

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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June 12, 2019

The Honorable Jim Jordan  
Ranking Member  
Committee on Oversight and Reform  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Ranking Member Jordan:

Thank you for your letter yesterday inquiring about whether the Committee has met its notice and memorandum requirements for today's business meeting.

In the last Congress, Committee rule 2(f) used to provide that the Chairman of the Committee circulate a memorandum to Committee Members at least 72 hours before a business meeting. The rule stated:

Every member of the Committee, unless prevented by unusual circumstances, shall be provided with a memorandum at least 72 hours before each meeting or hearing explaining: (1) the purpose of the meeting or hearing; and (2) the names, titles, background and reasons for appearance of any witnesses.

Earlier this year, the Committee voted unanimously to adopt our rules for the 116th Congress with a change to Rule 2(f). Instead of requiring 72 hours' notice, the rules required three days' notice:

Every member of the Committee, unless prevented by unusual circumstances, shall be provided with a memorandum at least three calendar days (excluding Saturdays, Sundays, and legal holidays, unless the House is in session on such days) before each meeting or hearing explaining: (1) the purpose of the meeting or hearing; and (2) the names, titles, background and reasons for appearance of any witnesses.

The purpose of this change was to conform the Committee's rules to the rules of the House. The timing set forth in the Committee's rules is drawn from House rule XI, clause 2(g)(3)(A), which states:

The chair of a committee shall announce the date, place, and subject matter of ... a committee meeting, which may not commence earlier than the third calendar day

(excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which members have notice thereof.

House rule XI, clause 2(g)(3)(A) has been interpreted by the House Parliamentarian as including the day on which the notice is sent and the day on which the business meeting is scheduled to occur. My staff confirmed this interpretation again yesterday in response to your letter.

As Chairman, I interpret Committee Rule 2(f) in the same manner as House Rule XI, clause 2(g)(3)(A) to include the day on which the memorandum is sent and the day on which the business meeting is scheduled to occur. It would be illogical to interpret our rules as allowing the notice of a business meeting to be sent after the memorandum.

This interpretation is further supported by Committee Rule 2(e), which provides: "The Chair of the Committee or a subcommittee shall announce the date, place, and subject matter of a meeting or hearing pursuant to House Rule XI, clause 2(g)(3)(A)."

Nevertheless, if after reviewing this letter you believe there is any remaining uncertainty between the House rules and the Committee rules, I would entertain a request to amend our Committee rules to resolve this confusion.

I appreciate your concern for this matter, and I look forward to working with you to move this Committee agenda forward.

Sincerely,



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Elijah E. Cummings  
Chairman