

# House Rules Changes Affecting Committee Procedure in the 119<sup>th</sup> Congress (2025-2026)

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**Jane A. Hudiburg**

Analyst on Congress and  
the Legislative Process

## House Rules Changes Affecting Committee Procedure in the 119<sup>th</sup> Congress (2025-2026)

As agreed to in the House, H.Res. 5, a resolution adopting the rules of the House of Representatives, provided amendments to the rules that affect committee procedure in the 119<sup>th</sup> Congress (2025-2026). In addition, the rules package included separate orders, which operate like rules for the duration of a Congress (or another specified period within a Congress) and are not incorporated into the standing rules.

Among its provisions, H.Res. 5 amended House rules to

- allow committees to adopt rules or motions permitting electronic voting for roll call votes.
- re-designate the name of the Committee on Oversight and Government Reform.
- codify a previous separate order regarding the public release of memorials submitted by states that request a constitutional convention to consider proposed amendments to the Constitution. The chair of the Committee on the Judiciary is to designate these documents as convention memorials, and the Clerk of the House is to make them available in electronic form.

H.Res. 5 contained separate orders that

- re-establish the Select Committee on the Strategic Competition between the United States and the Chinese Communist Party with a new investigative jurisdiction;
- require the Committee on House Administration, the Clerk, and other House officers and officials to continue efforts to integrate artificial intelligence (AI) technologies into House operations;
- provide the chair of the Committee on the Judiciary with continued subpoena and litigation authorities;
- allow nongovernmental witnesses, subject to majority leader approval and pursuant to regulations submitted by the chair of the Committee on Rules, to appear before a committee in a remote capacity; and
- require the Committee on House Administration to continue efforts to improve the House electronic document repository, including “streamlining the process of cross-posting documents simultaneously by the Committee on Rules.”

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## Introduction

On January 3, 2025, the House agreed to H.Res. 5, a resolution adopting the standing rules for the 119<sup>th</sup> Congress (2025-2026).<sup>1</sup> As is customary, the resolution provided that the rules of the prior Congress be readopted with specific amendments. The resolution also contained separate orders that affect House procedure for the duration of the 119<sup>th</sup> Congress.<sup>2</sup>

This report identifies changes to House rules and separate orders related to committee procedure, including provisions that affect all committees as well as those targeting specific committees.<sup>3</sup> The report compares the text of these provisions to procedures in force in earlier Congresses.

## Amendments to Standing House Rules

### Electronic Voting in House Committees

The rules package amended clause 2 of Rule XI to add a new paragraph (n) enabling committees to adopt rules or motions permitting electronic voting for roll call votes, as is the practice in the House chamber.<sup>4</sup> Such a rule or motion is to be in accordance with regulations submitted by the chairs of the Committees on Rules and House Administration and printed in the *Congressional Record*.<sup>5</sup>

Electronic voting enables a record vote to be determined within a defined time period in accordance with House regulations. According to the Committee on House Administration, the advantages of an electronic voting system “are best seen in larger-sized committees conducting multiple votes and/or long vote series where times savings can be maximized.”<sup>6</sup>

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<sup>1</sup> The House agrees to its standing rules as one of the first orders of business at the start of each new Congress, following the election of the Speaker. Generally, as was the case with H.Res. 5, the House agrees to the same rules as in the previous Congress, with amendments to those rules (as well as separate orders) packaged as a simple House resolution and presented to the House. Separate orders have the force and effect of rules but are not codified in the standing rules of the House. They remain in effect for the duration of the Congress (or another specified period within a Congress) unless a subsequent resolution provides for their adjustment.

<sup>2</sup> See H.Res. 5; U.S. Congress, House, *Rules of the House of Representatives, One Hundred Nineteenth Congress*, prepared by Kevin F. McCumber, Clerk of the House of Representatives, 119<sup>th</sup> Cong., 1<sup>st</sup> sess., 2025; U.S. Congress, House, *Constitution, Jefferson’s Manual and the Rules of the House of Representatives of the United States One Hundred Eighteenth Congress*, 117<sup>th</sup> Cong., 2<sup>nd</sup> sess., 2023 (GPO, 2023); John V. Sullivan et al., *House Practice: A Guide to the Rules, Precedents, and Procedures of the House* (GPO, 2024). For information on changes to committee procedure in the 118<sup>th</sup> Congress, see CRS Report R47525, *House Rules Changes Affecting Committee Procedure in the 118th Congress (2023-2024)*, by Jane A. Hudiburg.

<sup>3</sup> This report does not discuss changes related to the budget process, floor procedure, or the administration of Congress (i.e., salaries, staff training, and membership requirements on boards and commissions). For information on rules changes affecting House floor procedure, see CRS Report R48449, *House Rules Changes Affecting Floor Proceedings in the 119th Congress (2025-2026)*, by Jane A. Hudiburg.

<sup>4</sup> Committees that provided for electronic voting in the 119<sup>th</sup> Congress adopted rules similar to the one agreed to by the Committee on Science, Space, and Technology: “The chair may conduct any record vote by electronic device in accordance with clause 2(n) of House Rule XI.”

<sup>5</sup> The regulations had not been made available when this report was published.

<sup>6</sup> U.S. Congress, House Committee on House Administration, *Committee Electronic Voting Systems, Guidance and Best Practices*, 118<sup>th</sup> Cong., 2<sup>nd</sup> sess., 2024. This document is available to House staff from HouseNet, <https://housenet.house.gov/Utilities/Uploads/Handler/Uploader.ashx?area=composer&filename=Electronic-Voting-Systems-for-Committee-Guide.pdf&fileguid=0a0be1e2-0f1d-4709-8ed0-e49ae98d8bcb>.

When a chair puts a question to the committee, such as agreeing to an amendment, a voice vote is conducted first.<sup>7</sup> However, before the final result of the voice vote is announced, any member may request a subsequent record vote. This requested record vote prompts the clerk to call the roll either immediately or at a later time if the chair postpones the vote<sup>8</sup> and note the “yea” or “nay” of each responding member.<sup>9</sup> The manual process to tally roll call votes can be lengthy.

Prior to the 119<sup>th</sup> Congress, some committees, beginning with the Committee on Natural Resources, already conducted record votes by electronic devices.<sup>10</sup> The addition of electronic voting to the 119<sup>th</sup> Congress House rules codified this ongoing practice and enabled the Committees on Rules and House Administration to provide regulations governing such votes.

## Memorials Submitted to the Committee on the Judiciary

The rules package added a paragraph in clause 3 of Rule XII codifying a separate order that was initially established in the 114<sup>th</sup> Congress (2015-2016) and re-established in the succeeding Congresses. The new clause 3(b) concerns memorials from state legislatures that call for a constitutional convention.

Under Article V of the Constitution, states may request that Congress convene a convention for proposing amendments to the Constitution. Such requests are submitted as memorials, which may be addressed to the House or Senate, to the Speaker or presiding officer of the Senate, or to individual Senators or Representatives.<sup>11</sup> The title of the memorial is published in the *Congressional Record*.

Pursuant to clause 3(b) of Rule XII, the chair of the Committee on the Judiciary is to designate for public availability such memorials presented in the 114<sup>th</sup> Congress (2015-2016) and succeeding Congresses. The chair also has the discretion to designate for public availability memorials presented in prior Congresses. The Clerk of the House is tasked with making designated memorials available to the public in electronic form, organized by state of origin and year of receipt, and indicating whether the memorial is in request of a convention or is rescinding a previous application.<sup>12</sup>

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<sup>7</sup> CRS Report 98-988, *Voting and Quorum Procedures in the House of Representatives*, coordinated by Elizabeth Rybicki.

<sup>8</sup> Clause 2(h) of Rule XI permits a committee to adopt a committee rule that authorizes the chair to postpone any record vote on approving a measure or matter or on adopting an amendment and to resume proceedings on the postponed question at any time after “reasonable notice.” Any adopted committee rule is to provide that when proceedings resume, “an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.”

<sup>9</sup> Procedurally, a request for the “nays” and “yeas” requires the support of one-fifth of the committee members present (U.S. Const. art. I, §5). In long-standing practice, however, a committee chair will generally allow a roll call vote upon the request of a single member without verifying that a sufficient number of members support the request. See CRS Report RL30244, *The Committee Markup Process in the House of Representatives*, by Christopher M. Davis and Elizabeth Rybicki.

<sup>10</sup> In a press release, Meridia Interactive Solutions stated that the Committee on Natural Resources began partnering with the company in 2018 to use a system called TownVOTE and that other House committees followed. Tanner Peterson, “Six New House of Representative Committees are Now Using TownVote,” Meridia Interactive Solutions, December 21, 2023, [https://www.meridiaars.com/six\\_new\\_house\\_of\\_representative\\_committees\\_are\\_using\\_townvote/](https://www.meridiaars.com/six_new_house_of_representative_committees_are_using_townvote/).

<sup>11</sup> “A memorial is a request, usually from a state legislature, that Congress take some action, or refrain from taking certain action” (CRS In Focus IF12854, *Messages, Petitions, Communications, and Memorials to Congress*, by R. Eric Petersen).

<sup>12</sup> According to the majority staff of the Committee on Rules, “it is expected that the chair of the Committee on the Judiciary will be solely charged with determining whether a memorial purports to be an application of the legislature of (continued...) ”

## Designating Committee on Oversight and Government Reform

The rules package changed the name of the Committee on Oversight and Accountability (118<sup>th</sup> Congress, 2023-2024) to the Committee on Oversight and Government Reform.<sup>13</sup> The committee previously held this name in the 110<sup>th</sup>-115<sup>th</sup> Congresses (2007-2018) and was subsequently designated the Committee on Oversight and Reform (116<sup>th</sup>-117<sup>th</sup> Congresses, 2019-2022). In the 104<sup>th</sup> and 105<sup>th</sup> Congresses (1995-1998), the committee was named the Committee on Government Reform and Oversight.<sup>14</sup>

Since its establishment in 1927 as the Committee on Expenditures in the Executive Departments, a name the committee held from the 70<sup>th</sup>-82<sup>nd</sup> Congresses (1927-1952), the committee has also had the designations Government Operations (83<sup>rd</sup>-103<sup>rd</sup> Congresses, 1952-1994) and Government Reform (106<sup>th</sup>-109<sup>th</sup> Congresses, 1999-2006).

## New Separate Orders Affecting Committee Procedure

### House Administration, Efforts to Integrate Artificial Intelligence

During the 119<sup>th</sup> Congress, a separate order directs the Committee on House Administration, the Clerk, the chief administrative officer, and other House officers and officials to continue efforts to incorporate artificial intelligence (AI) technologies into the operations and functions of the House. These efforts are to support the institutional priorities listed in *House Technology Policy 08.0—Artificial Intelligence* (HITPOL 8).<sup>15</sup>

The priorities in HITPOL 8 include

- incorporating the AI principles and guardrails listed in the document;
- examining the use of AI applications to improve administrative processes and House staff decisionmaking capabilities; and
- continuing to advance AI-driven tools to increase efficiency in “legislative drafting, analysis, and comparative assessments of legislative texts.”<sup>16</sup>

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a state calling for a constitutional convention or rescission of prior applications. The Clerk’s role will be entirely administrative” (U.S. Congress, House Committee on Rules, H.Res. 5, *Adopting the Rules for the 119<sup>th</sup> Congress, Section-by-Section Analysis* [119<sup>th</sup> Cong., 1<sup>st</sup> sess., 2025]).

<sup>13</sup> In a more minor change, the rules package also re-designated the Committee on Education and Workforce to remove “the” from the title. H.Res. 5 struck “Committee on Education and the Workforce” from clauses 1(e) and 3(d) of Rule X and inserted “Committee on Education and Workforce.”

<sup>14</sup> For information on committee name changes, see Congress.gov, “Committee Name History,” <https://www.congress.gov/help/committee-name-history>.

<sup>15</sup> U.S. Congress, House, *House of Representatives Information Technology Policy 08.0—Artificial Intelligence* (HITPOL 8), prepared by CAO House Information Resources, 118<sup>th</sup> Cong., August 28, 2024. HITPOL 8 is available to House staff from HouseNet, <https://housenet.house.gov/page/5098?SearchId=564773>. For information about the impact of the HITPOL 8 initiative, see U.S. Congress, House Committee on House Administration, 118<sup>th</sup> Cong., 2<sup>nd</sup> sess., the Committee on House Administration’s final report on artificial intelligence for the 118<sup>th</sup> Congress, *Flash Report, Artificial Intelligence Strategy and Implementation*, [https://cha.house.gov/\\_cache/files/4/2/42dca19e-194b-481e-b11b-67153a8ab821/A0DC312390F4983FB50A73CB71E3E346.cha-modernization-ai-flash-report-12-20-24-v3.0.pdf](https://cha.house.gov/_cache/files/4/2/42dca19e-194b-481e-b11b-67153a8ab821/A0DC312390F4983FB50A73CB71E3E346.cha-modernization-ai-flash-report-12-20-24-v3.0.pdf).

<sup>16</sup> H.Res. 5.

## Committee on the Judiciary, Continuing Litigation Authorities, Enforcement of Subpoenas

A separate order authorized the chair of the Committee on the Judiciary, once elected for the 119<sup>th</sup> Congress and prior to the adoption of committee rules,<sup>17</sup> to issue subpoenas to former Attorney General Merrick Garland in relation to the special counsel’s audio recordings of interviews with President Joe Biden and his ghostwriter, Mark Zwonitzer. In addition, the chair was authorized to issue subpoenas to Mark Daly and Jack Morgan for depositions related to the Department of Justice’s investigation into Hunter Biden.<sup>18</sup>

Another separate order authorizes the chair, when elected and on behalf of the committee, to continue the civil actions authorized by the House during the 118<sup>th</sup> Congress concerning the enforcement of the subpoenas to such individuals.<sup>19</sup>

## Re-Established Separate Orders

The rules package contained several separate orders affecting committee procedure in the 119<sup>th</sup> Congress that were agreed to with similar text in previous Congresses:

- The chair of the Committee on Oversight and Government Reform is to be included as one of the seven committee members who may request information from an executive agency pursuant to Title 5, Section 2954, of the *U.S. Code*.<sup>20</sup>
- The Committee on House Administration, as well as House officers and officials, is to broaden the availability of legislative documents in machine-readable formats.

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<sup>17</sup> Pursuant to clause 2(a) of House Rule XI, House standing committees have subpoena authority and may, in their committee rules, delegate such authority to the chair. See CRS Report R44247, *A Survey of House and Senate Committee Rules on Subpoenas*, by Jane A. Hudiburg.

<sup>18</sup> CRS did not identify any committee announcement regarding subpoenas issued under the separate order’s authority. (Committees are not required by House rules to provide public notice of any issued subpoenas, but they may choose to do so.) However, according to a memorandum posted by the U.S. Department of Justice’s Office of Legal Counsel, on January 6, 2025, the chair of the Judiciary Committee, Jim Jordan, issued a subpoena to Merrick Garland, then Attorney General, for audio recordings of two interviews conducted in relation to Special Counsel Robert Hur’s investigations (<https://www.justice.gov/olc/media/1385036/dl?inline>). Also, a CNN report stated that, on the same day, Republicans re-issued subpoenas to Department of Justice tax investigators Mark Daly and Jack Morgan (Annie Grayer, “Republican-Led January 6 Investigation to Be Its Own Committee This Congress, GOP Lawmaker Says,” CNN, January 7, 2025, <https://www.cnn.com/2025/01/07/politics/january-6-republican-new-committee/index.html>).

<sup>19</sup> Such actions are to be in accordance with clause 8(c) of House Rule II and the Office of General Counsel of the U.S. House of Representatives. For more information about the enforcement of subpoenas authorized by House committees, see CRS In Focus IF10015, *Congressional Oversight and Investigations*, by Todd Garvey, Mark J. Oleszek, and Ben Wilhelm.

<sup>20</sup> First established in the 118<sup>th</sup> Congress, the separate order ensures that the chair of the committee signs onto a request for information, a requirement that is not provided in the *U.S. Code*. “An Executive agency, on request of the Committee on Government Operations [now the Committee on Oversight and Government Reform] of the House of Representatives, or of any seven members thereof, or on request of the Committee on Governmental Affairs of the Senate, or any five members thereof, shall submit any information requested of it relating to any matter within the jurisdiction of the committee” (5 U.S.C. §2954). See CRS Report R47525, *House Rules Changes Affecting Committee Procedure in the 118th Congress (2023-2024)*, by Jane A. Hudiburg.



- Each standing committee, except the Committee on Ethics, is to hold a Member Day hearing to receive testimony from Members, delegates, and the resident commissioner of Puerto Rico.<sup>21</sup>
- The chairs of the Permanent Select Committee on Intelligence and each standing committee, except for the Committee on Rules, are authorized to take depositions in consultation with the ranking minority member and in accordance with regulations issued by the Committee on Rules.

H.Res. 5 also provides three committee-related separate orders with additional or altered provisions from earlier iterations. These separate orders re-established a select committee, allowed certain witnesses to testify remotely before committees, and encouraged more efficient procedures for posting documents on the House’s committee repository contained within docs.house.gov.

## **Continuation of Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party**

H.Res. 5 re-established for the duration of the 119<sup>th</sup> Congress the Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party. The select committee continues in the same manner as in the 118<sup>th</sup> Congress. However, it has a new investigative jurisdiction: “policy recommendations on countering the economic, technological, security, and ideological threats of the Chinese Communist Party (CCP) to the United States and allies and partners of the United States.” In the previous Congress, as established by H.Res. 11 (118<sup>th</sup> Congress), the committee’s mandate was to investigate the status of the CCP’s “economic, technological, and security progress and its competition with the United States.”

As in the 118<sup>th</sup> Congress, the Speaker is authorized to appoint up to 24 members to the select committee, designating a chair from among them. Eleven of those members are to be appointed in consultation with the minority leader.<sup>22</sup> The Speaker and the minority leader are to serve as ex officio members but may not vote or be counted for purposes of establishing a quorum. Each leader may appoint a staff member for support.

The committee does not have legislative authority. Otherwise, it holds powers and responsibilities similar to those of a standing committee in the House, including the ability to hold public hearings and issue subpoenas for testimony and documents.

The committee is required to report its findings, policy recommendations, and legislative proposals to the House and relevant standing committees no later than December 31, 2026. These reports and recommendations are to be made public within 30 days in unclassified, accessible formats but may include classified or law-enforcement-sensitive annexes.

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<sup>21</sup> Aside from the Committee on Ethics, each standing committee is to hold the Member Day hearing in the first session of the 119<sup>th</sup> Congress, except the Committee on Rules, which is to hold a hearing during the second session of the Congress to receive testimony on proposed changes to House rules. U.S. Congress, House Committee on Rules, H.Res. 5, *Adopting the Rules for the 119<sup>th</sup> Congress, Section-by-Section Analysis* (119<sup>th</sup> Cong., 1<sup>st</sup> sess., 2025).

<sup>22</sup> H.Res. 78 (118<sup>th</sup> Congress) amended H.Res. 11 (118<sup>th</sup> Congress) to provide the membership parameters.



## Remote Appearance of Witnesses

In the 119<sup>th</sup> Congress, “witnesses shall testify before a committee in person,”<sup>23</sup> except as provided by a separate order initially established for the 118<sup>th</sup> Congress.<sup>24</sup> Committee chairs may allow certain witnesses and any witness counsel to appear remotely at committee proceedings. However, in allowing remote testimony, committees are to follow regulations submitted by the chair of the Committee on Rules for publication in the *Congressional Record*.

These regulations, “Regulations for the Remote Participation of Committee Witnesses,” indicate that all governmental officials and employees, regardless of the branch they represent, are barred from testifying remotely during the Congress. The regulations state, “No remote testimony will be accepted from witnesses testifying in a government capacity.”<sup>25</sup> The 118<sup>th</sup> Congress separate order and associated regulations contained similar language.<sup>26</sup>

Thus, it appears that, pursuant to the 119<sup>th</sup> Congress regulations, the application of remote-witness procedure remains the same, although the language of the more recent separate order differs from the earlier version. The 119<sup>th</sup> Congress separate order states that the remote-witness procedure does not apply to “witnesses representing the executive branch,” while the 118<sup>th</sup> Congress separate order pertained only to witnesses “appearing in a non-governmental capacity.”<sup>27</sup>

Like the 118<sup>th</sup> Congress regulations, the regulations for the 119<sup>th</sup> Congress enable nongovernmental witnesses to testify remotely only if

- the majority leader provides written approval for the remote participation,
- the chair of the committee has determined that such testimony is “necessary,”
- the witness is unable to participate in person “due to extreme hardship or other exceptional circumstances,”
- the committee uses a software platform “certified by the Chief Administrative Officer,” and
- the witness appearing in a remote capacity “agree[s] to remain on the platform until excused by the chair.”

## House Administration, Electronic Document Repository

H.Res. 5 re-established a long-standing separate order requiring the Committee on House Administration, the Clerk, and other House officers and officials to continue efforts to improve the House electronic document repository operated by the Clerk (the “Committee Repository” section of docs.house.gov). This repository is meant to increase “public availability and identification of legislative information produced and held by House committees, including votes, amendments, and witness disclosure forms.”

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<sup>23</sup> U.S. Congress, House Committee on Rules, “Regulations for the Remote Participation of Committee Witnesses,” <https://rules.house.gov/resources/119th-congress-regulations>.

<sup>24</sup> H.Res. 5 (118<sup>th</sup> Congress).

<sup>25</sup> “Regulations for the Remote Participation of Committee Witnesses.”

<sup>26</sup> See CRS Report R47525, *House Rules Changes Affecting Committee Procedure in the 118th Congress (2023-2024)*, by Jane A. Hudiburg.

<sup>27</sup> H.Res. 5 (118<sup>th</sup> Congress).

The 119<sup>th</sup> Congress separate order contains a new, clarifying phrase regarding the efforts to improve the repository: “including streamlining the process of cross-posting documents simultaneously by the Committee on Rules.” This additional text refers to the practice of the Committee on Rules posting documents on its own website, as well as to the “Bills to be Considered” and the “Committee Repository” sections within docs.house.gov.<sup>28</sup>

## **Author Information**

Jane A. Hudiburg  
Analyst on Congress and the Legislative Process

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<sup>28</sup> The official name of docs.house.gov is the U.S. House of Representatives Document Repository.