

103^D CONGRESS
1ST SESSION

H. J. RES. 48

To provide for the establishment of a Joint Committee on Intelligence.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. SOLOMON introduced the following joint resolution; which was referred to the Committee on Rules

JOINT RESOLUTION

To provide for the establishment of a Joint Committee on Intelligence.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*

3 **SECTION 1. ESTABLISHMENT.**

4 There shall be established, at the beginning of the
5 first Congress beginning after the date of the enactment
6 of this joint resolution, a Joint Committee on Intelligence
7 (hereafter in this resolution referred to as the “joint com-
8 mittee”).

9 **SEC. 2. MEMBERSHIP.**

10 (a) APPOINTMENT.—

1 (1) IN GENERAL.—The joint committee shall be
2 composed of seven Members of the Senate and seven
3 Members of the House of Representatives to be ap-
4 pointed as follows:

5 (A) Four members of the Senate from the
6 majority party and three Members of the Sen-
7 ate from the minority party shall be appointed
8 by the President pro tempore of the Senate, in-
9 cluding at least one but not more than two
10 members from each of the following committees:
11 the Committee on Armed Services and the
12 Committee on Foreign Relations.

13 (B) Four members of the House of Rep-
14 resentatives from the majority party and three
15 Members of the House of Representatives from
16 the minority party shall be appointed by the
17 Speaker of the House, including at least one
18 but not more than two members from each of
19 the following committees: the Committee on
20 Armed Services and the Committee on Foreign
21 Affairs.

22 (2) EX OFFICIO MEMBERS.—The majority lead-
23 er and minority leader of the House of Representa-
24 tives and the majority leader and minority leader of
25 the Senate shall be ex officio members of the joint

1 committee, but shall have no vote in the joint com-
2 mittee and shall not be counted for purposes of de-
3 termining a quorum.

4 (b) LENGTH OF SERVICE ON JOINT COMMITTEE.—

5 (1) GENERAL RULE.—Members of the joint
6 committee shall be appointed to six year terms.

7 (2) EXCEPTIONS.—(A) Of the members of the
8 joint committee initially appointed, two Members
9 from the Senate, one from each party, and two
10 Members of the House of Representatives, one from
11 each party, shall be appointed to a term of two
12 years.

13 (B) Of the members of the joint committee ini-
14 tially appointed, two Members from the Senate, one
15 from each party, and two Members of the House of
16 Representatives, one from each party, shall be ap-
17 pointed to a term of four years.

18 (3) LIMITATIONS ON CONTINUOUS SERVICE.—

19 (A) Except as provided in subparagraph (B), the
20 maximum period of continuous service for a Member
21 of Congress on the joint committee shall be six
22 years.

23 (B)(i) A member who begins service on the
24 joint committee as a replacement for a member who
25 has more than three years remaining in his term

1 may serve continuously only for the remainder of
2 such term.

3 (ii) A member who begins service on the joint
4 committee as a replacement for a member who has
5 less than three years remaining in his term may
6 serve continuously for the remainder of such term
7 plus one subsequent six year term.

8 (iii) A member appointed to a term described in
9 paragraph (2) may serve continuously only for the
10 remainder of such term.

11 (c) VACANCIES.—Vacancies in the membership of the
12 joint committee shall not affect the power of the remaining
13 members to execute the functions of the joint committee,
14 and shall be filled in the same manner as in the case of
15 the original appointment, for terms as provided in sub-
16 section (b).

17 (d) CHAIRMAN AND VICE CHAIRMAN.—The joint
18 committee shall have a chairman and a vice chairman. The
19 vice chairman shall act in the place and stead of the chair-
20 man in the absence of the chairman. The chairmanship
21 and the vice chairmanship of the joint committee shall al-
22 ternate between the Senate and the House of Representa-
23 tives with each session of a Congress. The chairman dur-
24 ing each odd-numbered year shall be selected by the Mem-
25 bers of the House of Representatives on the joint commit-

1 tee from among their number and the chairman during
2 each even-numbered year shall be selected by the Members
3 of the Senate on the joint committee from among their
4 number. The vice chairman during each session of a Con-
5 gress shall be chosen in the same manner from that House
6 of Congress other than the House of Congress of which
7 the chairman is a Member.

8 (e) QUORUM.—Eight members of the joint committee
9 shall constitute a quorum for reporting any recommenda-
10 tion.

11 **SEC. 3. DUTIES.**

12 (a) JURISDICTION.—The joint committee shall exer-
13 cise exclusive legislative jurisdiction with respect to—

14 (1) any intelligence or counterintelligence activ-
15 ity conducted by any intelligence-gathering agency or
16 department of the Federal Government; and

17 (2) authorizations for appropriations, both di-
18 rect and indirect, for—

19 (A) the Central Intelligence Agency and
20 Director of Central Intelligence;

21 (B) the Defense Intelligence Agency;

22 (C) the National Security Agency; and

23 (D) the intelligence, counterintelligence,
24 and intelligence-related activities of other agen-
25 cies and departments of the Federal Govern-

1 ment, including the Department of Defense, the
2 Department of State, and the Federal Bureau
3 of Investigation.

4 (b) OVERSIGHT OF INTELLIGENCE ACTIVITIES.—The
5 joint committee shall review and study on a continuing
6 basis any intelligence or counterintelligence activity con-
7 ducted by any agency or department of the Federal Gov-
8 ernment.

9 **SEC. 4. POWERS.**

10 (a) GENERAL POWERS.—The joint committee, or any
11 duly authorized subcommittee thereof, is authorized to sit
12 and act at such places and times during the sessions, re-
13 cesses, and adjourned periods of the Congress, to require
14 by subpoena the attendance of such witnesses and the pro-
15 duction of such books, papers, and documents, to admin-
16 ister such oaths and affirmations, to take such testimony,
17 to procure such printing and binding, and to make such
18 expenditures, as it considers advisable.

19 (b) SUBPOENAS.—Subpoenas may be issued over the
20 signature of the chairman of the joint committee or of any
21 member designated by the chairman or by the joint com-
22 mittee to the extent the chairman or such member is au-
23 thorized by a majority of the joint committee to issue such
24 subpoenas, and may be served by any person designated
25 by such chairman or member.

1 (c) OATHS OR AFFIRMATIONS.—The chairman of the
2 joint committee or any member thereof may administer
3 oaths or affirmations to witnesses.

4 **SEC. 5. RULES OF JOINT COMMITTEE.**

5 The joint committee shall establish and carry out
6 such rules and procedures as it considers necessary and
7 appropriate—

8 (1) respecting its organization and procedures;

9 (2) to classify information originating within
10 the joint committee, and the records of the joint
11 committee, in accordance with standards used gen-
12 erally by the executive branch of the Federal Gov-
13 ernment for the classification of information;

14 (3) to prevent the unauthorized disclosure, out-
15 side the joint committee, of any information in the
16 possession of the joint committee;

17 (4) to censure or expel from the joint committee
18 a member of the joint committee found to be respon-
19 sible for the unauthorized disclosure of any informa-
20 tion in the possession of the joint committee, with
21 adequate time for appeal by such member to the
22 House of Congress of which such member is a Mem-
23 ber;

24 (5) to recommend to the Senate or the House
25 of Representatives, as the case may be, that a mem-

1 ber of the joint committee found to be responsible
2 for the unauthorized disclosure of any information in
3 the possession of the joint committee be censured or
4 expelled by the Senate or the House of Representa-
5 tives;

6 (6) to make any information in the possession
7 of the joint committee available to any other com-
8 mittee or Member of the Congress;

9 (7) to seek authority, after written notification
10 to the President and a one week period for the
11 President to respond to the Congress, from the Sen-
12 ate and the House of Representatives for the disclo-
13 sure of sensitive information if the joint committee
14 finds such disclosure to be in the National interest;

15 (8) to appoint, prescribe the duties and respon-
16 sibilities of, fix the pay of, require appropriate secu-
17 rity clearances for, and establish conditions for the
18 termination of employment of, professional staff
19 members and clerical staff members; and

20 (9) to govern the manner in which information
21 and records of the joint committee shall be used by
22 the staff.

23 **SEC. 6. PROHIBITION AGAINST DISCLOSURE BY MEMBER.**

24 No Member of Congress who, and no committee
25 which, receives any information from the joint committee

1 shall disclose such information without proper authoriza-
2 tion, except in a closed session of the House of Represent-
3 atives or the Senate.

4 **SEC. 7. EXPENSES.**

5 The expenses of the joint committee shall be paid
6 one-half from the contingent fund of the House of Rep-
7 resentatives and one-half from the contingent fund of the
8 Senate, from funds appropriated for the joint committee,
9 upon vouchers approved by the chairman of the joint com-
10 mittee.

11 **SEC. 8. REFERENCES TO INTELLIGENCE COMMITTEES.**

12 Any reference in law to the Select Committee on In-
13 telligence of the Senate or to the Permanent Select Com-
14 mittee on Intelligence of the House of Representatives
15 shall, after the establishment of the joint committee, be
16 considered to be a reference to the joint committee.

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