (1)(E), by inserting “not to exceed” before “seven”; and

(3) in paragraph (2), by striking the second sentence and inserting “Of any members appointed under paragraph (1)(E), the majority leader shall appoint the majority members and the minority leader shall appoint the minority members, with the majority having a one vote margin.”.

(c) ELIMINATION OF TERM LIMITS.—Section 2 of Senate Resolution 400, 94th Congress, agreed to May 19, 1976, is amended by striking subsection (b) and by redesignating subsection (c) as subsection (b).

(d) APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN.—Section 2(b) of S. Res. 400, as redesignated by subsection (c) of this section, is amended by striking the first sentence and inserting the following: “At the beginning of each Congress, the Majority Leader of the Senate shall select a chairman of the select Committee and the Minority Leader shall select a vice chairman for the select Committee.”.

(e) SUBCOMMITTEES.—Section 2 of S. Res. 400, as amended by subsections (a) through (d), is amended by adding at the end the following:

“(c) The select Committee may be organized into subcommittees. Each subcommittee shall have a chairman and a vice chairman who are selected by the Chairman and Vice Chairman of the select Committee, respectively.”.

(f) REPORTS.—Section 4(a) of S. Res. 400 is amended by inserting “, but not less than quarterly,” after “periodic”.

(g) STAFF.—Section 15 of S. Res. 400 is amended to read as follows:

“SEC. 15. (a) In addition to other committee staff selected by the select Committee, the select Committee shall hire or appoint one employee for each member of the select Committee to serve as such Member’s designated representative on the select Committee. The select Committee shall only hire or appoint an employee chosen by the respective Member of the select Committee for whom the employee will serve as the designated representative on the select Committee.

“(b) The select Committee shall be afforded a supplement to its budget, to be determined by the Committee on Rules and Administration, to allow for the hire of each employee who fills the position of designated representative to the select Committee. The designated representative shall have office space and appropriate office equipment in the select Committee spaces. Designated personal representatives shall have the same access to Committee staff, information, records, and databases as select Committee staff, as determined by the Chairman and Vice Chairman.

“(c) The designated employee shall meet all the requirements of relevant statutes, Senate rules, and committee security clearance requirements for employment by the select Committee.

“(d) Of the funds made available to the select Committee for personnel—

“(1) not more than 60 percent shall be under the control of the Chairman; and

“(2) not less than 40 percent shall be under the control of the Vice Chairman.”.

(h) NOMINEES.—S. Res. 400 is amended by adding at the end the following:

“SEC. 17. (a) The select Committee shall have jurisdiction for reviewing, holding hearings, and reporting the nominations of civilian persons nominated by the President to fill all positions within the intelligence community requiring the advice and consent of the Senate.

“(b) Other committees with jurisdiction over the nominees’ executive branch department may hold hearings and interviews with such persons, but only the select Committee shall report such nominations.”.

(i) JURISDICTION.—Section 3(b) of S. Res. 400 is amended to read as follows:

“(b)(1) Any proposed legislation reported by the select Committee except any legislation involving matters specified in clause (1) or (4)(A) of subsection (a), containing any matter otherwise within the jurisdiction of any standing committee shall, at the request of the chairman of such standing committee, be referred to such standing committee for its consideration of such matter and be reported to the Senate by such standing committee within 10 days after the day on which such proposed legislation, in its entirety

and including annexes, is referred to such standing committee; and any proposed legislation reported by any committee, other than the select Committee, which contains any matter within the jurisdiction of the select Committee shall, at the request of the chairman of the select Committee, be referred to the select Committee for its consideration of such matter and be reported to the Senate by the select Committee within 10 days after the day on which such proposed legislation, in its entirety and including annexes, is referred to such committee.

“(2) In any case in which a committee fails to report any proposed legislation referred to it within the time limit prescribed in this subsection, such Committee shall be automatically discharged from further consideration of such proposed legislation on the 10th day following the day on which such proposed legislation is referred to such committee unless the Senate provides otherwise, or the Majority Leader or Minority Leader request, prior to that date, an additional 5 days on behalf of the Committee to which the proposed legislation as sequentially referred. At the end of that additional 5 day period, if the Committee fails to report the proposed legislation within that 5 day period, the Committee shall be automatically discharged from further consideration of such proposed legislation unless the Senate provides otherwise.

“(3) In computing any 10 or 5 day period under this subsection there shall be excluded from such computation any days on which the Senate is not the session.

“(4) The reporting and referral processes outlined in this subsection shall be conducted in strict accordance with the Standing Rules of the Senate. In accordance with such rules, committees to which legislation is referred are not permitted to make changes or alterations to the text of the referred bill and its annexes, but may propose changes or alterations to the same in the form of amendments.”.

(j) PUBLIC DISCLOSURE.—Section 8 of S. Res. 400 is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “shall notify the President of such vote” and inserting “shall—

“(A) first, notify the Majority Leader and Minority Leader of the Senate of such vote; and

“(B) second, consult with the Majority Leader and Minority Leader before notifying the President of such vote.”;

(B) in paragraph (2), by striking “transmitted to the President” and inserting “transmitted to the Majority Leader and the Minority Leader and the President”; and

(C) by amending paragraph (3) to read as follows:

“(3) If the President, personally, in writing, notifies the Majority Leader and Minority Leader of the Senate and the select Committee of his objections to the disclosure of such information as provided in paragraph (2), the Majority Leader and Minority Leader jointly or the select Committee, by majority vote, may refer the question of the disclosure of such information to the Senate for consideration.”.

#### TITLE III—COMMITTEE STATUS

##### SEC. 301. Committee Status.

(a) HOMELAND SECURITY.—The Committee on Homeland Security and Governmental Affairs shall be treated as the Committee on Governmental Affairs listed under paragraph 2 of rule XXV of the Standing Rules of the Senate for purposes of the Standing Rules of the Senate.

(b) INTELLIGENCE.—The Select Committee on Intelligence shall be treated as a committee listed under paragraph 2 of rule XXV of the Standing Rules of the Senate for purposes of the Standing Rules of the Senate.

#### TITLE IV—INTELLIGENCE RELATED SUBCOMMITTEES

##### SEC. 401. Subcommittee Related on Intelligence Oversight.

(a) ESTABLISHMENT.—There is established in the Select Committee on Intelligence a Subcommittee on Oversight which shall be in addition to any other subcommittee established by the select Committee.

(b) RESPONSIBILITY.—The Subcommittee on Oversight shall be responsible for ongoing oversight of intelligence activities.

SEC. 402. Subcommittee Related to Intelligence Appropriations.

(a) ESTABLISHMENT.—There is established in the Committee on Appropriations a Subcommittee on Intelligence. The Committee on Appropriations shall reorganize into 13 subcommittees as soon as possible after the convening of the 109th Congress.

(b) JURISDICTION.—The Subcommittee on Intelligence of the Committee on Appropriations shall have jurisdiction over funding for intelligence matters, as determined by the Senate Committee on Appropriations.

TITLE V—EFFECTIVE DATE

SEC. 501. Effective Date.

This resolution shall take effect on the convening of the 109th Congress.

[S. Res. 445, 108–2, Oct. 9, 2004.]

REORGANIZATION OF SENATE COMMITTEE SYSTEM<sup>9</sup> 84

*Resolved*, That this resolution may be cited as the “Committee System Reorganization Amendments of 1977”.

TITLE I—SENATE COMMITTEES; JURISDICTIONS AND SIZES

\* \* \* \* \*

SPECIAL COMMITTEE ON AGING 85

SEC. 104. (a)(1) There is established a Special Committee on Aging (hereafter in this section referred to as the “special committee”) which shall consist of nineteen<sup>10</sup> members. The members and chairman of the special committee shall be appointed in the same manner and at the same time as the members and chairman of a standing committee of the Senate. After the date on which the majority and minority members of the special committee are initially appointed on or after the effective date of Title I of the Committee System Reorganization Amendments of 1977, each time a vacancy occurs in the membership of the special committee, the number of members of the special committee shall be reduced by one until the number of members of the special committee consists of nine Senators.

<sup>9</sup>Omitted portions amended the Standing Rules of the Senate and various Senate resolutions, were temporary in nature, or have been executed.

<sup>10</sup>See paragraph 3(b) of rule XXV of the Standing Rules.

(2)<sup>11</sup> For purposes of paragraph 1 of rule XXV; paragraphs 1, 7(a)(1)–(2), 9, and 10(a) of rule XXVI; and paragraphs 1(a)–(d), and 2 (a) and (d) of rule XXVII of the Standing Rules of the Senate; and for purposes of section 202 (i) and (j) of the Legislative Reorganization Act of 1946, the special committee shall be treated as a standing committee of the Senate.<sup>12</sup>

(b)(1) It shall be the duty of the special committee to conduct a continuing study of any and all matters pertaining to problems and opportunities of older people, including, but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and, when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

(2) The special committee shall, from time to time (but not less often than once each year), report to the Senate the results of the study conducted pursuant to paragraph (1), together with such recommendation as it considers appropriate.

(c)(1) For the purposes of this section, the special committee is authorized, in its discretion, (A) to make investigations into any matter within its jurisdiction, (B) to make expenditures from the contingent fund of the Senate, (C) to employ personnel, (D) to hold hearings, (E) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (F) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents, (G) to take depositions and other testimony, (H) to procure the services of individual consultations or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946, and (I) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

<sup>11</sup> The references in this paragraph were changed as a result of the adoption of S. Res. 274, 96–1, Nov. 14, 1979; and further changed as a result of the adoption of S. Res. 389, 96–2, Mar. 25, 1980.

<sup>12</sup> As amended, S. Res. 78, 95–1, Feb. 11, 1977; S. Res. 376, 95–2, Mar. 6, 1978.

(2) The chairman of the special committee or any member thereof may administer oaths to witnesses.

(3) Subpenas authorized by the special committee may be issued over the signature of the chairman, or any member of the special committee designated by the chairman, and may be served by any person designated by the chairman or the member signing the Subpena.

(d) All records and papers of the temporary Special Committee on Aging established by Senate Resolution 33, Eighty-seventh Congress, are transferred to the special committee.

(e) (Executed.)

COMMITTEE ON INDIAN AFFAIRS<sup>13</sup>

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SEC. 105. (a)(1) There is established a Select Committee on Indian Affairs (hereafter in this section referred to as the "select committee") which shall consist of seven<sup>14</sup> members, four to be appointed by the President of the Senate, upon the recommendation of the majority leader, from among members of the majority party and three to be appointed by the President of the Senate, upon the recommendation of the minority leader, from among the members of the minority party. The select committee shall select a chairman from among its members.

(2) A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the select committee may fix a lesser number as a quorum for the purpose of taking testimony. The select committee shall adopt rules of procedure not inconsistent with this section and the rules of the Senate governing standing committees of the Senate.

(3) Vacancies in the membership of the select committee shall not affect the authority of the remaining members to execute the functions of the select committee.

(4) For purposes of paragraph 4<sup>15</sup> of rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairman of the select committee shall not be taken into account.

<sup>13</sup>Name changed from "Select Committee on Indian Affairs" by S. Res. 71, 103-1, Feb. 25, 1993.

<sup>14</sup>See paragraph 3(c) of rule XXV of the Standing Rules.

<sup>15</sup>Changed from "paragraph 6" as a result of the adoption of S. Res. 274, 96-1, Nov. 14, 1979.

(b)(1) All proposed legislation, messages, petitions, memorials, and other matters relating to Indian affairs shall be referred to the select committee.

(2) It shall be the duty of the select committee to conduct a study of any and all matters pertaining to problems and opportunities of Indians, including but not limited to, Indian land management and trust responsibilities, Indian education, health, special services, and loan programs, and Indian claims against the United States.

(3) The select committee shall from time to time report to the Senate, by bill or otherwise, its recommendations with respect to matters referred to the select committee or otherwise within its jurisdiction.

(c)(1) For the purposes of this section, the select committee is authorized, in its discretion, (A) to make investigations into any matter within its jurisdiction, (B) to make expenditures from the contingent fund of the Senate, (C) to employ personnel, (D) to hold hearings, (E) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (F) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents, (G) to take depositions and other testimony, (H) to procure the services of individual consultants or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946, and (I) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(2) The chairman of the select committee or any member thereof may administer oaths to witnesses.

(3) Subpoenas authorized by the select committee may be issued over the signature of the chairman, or any member of the select committee designated by the chairman, and may be served by any person designated by the chairman or the member signing the subpoena.

\* \* \* \* \*

[Sec. 105 of S. Res. 4, 95-1, Feb. 4, 1977; S. Res. 405, 95-2, Oct. 15, 1978; S. Res. 448, 96-2, Dec. 11, 1980; Cong. Rec., Nov. 18, 1983, p. 34680; S. Res. 127, 98-2, June 6, 1984.]

86.1 TITLE II—COMMITTEE ASSIGNMENTS; CHAIRMANSHIPS

SEC. 201. \* \* \*

(f) It is the sense of the Senate that, in adopting rules, each committee of the Senate should include a provision

to insure that assignment of Senators to subcommittees will occur in an equitable fashion; namely, that no member of a committee will receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignment to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

\* \* \* \* \*

TITLE IV—SCHEDULING OF COMMITTEE MEETINGS

86.2

SEC. 401. (a) In consultation with the Majority Leader and the Minority Leader, the Committee on Rules and Administration shall establish and maintain a computerized schedule of all meetings of committees of the Senate and subcommittees thereof, and of all meetings of joint committees of the Congress and subcommittees thereof. Such schedule shall be maintained online to terminals in the offices of all Senators, committees of the Senate, and permanent joint committees of the Congress, and shall be updated immediately upon receipt of notices of meetings or cancellations thereof under this section.

(b) Each committee of the Senate, and each subcommittee thereof, shall notify the office designated by the Committee on Rules and Administration of each meeting of such committee or subcommittee, including the time period or periods (as prescribed in paragraph 6 of rule XXVI<sup>16</sup> of the Standing Rules of the Senate), the place, and the purpose of such meeting. The Senate members of any joint committee of the Congress or of a subcommittee thereof shall cause notice to be given to the office designated by the Committee on Rules and Administration of each meeting of such joint committee or subcommittee, including the time, place, and purposes of such meeting. Notice under this subsection shall be given immediately upon scheduling a meeting.

(c) Each committee of the Senate, and each subcommittee thereof, shall notify the office designated by the Committee on Rules and Administration immediately upon the cancellation of a meeting of such committee or subcommittee. The Senate members of any joint committee of the Congress or any subcommittee thereof shall cause notice to be given to the office designated by the Committee on Rules

<sup>16</sup> Changed from “paragraph 9 of rule XXV” as a result of the adoption of S. Res. 274, 96–1, Nov. 14, 1979.

and Administration immediately upon the cancellation of a meeting of such joint committee or subcommittee.

(d) For purposes of this section, the term “joint committee of the Congress” includes a committee of conference.

\* \* \* \* \*

**86.3** TITLE V—CONTINUING REVIEW OF THE COMMITTEE SYSTEM

SEC. 501. (a) The Committee on Rules and Administration, in consultation with the Majority Leader and the Minority Leader, shall review, on a continuing basis, the committee system of the Senate and the Standing Rules and other rules of the Senate related thereto.

(b) During the second regular session of each Congress, the Committee on Rules and Administration shall submit to the Senate a report of the results of its review under subsection (a) during that Congress. Such report shall include its recommendations (if any) for changes in the committee system of the Senate and the Standing Rules and other rules of the Senate related thereto. The Committee on Rules and Administration may submit, from time to time, such other reports and recommendations with respect to such committee system and rules as it deems appropriate.

(c) The Committee on Rules and Administration, the Majority Leader, and the Minority Leader may request the Secretary for the Majority and the Secretary for the Minority to provide assistance in carrying out their duties and responsibilities under this section.

\* \* \* \* \*

[S. Res. 4, 95-1, Feb. 4, 1977.]

**87** ACCEPTANCE OF GIFTS BY THE COMMITTEE ON RULES AND ADMINISTRATION

SEC. 4. The Senate Committee on Rules and Administration, on behalf of the Senate, may accept a gift if the gift does not involve any duty, burden, or condition, or is not made dependent upon some future performance by the United States Senate. The Committee on Rules and Administration is authorized to promulgate regulations to carry out this section.

[S. Res. 158, 104-1, July 28, 1995.]

**88** AUTHORIZING SUIT BY SENATE COMMITTEES

*Resolved*, That hereafter any committee of the Senate is hereby authorized to bring suit on behalf of and in the name of the United States in any court of competent juris-

diction if the committee is of the opinion that the suit is necessary to the adequate performance of the powers vested in it or the duties imposed upon it by the Constitution, resolution of the Senate, or other law. Such suit may be brought and prosecuted to final determination irrespective of whether or not the Senate is in session at the time the suit is brought or thereafter. The committee may be represented in the suit either by such attorneys as it may designate or by such officers of the Department of Justice as the Attorney General may designate upon the request of the committee. No expenditures shall be made in connection with any such suit in excess of the amount of funds available to the said committee. As used in this resolution, the term "committee" means any standing or special committee of the Senate, or any duly authorized subcommittee thereof, or the Senate members of any joint committee.

[S. Jour. 572, 70-1, May 28, 1928.]

## NATIONAL SECURITY WORKING GROUP

89

SEC. 21. Senate National Security Working Group Extension and Revision.

(a) WORKING GROUP RECONSTITUTION.—

(1) IN GENERAL.—The Senate National Security Working Group (in this section referred to as the "Working Group"), authorized by Senate Resolution 105 of the 101st Congress, 1st session (agreed to on April 13, 1989), as subsequently amended and extended, is hereby reconstituted.

(2) DUTIES.—The Working Group—

(A) shall serve as a forum for bipartisan discussion of current national security issues relating to the jurisdictions of multiple committees of the Senate;

(B) shall conduct regular meetings and maintain records of all meetings and activities;

(C) may authorize members to act as official observers on the United States delegation to any negotiations to which the United States is a party regarding—

(i) the reduction, limitation, or control of conventional weapons, weapons of mass destruction, or the means for delivery of any such weapons;

(ii) the reduction, limitation, or control of missile defenses; or

(iii) export controls;

(D) may study any issues related to national security that the majority leader of the Senate and the minority leader of the Senate jointly determine appropriate;

(E) is encouraged to consult with parliamentarians and legislators of foreign nations and to participate in international forums and institutions regarding the matters described in subparagraphs (C) and (D); and

(F) is not authorized to investigate matters relating to espionage or intelligence operations against the United States, counterintelligence operations and activities, or other intelligence matters within the jurisdiction of the Select Committee on Intelligence under Senate Resolution 400 of the 94th Congress, agreed to on May 19, 1976.

(3) COMPOSITION.—

(A) In General.—The Working Group shall be composed of 20 members, as follows:

(i) 7 Cochairmen, who shall head the Working Group, as follows:

(I) 4 Members of the Senate from the majority party in the Senate (in this section referred to as the “Majority Cochairmen”), appointed by the majority leader of the Senate.

(II) 3 Members of the Senate from the minority party in the Senate (in this section referred to as the “Minority Cochairmen”), appointed by the minority leader of the Senate.

(ii) The majority leader of the Senate and the minority leader of the Senate.

(iii) 5 Members of the Senate from the majority party in the Senate, appointed by the majority leader of the Senate.

(iv) 6 Members of the Senate from the minority party in the Senate, appointed by the minority leader of the Senate.

(B) ADMINISTRATIVE COCHAIRMEN.—The majority leader of the Senate shall designate one of the Majority Cochairmen to serve as the Majority Administrative Cochairman, and the minority leader of the Senate shall designate one of the

Minority Cochairmen to serve as the Minority Administrative Cochairman.

(C) PUBLICATION.—Appointments and designations under this paragraph shall be printed in the Congressional Record.

(4) VACANCIES.—Any vacancy in the Working Group shall be filled in the same manner in which the original appointment was made.

(b) WORKING GROUP STAFF.—

(1) COMPENSATION AND EXPENSES.—(A) The Working Group is authorized, from funds made available under subsection (c), to employ such staff in the manner and at a rate not to exceed that allowed for employees of a committee of the Senate under paragraph (3) of section 105(e) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 61-1(e)), and incur such expenses as may be necessary or appropriate to carry out its duties and functions.

(B) Senate Resolution 243, 100th Congress, agreed to July 1, 1987, is amended in section 2(b) by striking the period at the end and inserting “at a rate not to exceed that allowed for employees of a committee of the Senate under paragraph (3) of section 105(e) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 61-1(e)).”.

(C) Payments made under this subsection for receptions, meals, and food-related expenses shall be authorized, however, only for those actual expenses incurred by the Working Group in the course of conducting its official duties and functions. Amounts received as reimbursement for such food expenses shall not be reported as income, and the expenses so reimbursed shall not be allowed as a deduction under title 26, United States Code.

(2) DESIGNATION OF PROFESSIONAL STAFF.—

(A) IN GENERAL.—The Majority Administrative Cochairman shall designate one or more professional staff members for each Majority Cochairman of the Working Group, upon recommendations from each such Majority Co-chairman. The Minority Administrative Co-chairman shall designate one or more professional staff members for each Minority Cochairman of the Working

Group, upon recommendations from each such Minority Cochairman.

(B) COMPENSATION OF SENATE EMPLOYEES.—In the case of the compensation of any such professional staff member who is an employee of a Member of the Senate or of a committee of the Senate and who has been designated to perform services for the Working Group, such professional staff member shall continue to be paid by such Member or such Committee, as the case may be, but the account from which such professional staff member is paid shall be reimbursed for the services of such professional staff member (including agency contributions when appropriate) out of funds made available under subsection (c)(2).

(C) DUTIES.—The professional staff members authorized by this paragraph shall serve all members of the Working Group and shall carry out such other functions as their respective Co-chairmen may specify.

(D) EXCLUSIVE PARTICIPATION IN OFFICIAL ACTIVITIES.—Except as provided in paragraph (4), only designated staff of the Working Group may participate in the official activities of the Working Group.

(3) LEADERSHIP STAFF.—

(A) IN GENERAL.—The majority leader of the Senate and the minority leader of the Senate may each designate 2 staff members who shall be responsible to the respective leader.

(B) COMPENSATION.—Funds necessary to compensate leadership staff shall be transferred from the funds made available under subsection (c)(3) to the respective account from which such designated staff member is paid.

(4) FOREIGN TRAVEL.—

(A) IN GENERAL.—All foreign travel of the Working Group shall be authorized solely by the majority leader of the Senate and the minority leader of the Senate, upon the recommendation of the Administrative Cochairmen. Participation by Senate staff members in, and access to, all official activities and functions of the Working Group during foreign travel, and access to all classified briefings and information made avail-

able to the Working Group during such travel, shall be limited exclusively to Working Group staff members with appropriate clearances.

(B) AUTHORIZATION REQUIRED.—

(i) COMMITTEE STAFF.—No foreign travel or other funding shall be authorized by any committee of the Senate for the use of staff for activities described under this paragraph without the joint written authorization of the majority leader of the Senate and the minority leader of the Senate to the chairman of such committee.

(ii) MEMBER STAFF.—No foreign travel or other funding shall be authorized for the staff of any Member of the Senate, other than Working Group staff, for activities described under this paragraph unless the majority leader of the Senate and the minority leader of the Senate jointly so authorize in writing.

(c) PAYMENT OF EXPENSES.—

(1) IN GENERAL.—The expenses of the Working Group shall be paid from the contingent fund of the Senate, out of the account of Miscellaneous Items, upon vouchers approved jointly by the Administrative Cochairmen (except that vouchers shall not be required for the disbursement of salaries of employees who are paid at an annual rate).

(2) AMOUNTS AVAILABLE.—For any fiscal year, not more than \$500,000 shall be expended for staff and for expenses (excepting expenses incurred for foreign travel), of which not more than \$100,000 shall be available for each Administrative Cochairman and the staff of such Administrative Cochairman, and not more than \$60,000 shall be available for each Cochairman who is not an Administrative Cochairman and the staff of such Cochairman.

(3) LEADERSHIP STAFF.—In addition to the amounts referred to in paragraph (2), for any fiscal year, not more than \$200,000 shall be expended from the contingent fund of the Senate, out of the account of Miscellaneous Items, for leadership staff as designated in subsection (b)(3) for salaries and expenses (excepting expenses incurred for foreign travel).

(d) SUNSET.—The provisions of this section shall remain in effect until December 31, 2020.

[S. Res. 64, 113–1, Mar. 5, 2013, as amended Further Continuing and Security Assistance Appropriations Act, 2017, Pub. L. 114–254, Dec. 10, 2016; as amended Energy and Water, Legislative Branch and Military Construction and Veterans Affairs Appropriations Act, 2019, Pub. L. No. 115–244, Sept. 21, 2018.]

90 SPECIAL DEPUTIES

*Resolved*, That the Sergeant at Arms of the Senate is authorized and empowered from time to time to appoint such special deputies as he may think necessary to serve process or perform other duties devolved upon the Sergeant at Arms by law or the rules or orders of the Senate, or which may hereafter be devolved upon him, and in such case they shall be officers of the Senate; and any act done or return made by the deputies so appointed shall have like effect and be of the same validity as if performed or made by the Sergeant at Arms in person.

[S. Jour. 47, 51–1, Dec. 17, 1889.]

91 OFFICE OF DEPUTY PRESIDENT PRO TEMPORE

*Resolved*, That, effective January 5, 1977, there is hereby established in the United States Senate the Office of Deputy President Pro Tempore.

SEC. 2. Any Member of the Senate who has held the Office of President of the United States or Vice President of the United States shall be a Deputy President pro tempore.

SEC. 3. [Superseded.]

SEC. 4. The Sergeant at Arms and Doorkeeper is authorized (a) to provide, by lease or purchase, and maintain an automobile for each Deputy President pro tempore, and (b) to employ and fix the compensation of a driver-messenger for each Deputy President pro tempore at not to exceed \$18,584<sup>17</sup> per annum.

SEC. 5. [Superseded.]

SEC. 6. [Superseded.]

SEC. 7. Until otherwise provided by law, the Secretary of the Senate is authorized to pay from the contingent fund of the Senate such amounts as may be necessary, for salaries and expenses, to carry out the provisions of this resolution. Expenses incurred under section 4(a) of this resolution shall be paid upon vouchers approved by the Sergeant at Arms and Doorkeeper. Vouchers shall not be required for

<sup>17</sup>Superseded by 2 U.S.C. 6597, Pub. L. 97–51, Oct. 1, 1981, § 116, 95 Stat. 963.

the disbursement of salaries of employees paid under authority of this resolution.

[S. Res. 17, 95-1, Jan. 10, 1977.]

*Resolved*, That (a) In addition to Senators who hold the office of Deputy President pro tempore under authority of S. Res. 17 of the 95th Congress (agreed to January 10, 1977), any other Member of the Senate who is designated as such by the Senate in a Senate resolution shall be the Deputy President pro tempore of the Senate, and shall hold office at the pleasure of the Senate during the 100th Congress.

(b) The Deputy President pro tempore who is designated as such pursuant to the authority contained in this resolution is authorized to appoint and fix the compensation of such employees as he deems appropriate: *Provided*, That the gross compensation paid to such employees shall not exceed \$90,000 for any fiscal year.

(c) The following provisions shall not be applicable to the Deputy President pro tempore who is designated as such pursuant to the authority contained in this resolution:

(1) the provisions of S. Res. 17 of the 95th Congress (agreed to January 10, 1977);

(2) the provisions relating to compensation of a Deputy President pro tempore which appear in chapter VIII of Title I of the Supplemental Appropriations Act, 1977, and which are carried in section 32a of Title 2, United States Code; and

(3) the provisions relating to staff of a Deputy President pro tempore which appear in chapter VIII of Title I of the Supplemental Appropriations Act, 1977, and which are carried in section 611 of Title 2, United States Code.

(d) Salaries under authority of this section shall be paid from any funds available in the Senate appropriation account for Salaries, Officers and Employees.

SEC. 2. (a) The Sergeant at Arms and Doorkeeper is authorized to provide, by lease or purchase, and maintain an automobile for the former President pro tempore.

(b) The Secretary of the Senate is authorized to pay from the contingent fund of the Senate such amounts as may be necessary for expenses to carry out the provisions of this section. Such expenses shall be paid upon vouchers approved by the Sergeant at Arms and Doorkeeper.

[S. Res. 90, 100-1, Jan. 28, 1987.]

92 MANAGING POLITICAL FUND ACTIVITY

SEC. 1701. The Majority Leader and the Minority Leader may each designate up to 2 employees of their respective leadership office staff as designees referred to in the second sentence of paragraph 1 of rule XLI of the Standing Rules of the Senate.

[Further Consolidated Appropriations Act, 2020, Pub. L. 116-94, Dec. 20, 2019.]

93 SENATE PARLIAMENTARIAN EMERITUS

Whereas the Senate has been advised of the retirement of its Parliamentarian, Floyd M. Riddick, at the end of this session: Therefore be it

*Resolved*, That, effective at the sine die adjournment of this session, as a token of the appreciation of the Senate for his long and faithful service, Floyd M. Riddick is hereby designated as Parliamentarian Emeritus of the United States Senate.

[S. Jour. 1519, 93-2, Dec. 5, 1974.]

*Resolved*, That Murray Zweben be, and he is hereby, designated as a Parliamentarian Emeritus of the United States Senate.

[S. Res. 297, 98-1, Nov. 18, 1983.]

*Resolved*, That Robert B. Dove be, and he is hereby, designated as a Parliamentarian Emeritus of the United States Senate.

[S. Res. 32, 100-1, Jan. 6, 1987.]

*Resolved*, That Alan Scott Frumin be, and he is hereby designated as a Parliamentarian Emeritus of the United States Senate.

[S. Res. 23, 105-1, Jan. 23, 1997.]

94 SENATE CHIEF COUNSEL FOR EMPLOYMENT EMERITUS

Whereas Jean M. Manning will retire from the United States Senate after having served with distinction as the Senate's first Chief Counsel for Employment from 1993 to 2014;

Whereas Jean M. Manning has dedicated her Senate service to providing legal representation, legal advice and legal training to all senators and their management staff with respect to all matters arising under the Government Employee Rights Act of 1991, and the Congressional Accountability Act of 1995;

Whereas Jean M. Manning has represented Senate offices with distinction before the federal courts;

Whereas Jean M. Manning has upheld the high standards and traditions of the Senate with abiding devotion and

has performed her Senate duties in an impartial, professional manner; and

Whereas Jean M. Manning has earned the respect, affection and esteem of the United States Senate: Now, therefore, be it

*Resolved*, That, upon her retirement on March 19, 2014, as a token of the appreciation of the Senate for her long and faithful service, Jean M. Manning is hereby designated as Chief Counsel for Employment Emeritus of the United States Senate.

[S. Res. 391, 113-2, Mar. 13, 2014.]

## SENATE HISTORIAN EMERITUS

95

Whereas Donald A. Ritchie will retire from the United States Senate after serving with distinction, first as Associate Historian from 1976 to 2009, and then as Senate Historian from 2009 to 2015;

Whereas Donald A. Ritchie has dedicated his Senate service to preserving, protecting, and promoting the history of the Senate and its members;

Whereas Donald A. Ritchie has produced or guided production of numerous publications detailing the rich institutional history of the Senate;

Whereas Donald A. Ritchie has been instrumental in preserving, organizing, and making available to scholars the vast archival holdings of the Senate and its members;

Whereas Donald A. Ritchie has assisted in the Senate's commemoration of events of historical significance and in the development of exhibitions and educational programs on the history of the Senate and the Capitol;

Whereas Donald A. Ritchie has guided the Senate's comprehensive Oral History Project to capture and preserve the institutional memory of Senators, Senate officers, and Senate staff;

Whereas Donald A. Ritchie has upheld the high standards and traditions of the Senate, and has performed his duties in a professional and nonpartisan manner; and

Whereas Donald A. Ritchie has earned the respect and esteem of the United States Senate; Now, therefore, be it

*Resolved*, That, effective June 1, 2015, as a token of the appreciation of the Senate for his long and faithful service,

Donald A. Ritchie is hereby designated as Historian Emeritus of the United States Senate. [S. Res. 147, 114-1, Apr. 22, 2015.]

96 SENATE CURATOR EMERITUS

Whereas Diane K. Skvarla will retire from the Senate after 18 years as Senate Curator, and more than 30 years of Senate service;

Whereas she has diligently cared for and greatly enhanced the material history and historic spaces of the Senate as a legacy for future generations;

Whereas she has educated and inspired the Senate community, visitors to the Capitol, and the people of the United States with numerous exhibits, publications, and educational programs;

Whereas her vision and leadership resulted in significant improvements to the restoration and historic interpretation of the Old Senate Chamber and other historic rooms of the Capitol; Whereas she has caused to be published significant catalogues of the fine and graphic art collections of the Senate for the benefit of the people of the United States;

Whereas she has upheld the highest standards and traditions of the Senate with unwavering dedication; and

Whereas she has earned the respect, affection, and esteem of the Senate: Now, therefore, be it

*Resolved*, That, effective January 27, 2014, as a token of the appreciation of the Senate for her long and faithful service, Diane K. Skvarla is hereby designated as Curator Emeritus of the United States Senate.

[S. Res. 338, 113-2, Jan. 27, 2014.]

97 SENATE SECURITY DIRECTOR EMERITUS

Whereas Michael P. DiSilvestro will retire from the United States Senate after serving for over 30 years as the first Director of the Office of Senate Security, and in the Senate for over 37 years total, including numerous postponements of his retirement when the needs of the Senate prevailed upon him;

Whereas his career has been dedicated to protecting and facilitating the Senate's ability to review, discuss, and act upon the most sensitive national security information in our Government;

Whereas he represented the Senate boldly and effectively to the executive branch of Government as it delivered

critical documents and briefings for the consideration and oversight of the Senate;

Whereas his selfless dedication to the Senate's constitutional function has made him a leader in planning and executing continuity programs for the Senate and Congress as a whole;

Whereas, at great peril, he remained on the front line of service to the Senate in times of heinous attacks on Senate offices;

Whereas he has upheld the highest standards and traditions of the Senate as a universally trusted voice of nonpartisan professionalism and expertise; and

Whereas he has earned the respect and esteem of the Senate: Now, therefore, be it

*Resolved*, That, effective May 23, 2020, as a token of the appreciation of the Senate for his long and faithful service, Michael P. DiSilvestro is hereby designated as Director Emeritus of Senate Security of the United States Senate.

[S. Res. 582, 116-2, May 19, 2020.]

PERSONS NOT FULL-TIME EMPLOYEES OF SENATE<sup>18</sup>

98

*Resolved*, That hereafter, standing or select committees employing the services of persons who are not full-time employees of the Senate or any committee thereof shall submit monthly reports to the Senate (or to the Secretary during a recess or adjournment) showing (1) the name and address of any such person; (2) the name and address of the department or organization by whom his salary is paid; and (3) the annual rate of compensation in each case.

[S. Jour. 407, 78-2, Aug. 23, 1944.]

SENATE PAGES

99

*Resolved*, That it shall be the duty of the Sergeant at Arms to classify the pages of the Senate, so that at the close of the present and each succeeding Congress, one-half the number shall be removed \* \* \*.

[S. Jour. 514, 33-1, July 17, 1854.]

*Resolved*, That until otherwise hereafter provided for by law, there shall be paid out of the contingent fund of the Senate such amounts as may be necessary to enable the Secretary of the Senate to furnish educational services and related items for Senate Pages in accordance with this resolution.

<sup>18</sup>See also paragraphs 4 and 6 of rule XLI of the Standing Rules of the Senate.

SEC. 2. The Senate Page program shall be administered by the Sergeant at Arms and Doorkeeper of the Senate and the Secretaries for the majority and minority of the Senate. All policy decisions regarding the operation of the Senate Page program shall be made by the Senate management board, with the concurrence of the majority and minority leaders of the Senate.

SEC. 3. In order to provide educational services and related items for Senate Pages, the Secretary of the Senate is authorized to enter into a contract, agreement, or other arrangement with the Board of Education of the District of Columbia, or to provide such educational services and items in such other manner as he may deem appropriate.

SEC. 4. The educational services under the Senate Page program shall consist of an academic year comprising two terms, and a Page serving in such program shall be in the eleventh grade.

SEC. 5. The resolution shall take effect as of the date of its approval.

[S. Res. 184, 98-1, July 29, 1983.]

*Resolved*, That the Secretary of the Senate is authorized to withhold from the salary of each Senate page who resides in the page residence hall an amount equal to the charge imposed for lodging, meals, and related services, furnished to such page in such hall. The amounts so withheld shall be transferred by the Secretary of the Senate to the Clerk of the House of Representatives for deposit by such Clerk in the revolving fund, within the contingent fund of the House of Representatives, for the page residence hall and page meal plan, as established by H. Res. 64, 98th Congress.

[S. Res. 78, 98-1, Mar. 2, 1983.]

100 CLOSING THE OFFICE OF A SENATOR OR SENATE LEADER  
WHO DIES OR RESIGNS

*Resolved*, That (a)(1) In the case of the death or resignation of a Senator during his term of office, the employees in the office of such Senator who are on the Senate payroll on the date of such death or resignation shall be continued on such payroll at their respective salaries, unless adjusted by the Secretary of the Senate with the approval of the Senate Committee on Rules and Administration, for a period not to exceed sixty days, or such greater number of days as may, in any particular case, be established by the Senate Committee on Rules and Administration as being required to complete the closing of the office of such Sen-

ator. Such employees so continued on the payroll of the Senate shall, while so continued, perform their duties under the direction of the Secretary of the Senate, and such Secretary shall remove from such payroll any such employees who are not attending to the duties for which their services are continued.

(2) If an employee of a Senator continued on the Senate payroll pursuant to paragraph (1) resigns or is terminated during the period required to complete the closing of the office of such Senator, the Secretary of the Senate may replace such employee by appointing another individual. Any individual appointed as a replacement under the authority of the preceding sentence shall be subject to the same terms of employment, except for salary, as the employee such individual replaces.

(b) In the case of the death or resignation of a Senator while holding the office of President pro tempore, Deputy President pro tempore, President pro tempore emeritus, Majority Leader, Minority Leader, Majority Whip, Minority Whip, Secretary of the Conference of the Majority, Secretary of the Conference of the Minority, of the Senate, the Chairman of the Conference of the Majority, the Chairman of the Conference of the Minority, the Chairman of the Majority Policy Committee, or the Chairman of the Minority Policy Committee, the employees of such office who are on the payroll of the Senate on the date of such death or resignation shall be continued on the Senate payroll in like manner and under the same conditions as are employees in the office of such Senator under subsection (a) of this section.

(c) No employee of the Senate who is continued on the payroll of the Senate under the preceding provisions of this section on account of the death or resignation of a Senator shall be continued on such payroll after the date of the expiration of the term of office of such Senator as a Senator, or, such later date as may, in any particular case, be established by the Senate Committee on Rules and Administration as being required to complete the closing of the office of such Senator.

(d) Payment of salaries of employees who are continued on the Senate payroll under authority of this section, and payment of agency contributions with respect to such salaries, shall be made from the account for Miscellaneous Items within the contingent fund of the Senate.

(e) During any period for which the employees of the office of a Senator, who has died or resigned, are continued on the Senate payroll under the first section of this resolution, official office expenses which are necessary in closing such Senator's office (or offices in case of a Senator who dies or resigns while holding an office referred to in subsection (b) of this section) shall be made from the account for Miscellaneous Items within the contingent fund of the Senate upon vouchers approved by the Secretary of the Senate; except that the aggregate of such expenses shall not exceed an amount equal to one-tenth of such Senator's official office expense account for the year in which he died or resigned.

(f) Duties to be performed by the Secretary of the Senate under this section and under section 2 of this resolution shall be performed under the direction of the Senate Committee on Rules and Administration.

SEC. 2. In the case of the death of any Senator, the Secretary of the Senate may, with respect to any item of expense for which payment had been authorized to be made from such Senator's official office expense account, certify for such deceased Senator for any sum already obligated but not certified to at the time of such Senator's death for payment to the person or persons designated as entitled to such payment by such Secretary.

SEC. 3. (a) The Sergeant at Arms and Doorkeeper of the Senate shall make such arrangements as may be necessary, in accordance with such regulations as the Senate Committee on Rules and Administration may prescribe, for:

(1) the funeral of a deceased Senator; and

(2) any committee appointed to attend the funeral of a deceased Senator.

(b) Expenses incurred in carrying out the provisions of subsection (a) of this section shall be paid from the account for Miscellaneous Items within the contingent fund of the Senate, on vouchers approved by the Sergeant at Arms and Doorkeeper of the Senate.

SEC. 4. The following Senate resolutions are repealed: S. Res. 5, 82d Congress (agreed to April 11, 1951), and S. Res. 354, 95th Congress (agreed to January 20, 1978).

SEC. 5. (a) Except as provided in subsection (b) of this section, the provisions of this resolution shall take effect upon the date it is agreed to by the Senate.

(b) The first section of this resolution shall take effect on the date that there is hereafter enacted a provision of law which (1) makes inapplicable to any employee of the Senate the provisions of the third paragraph under the heading “Clerical assistance to Senators” of the first section of the Legislative Appropriation Act for the fiscal year ending June 30, 1928 (2 U.S.C. 92a), and (2) repeals (A) the last paragraph under the heading “Clerical assistance to Senators” of the first section of the Legislative Branch Appropriation Act, 1944 (2 U.S.C. 92e), (B) the last paragraph under the heading “Clerical assistance to Senators” of the first section of the Legislative Branch Appropriation Act, 1945 (2 U.S.C. 92e), (C) the next-to-last paragraph under the heading “Clerical assistance to Senators” of the first section of the Legislative Branch Appropriation Act, 1946 (2 U.S.C. 92e), and (D) the next-to-last paragraph under the heading “Clerical assistance to Senators” of the first section of the Legislative Branch Appropriation Act, 1947 (2 U.S.C. 92e).

(c) After the date this resolution is agreed to, the Chairman of the Senate Committee on Rules and Administration shall make no further certifications under authority of section 506(g) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 58(g)).

[S. Res. 458, 98-2, Oct. 4, 1984; S. Res. 173, 100-1, Mar. 24, 1987, S. Res. 478, 108-2, Nov. 19, 2004; S. Res. 238, 110-1, June 18, 2007.]

PAY FOR CERTAIN DISPLACED SENATE OFFICERS AND EMPLOYEES 101

SEC. 6. (a) For purposes of this section:

(1) The term “committee” means a standing, select or special committee, or commission of the Senate, or a joint committee of the Congress whose funds are disbursed by the Secretary of the Senate.

(2) The terms “Chairman” and Ranking Minority Member” means the Chairman, Vice Chairman, Co-chairman and Ranking Minority Member of a committee.

(3) The term “eligible staff member” means an individual—

(A) who was—

(i) an employee of a committee or subcommittee thereof or a Senate leadership office described in subsection (b) of the first section of this resolution,

(ii) an employee in an office of a Senator on the expiration of the term of office of such Senator as a Senator, if the Senator is not serving as a Senator for the next term of office and was a candidate in the general election for such next term,

(iii) an employee in an office of a Senator on the expiration of the term of office of such Senator as a Senator, if the Senator was a candidate in the general election for the next term of office and the office is not filled at the commencement of that next term, or

(iv) an employee or officer (including the Sergeant at Arms and Doorkeeper of the Senate and the Secretary of the Senate) in the office of—

(I) the Sergeant at Arms and Doorkeeper of the Senate, or

(II) the Secretary of the Senate,

(B) whose employment described in subparagraph (A) was at least 183 days (whether or not service was continuous) before the date of termination of employment described in paragraph (4), and

(C) whose pay is disbursed by the Secretary of the Senate.

The term “eligible staff member” shall not include an employee to whom the first section of this resolution applies.

(4) The term “displaced staff member” means an eligible staff member—

(A) whose service as an employee of the Senate is terminated solely and directly as a result of—

(i) in the case of employment described in paragraph (3)(A)(i), a change in the individual occupying the position of Chairman or Ranking Minority Member of a committee or in the individual occupying the Senate leadership office,

(ii) in the case of employment described in clause (ii) or (iii) of paragraph (3)(A), the expiration of the term of office of the Senator,

(iii) in the case of an individual described in paragraph (3)(A)(iv)(I), a change in the individual occupying the position of Sergeant at Arms and Doorkeeper of the Senate, or

(iv) in the case of an individual described in paragraph (3)(A)(iv)(II), a change in the individual occupying the position of Secretary of the Senate, and

(B) who is certified, not later than 60 days after the date of the change for an eligible staff member described in clause (i) of paragraph (3)(A), after the expiration of the term of office of the supervising Senator for an eligible staff member described in clause (ii) or (iii) of paragraph (3)(A), or after the change in the individual occupying the position described in clause (iii) or (iv) of subparagraph (A), as applicable, as a displaced staff member by the Chairman or Ranking Minority Member of the committee, the Senator occupying the Senate leadership office, the Senator whose term is expiring, the Sergeant at Arms and Doorkeeper of the Senate, or the Secretary of the Senate, whichever is applicable, to the Secretary of the Senate.

(b) The Secretary of the Senate shall notify the Committee on Rules and Administration of the name of each displaced staff member.

(c)(1) Under regulations prescribed by the Committee on Rules and Administration each displaced staff member shall, upon application to the Secretary of the Senate and approval by the Committee on Rules and Administration, continue to be paid at their respective salaries for a period not to exceed—

(A) in the case of a displaced staff member described in clause (i), (ii), or (iv) of subsection (a)(3)(A), 60 days following the staff member's date of termination or until the staff member becomes otherwise gainfully employed, whichever is earlier, and

(B) in the case of a displaced staff member described in clause (iii) of subsection (a)(3)(A), the earliest of—

(i) 60 days following the staff member's date of termination;

(ii) the date the staff member becomes otherwise gainfully employed; or

(iii) if the supervising Senator qualifies for the next term of office as a Senator not later

than 60 days after the staff member's date of termination, the date of such qualification.

(2) A statement in writing by any such displaced staff member that he was not gainfully employed during such period or the portion thereof for which payment is claimed shall be accepted as prima facie evidence that he was not so employed.

(d)(1) Each displaced staff member described in clause (iii) of subsection (a)(3)(A) may, with the approval, direction, and supervision of the Secretary of the Senate, perform limited duties such as archiving and transferring case files.

(2) With respect to a Senator who was a candidate in the general election for the next term of office and for which the office is not filled at the commencement of that next term, during the 60-day period beginning on the first day of that next term of office, the official office and State office expenses relating to—

(A) archiving and transferring case files of the Senator, with prior approval by and upon vouchers approved and obligated by the Secretary of the Senate; and

(B) rent for office space upon vouchers approved and obligated by the Sergeant at Arms and Doorkeeper of the Senate, shall be paid from the account for Miscellaneous Items within the contingent fund of the Senate.

(e) Funds necessary to carry out the provisions of this section shall be available as set forth in section 1(d).

[S. Res. 9, 103-1, Jan. 7, 1993; S. Res. 478, 108-2, Nov. 19, 2004; S. Res. 805, 116-2; Dec. 17, 2020; S. Res. 30, 117-1, Feb. 3, 2021; S. Res. 108, 117-1, Mar. 11, 2021.]

**102 PAY OF CLERICAL AND OTHER ASSISTANTS AS AFFECTED BY  
TERMINATION OF SERVICE OF APPOINTED SENATORS**

*Resolved*, That in any case in which (1) a Senator is appointed to fill any portion of an unexpired term, (2) an election is thereafter held to fill the remainder of such unexpired term, and (3) the Senator so appointed is not a candidate or if a candidate is not elected at such election, his clerical and other assistants on the payroll of the Senate on the date of termination of his service shall be continued on such roll at their respective salaries until the expiration of thirty days following such date or until they become otherwise gainfully employed, whichever is earlier,

such sums to be paid from the contingent fund of the Senate. A statement in writing by any such employee that he was not gainfully employed during such period or the portion thereof for which payment is claimed shall be accepted as prima facie evidence that he was not so employed. The provisions of this resolution shall not apply to an employee of any such Senator if on or before the date of termination of his service he notifies the Disbursing Office of the Senate in writing that he does not wish the provisions of this resolution to apply to such employee. [S. Jour. 421, 86-2, June 28, 1960.]

LEAVE WITHOUT PAY STATUS FOR CERTAIN SENATE EMPLOYEES PERFORMING SERVICE IN THE UNIFORMED SERVICES 103

SEC. 1. Leave without pay status for certain Senate employees performing service in the uniformed services.

(a) Definitions.—In this section—

(1) the terms “employee” and “Federal executive agency” have the meanings given those terms under section 4303 (3) and (5) of title 38, United States Code, respectively; and

(2) the term “employee of the Senate” means any employee whose pay is disbursed by the Secretary of the Senate, except that the term does not include a member of the Capitol Police or a civilian employee of the Capitol Police.

(b) Leave without pay status—An employee of the Senate who is deemed to be on furlough or leave of absence under section 4316(b)(1)(A) of title 38, United States Code, by reason of service in the uniformed services—

(1) may be placed in a leave without pay status while so on furlough or leave of absence; and

(2) while placed in that status, shall be treated—

(A) subject to subparagraph (B), as an employee of a Federal executive agency in a leave without pay status for purposes of chapters 83, 84, 87, and 89 of title 5, United States Code; and

(B) as a Congressional employee for purposes of those chapters.

(c) Effective Date.—This section shall take effect on October 1, 2001, and apply to fiscal year 2002 and each fiscal year thereafter. [S. Res. 193, 107-1, Dec. 19, 2001.]

104 LOYALTY CHECKS ON SENATE EMPLOYEES<sup>19</sup>

*Resolved*, That hereafter when any person is appointed as an employee of any committee of the Senate, of any Senator, or of any office of the Senate the committee, Senator, or officer having authority to make such appointment shall transmit the name of such person to the Federal Bureau of Investigation, together with a request that such committee, Senator, or officer be informed as to any derogatory and rebutting information in the possession of such agency concerning the loyalty and reliability for security purposes of such person, and in any case in which such derogatory information is revealed such committee, Senator, or officer shall make or cause to be made such further investigation as shall have been considered necessary to determine the loyalty and reliability for security purposes of such person.

Every such committee, Senator, and officer shall promptly transmit to the Federal Bureau of Investigation a list of the names of the incumbent employees of such committee, Senator, or officer together with a request that such committee, Senator, or officer be informed of any derogatory and rebutting information contained in the files of such agency concerning the loyalty and reliability for security purposes of such employee. [S. Jour. 144, 83-1, Mar. 6, 1953.]

105 EQUAL EMPLOYMENT OPPORTUNITIES<sup>20</sup>

Whereas the Senate supports the principle that each individual is entitled to the equal protection of the laws guaranteed by the Fourteenth Article of Amendment to the Constitution of the United States; and

Whereas the Senate as an employer is not compelled by law to provide to its employees the protections against discrimination established in the Equal Pay Act of 1963 or Title VII of the Civil Rights Act of 1964: Now, therefore, be it

*Resolved*, That (a) no Member, officer, or employee of the Senate shall, with respect to employment by the Senate or any office thereof—

<sup>19</sup>This resolution has not been generally implemented since the Federal Bureau of Investigation took the position that it was not authorized to divulge the information referred to in the resolution. However, the Bureau and the Department of Defense cooperate with Senate committees and offices which request security checks of specific employees when it is considered necessary by a committee chairman or officer of the Senate.

<sup>20</sup>See also rule XLII of the Standing Rules of the Senate.

(1) fail or refuse to hire an individual,  
 (2) discharge an individual, or  
 (3) otherwise discriminate against an individual with respect to promotion, compensation, or terms, conditions, or privileges of employment, on the basis of such individual's race, color, religion, sex, national origin or state of handicap.

(b) Each Member, officer, and employee of the Senate shall encourage the hiring of women and members of minority groups at all levels of employment on the staffs of Members, officers, and committees of the Senate.

[S. Res. 534, 94-2, Sept. 8, 1976.]

MANDATING ANTI-HARASSMENT TRAINING FOR SENATORS AND OFFICERS, EMPLOYEES, AND INTERNS OF, AND DETAILEES TO THE SENATE 106

*Resolved,*

SECTION 1. SHORT TITLE.

This resolution may be cited as the "Senate Anti-Harassment Training Resolution of 2017".

SEC. 2. Definitions.

In this resolution—

(1) the term "covered office" means an office, including a joint commission or joint committee, employing Senate employees;

(2) the term "covered position" means a position as—

(A) a Senate employee that is not a position as a Senate manager;

(B) an intern or fellow in a covered office—

(i) without regard to whether the intern or fellow receives compensation; and

(ii) if the intern or fellow does receive compensation, without regard to the source of compensation; or

(C) a detailee in a covered office, without regard to whether the service is on a reimbursable basis;

(3) the term "head of a covered office" means—

(A) the Senator, officer, or Senate manager having final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of the Senate employees employed by a covered office; or

(B) in the case of a covered office that is a joint committee or joint commission, the Senator from the majority party of the Senate who—

(i) is a member of, or has authority over, the committee or commission; and

(ii)(I) serves in the highest leadership role in the committee or commission; or

(II) if there is no such leadership role for a Senator on the committee or commission, is the most senior Senator on the committee or commission;

(4) the term “officer” means an elected or appointed officer of the Senate;

(5) the term “Senate employee” means an employee whose pay is disbursed by the Secretary of the Senate, without regard to the term of the appointment; and

(6) the term “Senate manager” means a Senate employee empowered to effect a significant change in the employment status of another Senate employee, such as hiring, firing, failing to promote, reassignment with significantly different responsibilities, or a decision causing a change in benefits.

### SEC. 3. Anti-Harassment Training.

(a) SENATORS, OFFICERS, AND SENATE MANAGERS.—Each head of a covered office and Senate manager shall complete training that addresses the various forms of workplace harassment, including sexual harassment, and related intimidation and reprisal that are prohibited under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) and their role in recognizing and responding to harassment and harassment complaints.

(b) OTHER SENATE STAFF.—Any individual serving in a covered position shall complete training that addresses the various forms of workplace harassment, including sexual harassment, and related intimidation and reprisal that are prohibited under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.).

(c) ENSURING ACCESS.—The head of a covered office shall ensure that each individual serving in a covered

position or as a Senate manager in the covered office has access to the training required under this section.

SEC. 4. Timing.

(a) INITIAL TRAINING.—

(1) IN GENERAL.—The training required under section 3 shall be completed—

(A) for an individual elected, appointed, or assigned to a position as a Senator, officer, or Senate manager or to a covered position after the date of adoption of this resolution who was not serving in the same covered office as a Senator, officer, or Senate manager or in a covered position immediately before being so elected, appointed, or assigned, not later than 60 days after the date on which the individual assumes the position; and

(B) except as provided in paragraph (2), for an individual serving in a position as a Senator, officer, or Senate manager or in a covered position on the date of adoption of this resolution, not later than 60 days after such date of adoption.

(2) INDIVIDUALS RECEIVING RECENT TRAINING.—An individual serving as a Senator, officer, or Senate manager or in a covered position on the date of adoption of this resolution who completed training that addresses the various forms of workplace harassment, including sexual harassment, and related intimidation and reprisal that are prohibited under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) during the period beginning on the first day of the 115th Congress and ending on such date of adoption shall be deemed to have completed training under paragraph (1)(B).

(b) PERIODIC TRAINING.—An individual serving in a position as a Senator, officer, or Senate manager or in a covered position shall complete the training required under section 3 at least once during each Congress beginning after the Congress during which the individual completes the initial training in accordance with subsection 9 (a).

SEC. 5. Certification.

(a) IN GENERAL.—Not later than the last day of each Congress, each covered office shall submit to the Secretary of the Senate a certification indicating

whether each Senator, officer, and Senate manager serving in a position in the covered office and each individual serving in a covered position in the covered office has completed the training requirements under this resolution during that Congress.

(b) PUBLICATION.—Not later than 30 days after the first day of each Congress, the Secretary of the Senate shall publish each certification submitted to the Secretary of the Senate under subsection (a) with respect to the previous Congress on the public website of the Secretary of the Senate.

SEC. 6. Regulations or Guidance.

The Committee on Rules and Administration of the Senate is authorized to issue such regulations or guidance as it may determine necessary to carry out this resolution.

[S. Res. 330, 115–1, Nov. 9, 2017.]

**107** SFC SEAN COOLEY AND SPC CHRISTOPHER HORTON  
CONGRESSIONAL GOLD STAR FAMILY FELLOWSHIP PROGRAM

*Resolved,*

(a) Definitions.—In this section—

(1) the term “eligible individual” means an individual who meets the eligibility criteria established under subsection (d)(1)(A);

(2) the term “Program” means the SFC Sean Cooley and SPC Christopher Horton Congressional Gold Star Family Fellowship Program established under subsection (b); and

(3) the term “Sergeant at Arms” means the Sergeant at Arms and Doorkeeper of the Senate.

(b) Establishment.—Not later than December 31, 2023, and subject to the availability of appropriations, the Sergeant at Arms shall establish a fellowship program to be known as the SFC Sean Cooley and SPC Christopher Horton Congressional Gold Star Family Fellowship Program for family members of members of the Armed Forces who die in the line of duty or of veterans who die of service-connected injuries.

(c) Fellowships.—Under the Program, an eligible individual may serve a 24-month fellowship in the office of a Senator.

(d) Administration.—

(1) In General.—The Committee on Rules and Administration of the Senate shall promulgate regula-

tions for the administration of the Program, including establishing the criteria for—

(A) eligibility to participate in a fellowship under the Program; and

(B) a method of prioritizing the assignment of fellowships to the offices of Senators under the Program, if the amount made available to carry out the Program for a fiscal year is not enough to provide fellowships in all offices requesting to participate in the Program for such fiscal year.

(2) Placement.—An eligible individual may serve in a fellowship under the Program at the office of a Senator in the District of Columbia or at a State office of the Senator.

(3) Authority for Agreement.—The Sergeant at Arms may enter into an agreement with the Chief Administrative Officer of the House of Representatives for the joint operation of the Program, the Congressional Gold Star Family Fellowship Program established under House Resolution 107, 116th Congress, agreed to October 29, 2019, and the Wounded Warrior Fellowship Program carried out by the Chief Administrative Officer.

(e) Exclusion of Appointees for Purposes of Compensation Limits.—The compensation paid to any eligible individual serving in a fellowship under the Program in the office of a Senator shall not be included in the determination of the aggregate gross compensation for employees employed by the Senator under section 105(d)(1) of the Legislative Branch Appropriation Act, 1968 (20 U.S.C. 4575(d)(1)).

[S. Res. 442, 117–1, Nov. 4, 2021.]

MCCAIN-MANSFIELD FELLOWSHIP PROGRAM

108

*Resolved,*

(a) Definitions.—In this section—

(1) the term “eligible individual” means an individual who meets the eligibility criteria established under subsection (d)(1)(A);

(2) the term “Program” means the McCain-Mansfield Fellowship Program established under subsection (b); and

(3) the term “Sergeant at Arms” means the Sergeant at Arms and Doorkeeper of the Senate.

(b) Establishment.—Not later than December 31, 2023, and subject to the availability of appropriations, the Ser-

geant at Arms shall establish a fellowship program to be known as the McCain-Mansfield Fellowship Program for wounded or disabled veterans.

(c) Fellowships.—Under the Program, an eligible individual may serve a 24-month fellowship in the office of a Senator.

(d) Administration.—

(1) In General.—The Committee on Rules and Administration of the Senate shall promulgate regulations for the administration of the Program, including establishing the criteria for—

(A) eligibility to participate in a fellowship under the Program; and

(B) a method of prioritizing the assignment of fellowships to the offices of Senators under the Program, if the amount made available to carry out the Program for a fiscal year is not enough to provide fellowships in all offices requesting to participate in the Program for such fiscal year.

(2) Placement.—An eligible individual may serve in a fellowship under the Program at the office of a Senator in the District of Columbia or at a State office of the Senator.

(3) Authority for Agreement.—The Sergeant at Arms may enter into an agreement with the Chief Administrative Officer of the House of Representatives for the joint operation of the Program, the Congressional Gold Star Family Fellowship Program established under House Resolution 107, 116th Congress, agreed to October 29, 2019, and the Wounded Warrior Fellowship Program carried out by the Chief Administrative Officer.

(e) Exclusion of Appointees for Purposes of Compensation Limits.—The compensation paid to any eligible individual serving in a fellowship under the Program in the office of a Senator shall not be included in the determination of the aggregate gross compensation for employees employed by the Senator under section 105(d)(1) of the Legislative Branch Appropriation Act, 1968 (20 U.S.C. 4575(d)(1)).

[S. Res. 443, 117–1, Nov. 4, 2021.]

Whereas the continued vitality of our Republic depends, in part, on the intelligent understanding of our political

processes and the functioning of our National Government by the citizens of the United States; and  
Whereas the durability of a constitutional democracy is dependent upon alert, talented, vigorous competition for political leadership; and  
Whereas individual Senators have cooperated with various private and university undergraduate and graduate fellowship and internship programs relating to the work of Congress; and  
Whereas, in the high schools of the United States, there exists among students who have been elected to student-body offices in their sophomore, junior, or senior year a potential reservoir of young citizens who are experiencing their first responsibilities of service to a constituency and who should be encouraged to deepen their interest in and understanding of their country's political processes: Now, therefore, be it

*Resolved*, That the Senate hereby expresses its willingness to cooperate in a nationwide competitive high school Senate youth program which would give several representative high school students from each State a short indoctrination into the operation of the United States Senate and the Federal Government generally, if such a program can be satisfactorily arranged and completely supported by private funds with no expense to the Federal Government.

SEC. 2. The Senate Committee on Rules and Administration shall investigate the possibility of establishing such a program and, if the committee determines such a program is possible and advisable, it shall make the necessary arrangements to establish the program.

SEC. 3. For the purpose of this resolution, the term "State" includes the Department of Defense education system for dependents in overseas areas.

[S. Res. 324, 87-2, May 17, 1962; S. Res. 146, 97-1, July 30, 1981.]

Whereas by S. Res. 324 of the Eighty-seventh Congress, agreed to May 17, 1962, the Senate expressed its willingness to cooperate in a nationwide competitive Senate youth program supported by private funds, which would give representative high school students from each State a short indoctrination into the operation of the United States Senate and the Federal Government generally, and authorized the Senate Committee on Rules and Administration, if it should find such a program possible

and advisable, to make the necessary arrangements therefor; and

Whereas the Committee on Rules and Administration, after appropriate investigation, having determined such a program to be not only possible but highly desirable, authorized its establishment and with the support of the leaders and other Members of the Senate and the cooperation of certain private institutions made the necessary arrangements therefor; and

Whereas, pursuant to such arrangements, and with the cooperation of and participation by the offices of every Member of the Senate and the Vice President, one hundred and two student leaders representing all States of the Union and the District of Columbia were privileged to spend the period from January 28, 1963, through February 2, 1963, in the Nation's Capitol, thereby broadening their knowledge and understanding of Congress and the legislative process and stimulating their appreciation of the importance of a freely elected legislature in the perpetuation of our democratic system of government; and

Whereas by S. Res. 147 of the Eighty-eighth Congress, agreed to May 27, 1963, another group of student leaders from throughout the United States spent approximately one week in the Nation's Capitol, during January 1964; and

Whereas it is the consensus of all who participated that the above two programs were unqualifiedly successful, and in all respects worthy and deserving of continuance; and

Whereas the private foundation which financed the initial programs has graciously offered to support a similar program during the year ahead: Now, therefore, be it

*Resolved*, That, until otherwise directed by the Senate the Senate youth program authorized by S. Res. 324 of the Eighty-seventh Congress, agreed to May 17, 1962, and extended by S. Res. 147, agreed to May 27, 1963, may be continued at the discretion of and under such conditions as may be determined by the Committee on Rules and Administration.

[S. Jour. 196, 88-2, Apr. 16, 1964.]

*Resolved*, That (a) each Senator is authorized to employ for not more than fourteen consecutive days each year dur-

ing the month of May a senior citizen intern or interns to serve in his office in Washington, District of Columbia.

(b) To be eligible to serve as a senior citizen intern an individual shall certify to the Secretary of the Senate that he has attained the age of sixty years, is a bona fide resident of the State of his employing Senator, and is a citizen of the United States.

(c)(1) Except as provided in paragraph (2), for purposes of payment of compensation and travel expenses, senior citizen interns employed pursuant to this resolution shall be subject to the same limitations and restrictions applicable to Senators and Senate employees.

(2) An outside vendor may provide for the travel and per diem expenses only of senior citizen interns in the Senior Citizen Intern Program subject to approval by the Committee on Rules and Administration. Documentation provided by such vendor may be accepted as official travel expense documentation for the purpose of reimbursing interns in the program for travel expenses.

SEC. 2. Compensation and payment under this resolution shall be paid from and charged against the clerk-hire and travel allowances of the Senator employing such senior citizen intern.

SEC. 3. The Committee on Rules and Administration is authorized to prescribe such rules and regulations as it determines necessary to carry out this resolution.

[S. Res. 219, 95-2, May 5, 1978; S. Res. 96, 102-1, Apr. 24, 1991.]

#### SENATE EMPLOYEE CHILD CARE CENTER

111

*Resolved,*

(a) Definitions.—In this section—

(1) the term “Board” means the Board of Directors of the Center;

(2) the term “Center” means the Senate Employee Child Care Center;

(3) the term “Congressional employee” means a Congressional employee, as defined in section 2107 of title 5, United States Code, who is not an employee of the Senate or an employee of the Center;

(4) the term “employee of the Senate” has the meaning given that term in section 207(e)(9) of title 18, United States Code; and

(5) the term “Federal employee” means an employee, as defined in section 2105 of title 5, United States Code, who is not an employee of the Senate,

an employee of the Center, or a Congressional employee.

(b) Reimbursement.—For fiscal year 2022, and each fiscal year thereafter, the Secretary of the Senate shall, from amounts in the appropriations account “Miscellaneous Items” within the contingent fund of the Senate, reimburse the Center for the cost of the basic pay paid to the Executive Director and the cost of the basic pay paid to the Assistant Director of the Center.

(c) Enrollment.—

(1) In General.—As a condition of receiving reimbursement under subsection (b), not later than 120 days after the date on which no parent or guardian of a child enrolled at the Center is serving in a position as an employee of the Senate, an employee of the Center, a Congressional employee, or a Federal employee, the Center shall terminate the enrollment of the child at the Center.

(2) Order.—As a condition of receiving reimbursement under subsection (b), the Center shall provide enrollment—

(A) first, to a child of an individual serving as a Senate employee or as an employee of the Center;

(B) second, to a child of an individual serving as a Congressional employee; and

(C) third, if there is an enrollment slot available in the Center, no child of an individual serving as an employee of the Senate, as an employee of the Center, or as a Congressional employee accepts the slot, and no currently enrolled child is ready to transition to the class in which the slot is available, to a child of an individual serving as a Federal employee.

(3) Effective Date; Application.—

(A) In General.—Paragraph (1) shall take effect on the date that is 180 days after the date of adoption of this resolution.

(B) Application To Employees Separating From Service Before Effective Date.—For purposes of applying paragraph (1) to a parent or guardian of a child enrolled at the Center who ceases serving in a position as a Congressional employee, an employee of the Center, or Federal employee before the date on which paragraph (1) takes ef-

fect, the parent or guardian shall be deemed to have separated from such service on the date on which paragraph (1) takes effect.

[S. Res. 329, 117-1, Jul. 29, 2021.]

TRANSPORTATION COSTS AND TRAVEL EXPENSES INCURRED 112  
BY MEMBERS AND EMPLOYEES OF THE SENATE WHEN EN-  
GAGED IN AUTHORIZED FOREIGN TRAVEL

*Resolved*, That until otherwise provided by law or resolution of the Senate, the contingent fund of the Senate is made available, as provided in this resolution, to defray the costs of transportation and the ordinary and necessary travel expenses of Members and employees of the Senate when engaged in authorized foreign travel. The Secretary of the Senate is authorized to advance funds, under authority of this resolution, in the same manner provided for committees of the Senate under the authority of Public Law 118, Eighty-first Congress, approved June 22, 1949.

SEC. 2. (a) Transportation costs and ordinary and necessary travel expenses incurred by a Member or employee engaged in authorized foreign travel shall be paid upon certification of such Member or employee, and upon vouchers approved by the Senator who authorized such foreign travel.

(b) Transportation costs and ordinary and necessary travel expenses which are incurred for a group of Members or employees engaged in authorized foreign travel shall be paid upon certification of the Member who is chairman of such group (or, if no chairman has been designated, upon certification of the ranking Member of such group) or, if the group does not include a Member, upon certification of the senior employee in such group, and upon vouchers approved by the Senator who authorized such foreign travel.

(c) The reports of the Secretary of the Senate setting forth amounts paid from the contingent fund under authority of this resolution shall, at the request of the chairman of the Select Committee on Intelligence, omit any matter which would identify the foreign countries in which Members and employees of the Select Committee traveled on behalf of the Select Committee.

SEC. 3. Payment of transportation costs and ordinary and necessary travel expenses may not be paid under this resolution to the extent that appropriated funds or foreign cur-

rencies under section 502(b) of the Mutual Security Act of 1954 are utilized to defray such costs and expenses. Such funds and currencies shall be used to the maximum extent possible.

SEC. 4. For purposes of this resolution—

(1) The term “foreign travel” means travel outside the United States and includes travel within the United States which is the beginning or end of travel outside the United States.

(2) The term “authorized foreign travel” means foreign travel on official business on behalf of the Senate or a committee of the Senate which is authorized—

(A) in the case of foreign travel on behalf of the Senate, by the President pro tempore, Majority Leader, or Minority Leader of the Senate; and

(B) in the case of foreign travel on behalf of a committee of the Senate, by the chairman of that committee.

(3) The term “committee of the Senate” includes all standing, select, and special committees of the Senate and all joint committees of the Congress whose funds are disbursed by the Secretary of the Senate.

(4) The term “employee of the Senate” includes an individual (other than a Member) whose salary is disbursed by the Secretary of the Senate or who is treated as an employee of the Senate for purposes of the Senate Code of Official Conduct.

(5) The term “ordinary and necessary travel expenses” includes, in the case of a group of Members engaged in authorized foreign travel, such special expenses as the chairman (or, if there is no chairman, the ranking Member) deems appropriate, including, to the extent not otherwise provided, reimbursements to any agency of the Government for (A) expenses incurred on behalf of the group, (B) compensation (including overtime) of employees of such agency officially detailed to the group, and (C) expenses incurred in connection with providing appropriate hospitality.

[S. Res. 179, 95-1, May 25, 1977.]

**113 DOCUMENTATION REQUIRED FOR REIMBURSEMENTS OUT OF SENATORS’ OFFICIAL OFFICE EXPENSE ACCOUNTS**

*Resolved*, That (a) no payments or reimbursements for expenses shall be made from the contingent fund of the

Senate, unless the vouchers presented for such expenses are accompanied by supporting documentation.

(b) The Committee on Rules and Administration is authorized to promulgate regulations to carry out the purpose of this resolution and to except specific vouchers from the requirements of subsection (a) of this resolution.

(c) This resolution shall apply with respect to vouchers submitted for payment or reimbursement on and after October 1, 1987, or upon the adoption of this resolution if such adoption occurs at a later date.

(d) Senate Resolution 170, 96th Congress (agreed to August 2, 1979), is repealed as of October 1, 1987, or upon adoption of this resolution if such adoption occurs at a later date. Any regulations adopted by the Committee on Rules and Administration to implement Senate Resolution 170 shall remain in effect, after the repeal of Senate Resolution 170, until modified or repealed by such committee, and shall be held and considered to be regulations adopted to implement this resolution.

[S. Res. 258, 100-1, Oct. 1, 1987.]

RESTRICTIONS ON CERTAIN EXPENSES PAYABLE OR REIM- 114  
BURSABLE FROM A SENATOR'S OFFICIAL OFFICE EXPENSE  
ACCOUNT

*Resolved*, That except for section 3, this resolution applies only to payments and reimbursements from the contingent fund of the Senate under paragraphs (5) and (9) of section 506(a) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 58(a)). For purposes of such paragraphs, the terms "official office expenses" and "other official expenses" mean ordinary and necessary business expenses incurred by a Senator and his staff in the discharge of their official duties.

SEC. 2. Reimbursements and payments from the contingent fund of the Senate under paragraphs (5) and (9) of section 506(a) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 58(a)) shall not be made for:

- (1) commuting expenses, including parking fees incurred in commuting;
- (2) expenses incurred for the purchase of holiday greeting cards, flowers, trophies, awards, and certificates;
- (3) donations or gifts of any type, except gifts of flags which have been flown over the United States Capitol, copies of the book "We, the People", copies

of the calendar “We The People” published by the United States Capitol Historical Society, and copies of the pocket version of the Constitution of the United States published by the Government Publishing Office.

(4) dues or assessments;

(5) expenses incurred for the purchases of radio or television time, or for space in newspaper or other print media (except classified advertising for personnel to be employed in a Senator’s office);

(6) expenses incurred by an individual who is not an employee (except as specifically authorized by subsections (e) and (h) of such section 506);

(7) travel expenses incurred by an employee which are not reimbursable under subsection (e) of such section 506;

(8) relocation expenses incurred by an employee in connection with the commencement or termination of employment or a change of duty station; and

(9) compensation paid to an individual for personal services performed in a normal employer-employee relationship.

SEC. 3. Payment of or reimbursement for the following expenses is specifically prohibited by law and reimbursements and payments from the contingent fund of the Senate shall not be made therefor:

(1) expenses incurred for entertainment or meals (2 U.S.C. 58(a));

(2) payment of additional salary or compensation to an employee (2 U.S.C. 68); and

(3) expenses incurred for maintenance or care of private vehicles (Legislative Branch Appropriation Acts).

SEC. 4. This resolution shall apply with respect to expenses incurred on or after the date on which this resolution is agreed to.

[S. Res. 294, 96–2, Apr. 29, 1980, as amended S. Res. 712, 115–2, Nov. 29, 2018; S. Res. 176, 104–1, Sept. 28, 1995.]

*Resolved*, That, for purposes of subchapters I and II of chapter 37 of Title 31, United States Code (relating to claims of or against the United States Government), the United States Senate shall be considered to be a legislative agency (as defined in section 3701(a)(4) of such title), and

the Secretary of the Senate shall be deemed to be the head of such legislative agency.

SEC. 2. Regulations prescribed by the Secretary pursuant to section 3716 of Title 31, United States Code, shall not become effective until they are approved by the Senate Committee on Rules and Administration.

[S. Res. 147, 101-1, June 20, 1989.]

## TORT CLAIMS PROCEDURES

116

*Resolved*, That the Sergeant at Arms of the Senate, in accordance with regulations prescribed by the Attorney General and such regulations as the Committee on Rules and Administration may prescribe, may consider and ascertain and, with the approval of the Committee on Rules and Administration, determine, compromise, adjust, and settle, in accordance with the provisions of chapter 171 of Title 28, United States Code, any claim for money damages against the United States for injury of loss of property or personal injury or death caused by the negligent or wrongful act or omission of any Member, officer, or employee of the Senate while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred. The Committee on Rules and Administration may, from time to time, delegate any or all of its authority under this resolution to the chairman. Any compromise, adjustment, or settlement of any such claim not exceeding \$2,500 shall be paid from the contingent fund of the Senate on a voucher approved by the chairman of the Committee on Rules and Administration.

SEC. 2. The Committee on Rules and Administration is authorized to issue such regulations as it may determine necessary to carry out the provisions of this resolution.

[S. Res. 492, 97-2, Dec. 10, 1982.]

REIMBURSEMENT OF WITNESS EXPENSES<sup>21</sup>

117

*Resolved*, That witnesses appearing before the Senate or any of its committees may be authorized reimbursement

<sup>21</sup>The Legislative Branch Appropriation Act, 1961 (July 12, 1960, Pub. L. 86-628, 74 Stat. 449), contained the following restriction on advances of witness fees:

"No part of any appropriation disbursed by the Secretary of the Senate shall be available hereafter for the payment to any person, at the time of the service upon him of a subpoena requiring his attendance at any inquiry or hearing conducted by any committee of the Congress or of the Senate or any subcommittee of any such committee, of any witness fee or any sum of money as an advance

for per diem expenses incurred for each day while traveling to and from the place of examination and for each day in attendance. Such reimbursement shall be made on an actual expense basis which shall not exceed the daily rate prescribed by the Committee on Rules and Administration, unless such limitation is specifically waived by such committee. A witness may also be authorized reimbursement of the actual and necessary transportation expenses incurred by the witness in traveling to and from the place of examination.

SEC. 2. (a) The provisions of this resolution shall be effective with respect to all witness expenses incurred on or after October 1, 1987.

(b) Senate Resolution 538, agreed to December 8, 1980, is repealed effective on October 1, 1987.

[S. Res. 259, 100-1, Aug. 5, 1987.]

**118** AUTHORIZING THE SENATE TO PARTICIPATE IN GOVERNMENT TRANSIT PROGRAMS

*Resolved*, That (a) the Senate shall participate in State and local government transit programs to encourage employees of the Senate to use public transportation pursuant to section 629 of the Treasury, Postal Service and General Government Appropriations Act, 1991.

(b) The Committee on Rules and Administration is authorized to issue regulations pertaining to Senate participation in State and local government transit programs through, and at the discretion of, its Members, committees, officers, and officials.

[S. Res. 318, 102-2, June 23, 1992.]

**119** RELATIVE TO CONTRIBUTIONS FOR COSTS OF CIVIL, CRIMINAL, OR OTHER LEGAL INVESTIGATIONS OF MEMBERS, OFFICERS, OR EMPLOYEES OF THE SENATE

*Resolved*, That nothing in the provisions of the Standing Rules of the Senate shall be construed to limit contributions to defray investigative, civil, criminal, or other legal expenses of Members, officers, or employees of the Senate relating to their service in the United States Senate, subject to limitations, regulations, procedures, and reporting requirements which shall be promulgated by the Select

payment of any travel or subsistence expense which may be incurred by such person in responding to that subpoena.”

Committee on Ethics. Nothing in the provisions of the Standing Rules of the Senate shall be construed to limit contributions to defray the legal expenses of the spouses or dependents of Members, officers, or employees of the Senate.

[S. Res. 508, 96-2, Sept. 4, 1980.]

CLARIFYING RULES REGARDING ACCEPTANCE OF PRO BONO LEGAL SERVICES BY SENATORS 120

*Resolved*, That (a) notwithstanding the provisions of the Standing Rules of the Senate or Senate Resolution 508, adopted by the Senate on September 4, 1980, or Senate Resolution 321, adopted by the Senate on October 3, 1996, pro bono legal services provided to a Member of the Senate with respect to any civil action challenging the constitutionality of a Federal statute that expressly authorizes a Member either to file an action or to intervene in an action—

(1) shall not be deemed a gift to the Member;

(2) shall not be deemed to be a contribution to the office account of the Member;

(3) shall not require the establishment of a legal expense trust fund; and

(4) shall be governed by the Select Committee on Ethics Regulations Regarding Disclosure of Pro Bono Legal Services, adopted February 13, 1997, or any revision thereto.

(b) This resolution shall supersede Senate Resolution 321, adopted by the Senate on October 3, 1996.

[S. Res. 227, 107-2, Mar. 20, 2002.]

STANDARDS OF CONDUCT FOR MEMBERS OF THE SENATE AND OFFICERS AND EMPLOYEES OF THE SENATE 121

*Resolved*, It is declared to be the policy of the Senate that—

(a) The ideal concept of public office, expressed by the words, “A public office is a public trust”, signifies that the officer has been entrusted with public power by the people; that the officer holds this power in trust to be used only for their benefit and never for the benefit of himself or of a few; and that the officer must never conduct his own affairs so as to infringe on the public interest. All official conduct of Members of the Senate should be guided by this paramount concept of public office.

(b) These rules, as the written expression of certain standards of conduct, complement the body of unwritten

but generally accepted standards that continue to apply to the Senate.

\* \* \* \* \*

[S. Jour. 247, 90-2, Mar. 22, 1968.]

122

## SEAL OF THE SENATE

*Resolved*, That the Secretary shall have the custody of the seal, and shall use the same for the authentication of process transcripts, copies, and certificates whenever directed by the Senate; and may use the same to authenticate copies of such papers and documents in his office as he may lawfully give copies of. [S. Jour. 194, 49-1, Jan. 20, 1886.]

123

## OFFICIAL SENATE FLAG

*Resolved*, That the Secretary of the Senate is authorized and directed to design an official Senate flag utilizing the seal of the Senate as the principal symbol on such flag. Expenses incident to the designing and procurement of such flag shall be paid from the contingent fund of the Senate upon vouchers signed by the Secretary of the Senate.

SEC. 2. The Senate flag shall be available for purchase and use by Senators, or former Senators, only subject to the following conditions—

(1) purchase of the flag shall be limited to—

(A) two flags for each Senator, or former Senator, subject to replacement for loss, destruction, or wear and tear;

(B) two flags for each Senate committee, as determined by the chairman and ranking member, subject to replacement for loss, destruction, or wear and tear; and

(C) two flags for each officer of the Senate, subject to replacement for loss, destruction, or wear and tear; and

(2) the flag shall not be utilized or displayed for commercial purposes.

Senators who leave the Senate may retain their flags subject to the preceding restrictions.

[S. Res. 369, 98-2, Sept. 7, 1984; S. Res. 135, 101-1, June 2, 1989.]

124

## SEAL OF THE PRESIDENT PRO TEMPORE

*Resolved*, That the President pro tempore of the Senate is authorized to adopt and use an official seal of his office.

SEC. 2. Expenses incident to the designing and procurement of such seal shall be paid from the contingent fund of the Senate upon vouchers signed by the President pro tempore of the Senate.

SEC. 3. A description and illustration of the seal adopted pursuant to this resolution shall be transmitted to the General Services Administration for publication in the Federal Register.

[S. Jour. 686, 83-2, Aug. 14, 1954.]

#### MARBLE BUSTS OF VICE PRESIDENTS

125

*Resolved*, That marble busts of those who have been Vice Presidents of the United States shall be placed in the Senate wing of the Capitol from time to time, that the Architect of the Capitol is authorized, subject to the advice and approval of the Senate committee on Rules and Administration, to carry into the execution the object of this resolution, and the expenses incurred in doing so shall be paid out of the contingent fund of the Senate.

[S. Jour. 40, 55-2, Jan. 6, 1898; S. Jour. 173, 80-1, Mar. 28, 1947.]

#### AWARD OF SERVICE PINS OR EMBLEMS

126

*Resolved*, That the Committee on Rules and Administration is hereby authorized to provide for the awarding of service pins or emblems to Members, officers, and employees of the Senate, and to promulgate regulations governing the awarding of such pins or emblems. Such pins or emblems shall be of a type appropriate to be attached to the lapel of the wearer, shall be of such appropriate material and design, and shall contain such characters, symbols, or other matter, as the committee shall select.

SEC. 2. The Secretary of the Senate, under direction of the committee and in accordance with regulations promulgated by the committee, shall procure such pins or emblems and award them to Members, officers, and employees of the Senate who are entitled thereto.

SEC. 3. The expenses incurred in procuring such pins or emblems shall be paid from the contingent fund of the Senate on vouchers signed by the chairman of the committee.

[S. Jour. 45, 89-1, Sept. 10, 1965.]

- 127 DESIGNATING THE OLD SENATE OFFICE BUILDING AND THE NEW SENATE OFFICE BUILDING AS THE “RICHARD BREVARD RUSSELL SENATE OFFICE BUILDING” AND THE “EVERETT MCKINLEY DIRKSEN SENATE OFFICE BUILDING”, RESPECTIVELY

*Resolved*, That insofar as concerns the Senate—

(1) the Senate Office building referred to as the Old Senate Office Building and constructed under authority of the Act of April 28, 1904 (33 Stat. 452, 481), is designated, and shall be known as, the “Richard Brevard Russell Senate Office Building”; and

(2) the additional office building for the Senate referred to as the New Senate Office Building and constructed under the provisions of the Second Deficiency Appropriation Act of 1948 (62 Stat. 1928), is designated, and shall be known as, the “Everett McKinley Dirksen Senate Office Building”.

SEC. 2. Any rule, regulation, document, or record of the Senate, in which reference is made to either building referred to in the first section of this resolution, shall be held and considered to be a reference to such building by the name designated for such building by the first section of this resolution.

SEC. 3. The Committee on Rules and Administration shall place appropriate markers or inscriptions at suitable locations within the buildings referred to in the first section of this resolution to commemorate and designate such buildings as provided in this resolution. Expenses incurred under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

[S. Jour. 1197, 92–2, Oct. 11, 1972; S. Res. 295, 96–1, Dec. 3, 1979.]

- 128 DESIGNATING THE EXTENSION TO THE DIRKSEN SENATE OFFICE BUILDING AS THE “PHILIP A. HART SENATE OFFICE BUILDING”

*Resolved*, That insofar as concerns the Senate, the extension of the Senate Office Building presently under construction pursuant to the Supplemental Appropriations Act, 1973 (86 Stat. 1510), is designated and shall be known as the “Philip A. Hart Senate Office Building”, when completed.

SEC. 2. Any rule, regulation, document, or record of the Senate, in which reference is made to the building referred

to in the first section of this resolution, shall be held and considered to be a reference to such building by the name designated for such building by the first section of this resolution.

SEC. 3. The Committee on Rules and Administration shall place appropriate markers or inscriptions at suitable locations within the building referred to in the first section of this resolution to commemorate and designate such building as provided in this resolution. Expenses incurred under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

[S. Res. 525, 94-2, Aug. 30, 1976; S. Res. 295, 96-1, Dec. 3, 1979.]

PROHIBITION ON THE REMOVAL OF ART AND HISTORIC OBJECTS FROM THE SENATE WING OF THE CAPITOL AND SENATE OFFICE BUILDINGS FOR PERSONAL USE **129**

*Resolved*, That (a) a Member of the Senate or any other person may not remove a work of art, historical object, or an exhibit from the Senate wing of the Capitol or any Senate office building for personal use.

(b) For purposes of this resolution, the term “work of art, historical object, or an exhibit” means an item, including furniture, identified on the list (and any supplement to the list) required by section 4 of Senate Resolution 382, 90th Congress, as enacted into law by section 901(a) of Public Law 100-696 (2 U.S.C. 2104).

(c) For purposes of this resolution, the Senate Commission on Art shall update the list required by section 4 of Senate Resolution 382, 90th Congress (2 U.S.C. 2104) every 6 months after the date of adoption of this resolution and shall provide a copy of the updated list to the Committee on Rules and Administration.

[S. Res. 178, 108-1, June 27, 2003.]

COMMISSION ON ART AND ANTIQUITIES OF THE UNITED STATES SENATE <sup>22</sup> **130**

[Pub. L. 100-696, Nov. 18, 1988.]

INTERPARLIAMENTARY ACTIVITIES AND RECEPTION OF CERTAIN FOREIGN OFFICIALS **131**

*Resolved*, That the Committee on Foreign Relations is authorized from March 1, 1981, until otherwise provided

<sup>22</sup> Became Senate Commission on Art, and enacted into permanent law by Pub. L. 100-696, Nov. 18, 1988. See 2 U.S.C. §§ 2101-2108.

by law, to expend not to exceed \$30,000 each fiscal year to assist the Senate properly to discharge and coordinate its activities and responsibilities in connection with participation in various interparliamentary institutions and to facilitate the interchange and reception in the United States of members of foreign legislative bodies and prominent officials of foreign governments and intergovernmental organizations.

SEC. 2. The Secretary of the Senate is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred in connection with activities authorized by this resolution and approved in advance by the chairman of the Committee on Foreign Relations upon vouchers certified by the Senator incurring such expenses and approved by the chairman.

[S. Res. 247, 87-2, Feb. 7, 1962; S. Res. 91, 94-1, Mar. 18, 1975; S. Res. 281, 96-2, Mar. 11, 1980; S. Res. 370, 106-2, Oct. 10, 2000.]

**132** AUTHORIZING THE DISPLAY OF THE SENATE LEADERSHIP  
PORTRAIT COLLECTION IN THE SENATE LOBBY

*Resolved*, That (a) portraits in the Senate Leadership Portrait Collection may be displayed in the Senate Lobby at the direction of the Senate Commission on Art in accordance with guidelines prescribed pursuant to subsection (d).

(b) The Senate Leadership Portrait Collection shall consist of portraits selected by the Senate Commission on Art of Majority or Minority Leaders and Presidents pro tempore of the Senate.

(c) Any portrait for the Senate Leadership Portrait Collection that is acquired on or after the date of adoption of this resolution shall be of an appropriate size for display in the Senate Lobby, as determined by the Senate Commission on Art.

(d) The Senate Commission on Art shall prescribe such guidelines as it deems necessary, subject to the approval of the Committee on Rules and Administration, to carry out this resolution.

[S. Res. 148, 109-1, May 18, 2005.]

**133** ESTABLISHING A PROCEDURE FOR AFFIXING AND REMOVING  
PERMANENT ARTWORK AND SEMI-PERMANENT ARTWORK IN  
THE SENATE WING OF THE CAPITOL AND IN THE SENATE  
OFFICE BUILDINGS

*Resolved*, No permanent artwork or semi-permanent artwork may be affixed to or removed from the walls, floors, or ceilings of the public spaces and committee rooms of

the Senate wing of the Capitol and the Senate office buildings unless—

- (1) the Senate Commission on Art—
  - (A) has recommended the affixation or removal; and
  - (B) in the case of an affixation of permanent artwork or semi-permanent artwork—
    - (i) has recommended an appropriate location for the affixation; and
    - (ii) has determined that—
      - (I) not less than 25 years have passed since the death of any subject in a portrait included in the permanent artwork or semi-permanent artwork; and
      - (II) not less than 25 years have passed since the commemorative event that is to be portrayed in the permanent artwork or semi-permanent artwork; and
- (2) the Senate has passed a Senate resolution approving the recommendation of the Senate Commission on Art.

#### SEC. 2. Sense of the Senate.

It is the sense of the Senate that prior to making a recommendation to affix any permanent artwork or semi-permanent artwork to the walls, floors, or ceilings of the public spaces and committee rooms of the Senate wing of the Capitol and the Senate office buildings, the Senate Commission on Art should consider, at a minimum, the following:

- (1) The significance of the original, intended, or existing permanent artwork or semi-permanent artwork in the installation space proposed for the additional permanent artwork or semi-permanent artwork.
- (2) The existing conditions of the surface of the proposed installation space.
- (3) The last time fixed art was added to the proposed installation space.
- (4) The amount of area available for the installation of permanent artwork or semi-permanent artwork in the proposed installation space.
- (5) The opinion of the Curatorial Advisory Board on such affixation.

#### SEC. 3. Creation of artwork.

If a request to affix permanent artwork or semi-permanent artwork to the walls, floors, or ceilings of the public spaces and committee rooms of the Senate wing of the Cap-

itol and the Senate office buildings meets the requirements of section 1, the Senate Commission on Art shall select the artist and shall supervise and direct the creation of the artwork and the application of the artwork to the selected surface.

SEC. 4. Definitions.

In this resolution—

(1) PERMANENT ARTWORK.—The term “permanent artwork” means artwork that when applied directly to a wall, ceiling, or floor has become part of the fabric of the building, based on a consideration of relevant factors including—

- (A) the original intent when the artwork was applied;
- (B) the method of application;
- (C) the adaptation or essentialness of the artwork to the building; and
- (D) whether the removal of the artwork would cause damage to either the artwork or the surface that contains it.

(2) SEMI-PERMANENT ARTWORK.—The term “semi-permanent artwork” means artwork that when applied directly to the surface of a wall, ceiling, or floor can be removed without damaging the artwork or the surface to which the artwork is applied.

[S. Res. 629, 109–2, Dec. 7, 2006.]

134 PUBLIC ACCESS TO SENATE RECORDS AT THE NATIONAL ARCHIVES

*Resolved*, That any records of the Senate or any committee of the Senate which are transferred to the General Services Administration under rule XI of the Standing Rules of the Senate and section 2114 of Title 44, United States Code, and which have been made public prior to their transfer may be made available for public use.

SEC. 2. (a) Subject to such rules or regulations as the Secretary of the Senate may prescribe, any other records of the Senate or any committee of the Senate which are so transferred may be made available for public use—

- (1) in the case of investigative files relating to individuals and containing personal data, personnel records, and records of executive nominations, when such files and records have been in existence for fifty years; and

(2) in the case of all other such records, when such records have been in existence for twenty years.

(b) Notwithstanding the provisions of subsection (a), any committee of the Senate may, by action of the full committee, prescribe a different time when any of its records may be made available for public use, under specific conditions to be fixed by such committee, by giving notice thereof to the Secretary of the Senate and the Administrator of General Services.

SEC. 3. (a) This resolution shall not be construed to authorize the public disclosure of any record pursuant to section 2 if such disclosure is prohibited by law or Executive order of the President.

(b) Notwithstanding the provisions of section 2, the Secretary of the Senate may prohibit or restrict the public disclosure of any record so transferred, other than any record of a Senate committee, if he determines that public disclosure of such record would not be in the public interest and so notifies the Administrator of General Services.

SEC. 4. The Secretary of the Senate shall transmit a copy of this resolution to the Administrator of General Services.

[S. Res. 474, 96-2, Dec. 1, 1980.]

#### PRINTING IN THE CONGRESSIONAL RECORD

135

*Resolved*, That hereafter no written or printed matter shall be received for printing in the body of the Congressional Record as a part of the remarks of any Senator unless such matter (1) shall have been read orally by such Senator on the floor of the Senate, or (2) shall have been offered and received for printing in such manner as to indicate clearly that the contents thereof were not read orally by such Senator on the floor of the Senate. All such matter shall be printed in the Record in accordance with the rules prescribed by the Joint Committee on Printing. No request shall be entertained by the Presiding Officer to suspend by unanimous consent the requirements of this resolution.

[S. Jour. 510, 80-1, July 23, 1947.]

#### PRINTING OF THE EXECUTIVE JOURNAL

136

*Resolved*, That, beginning with the first session, Ninetieth Congress, the Secretary of the Senate is authorized to have printed not more than one hundred and fifty copies of the Executive Journal for a session of the Congress.

[S. Jour. 167, 90-1, Feb. 17, 1967.]

137 PRINTING OF MEMORIAL TRIBUTES TO DECEASED FORMER  
MEMBERS OF THE SENATE

*Resolved*, That when the Senate orders the printing as a Senate document of the legislative proceedings in the United States Congress relating to the death of a former United States Senator, such document shall be prepared, printed, bound, and distributed, except to the extent otherwise provided by the Joint Committee on Printing under chapter 1 of Title 44, United States Code, in the same manner and under the same conditions as memorial addresses on behalf of Members of Congress dying in office are printed under sections 723 and 724 of such Title.

[S. Jour. 293, 93-1, Apr. 6, 1973.]

138 OFFICE OF SENATE SECURITY

*Resolved*, That (a) there is established, within the Office of the Secretary of the Senate (hereinafter referred to as the "Secretary"), the Office of Senate Security (hereinafter referred to as the "Office"), which shall be headed by a Director of Senate Security (hereinafter referred to as the "Director"). The Office shall be under the policy direction of the Majority and Minority Leaders of the Senate, and shall be under the administrative direction and supervision of the Secretary.

(b)(1) The Director shall be appointed by the Secretary after consultation with the Majority and Minority Leaders. The Secretary shall fix the compensation of the Director. Any appointment under this subsection shall be made solely on the basis of fitness to perform the duties of the position and without regard to political affiliation.

(2) The Director, with the approval of the Secretary, and after consultation with the Chairman and Ranking Member of the Committee on Rules and Administration of the Senate, may establish such policies and procedures as may be necessary to carry out the provisions of this resolution. Commencing one year from the effective date of this resolution, the Director shall submit an annual report to the Majority and Minority Leaders and the Chairman and Ranking Member of the Committee on Rules and Administration on the status of security matters and the handling of classified information in the Senate, and the progress of the Office in achieving the mandates of this resolution.

SEC. 2. (a) The Secretary shall appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this resolution. The Director, with

the approval of the Secretary, shall prescribe the duties and responsibilities of such personnel. If a Director is not appointed, the Office shall be headed by an Acting Director. The Secretary shall appoint and fix the compensation of the Acting Director.

(b) The Majority and Minority Leaders of the Senate may each designate a Majority staff assistant and a Minority staff assistant to serve as their liaisons to the Office. Upon such designation, the Secretary shall appoint and fix the compensation of the Majority and Minority liaison assistants.

SEC. 3. (a) The Office is authorized, and shall have the responsibility, to develop, establish, and carry out policies and procedures with respect to such matters as:

(1) the receipt, control, transmission, storage, destruction or other handling of classified information addressed to the United States Senate, the President of the Senate, or Members and employees of the Senate;

(2) the processing of security clearance requests and renewals for officers and employees of the Senate;

(3) establishing and maintaining a current and centralized record of security clearances held by officers and employees of the Senate, and developing recommendations for reducing the number of clearances held by such employees;

(4) consulting and presenting briefings on security matters and the handling of classified information for the benefit of Members and employees of the Senate;

(5) maintaining an active liaison on behalf of the Senate, or any committee thereof, with all departments and agencies of the United States on security matters; and

(6) conducting periodic review of the practices and procedures employed by all offices of the Senate for the handling of classified information.

(b) Within 180 days after the Director takes office, he shall develop, after consultation with the Secretary, a Senate Security Manual, to be printed and distributed to all Senate offices. The Senate Security Manual will prescribe the policies and procedures of the Office, and set forth regulations for all other Senate offices for the handling of classified information.

(c) Within 90 days after taking office, the Director shall conduct a survey to determine the number of officers and

employees of the Senate that have security clearances and report the findings of the survey to the Majority and Minority Leaders and Secretary of the Senate together with recommendations regarding the feasibility of reducing the number of employees with such clearances.

(d) The Office shall have authority—

(1) to provide appropriate facilities in the United States Capitol for hearings of committees of the Senate at which restricted data or other classified information is to be presented or discussed;

(2) to establish and operate a central repository in the United States Capitol for the safeguarding of classified information for which the Office is responsible; which shall include the classified records, transcripts, and materials of all closed sessions of the Senate; and

(3) to administer and maintain oaths of secrecy under paragraph (2) of rule XXIX of the Standing Rules of the Senate and to establish such procedures as may be necessary to implement the provisions of such paragraph.

SEC. 4. Funds appropriated for the fiscal year 1987 which would be available to carry out the purposes of the Interim Office of Senate Security but for the termination of such Office shall be available for the Office of Senate Security.

SEC. 5. (a) All records, documents, data, materials, rooms, and facilities in the custody of the Interim Office of Senate Security at the time of its termination on July 10, 1987, are transferred to the Office established by subsection (a) of the first section of this resolution.

(b) This resolution shall take effect on July 11, 1987.

[S. Res. 243, 100-1, July 1, 1987.]