Congressional Research Service
Informing the legislative debate since 1914

A Survey of House and Senate Committee Rules on Subpoenas

Updated November 9, 2026

Congressional Research Service
https://crsreports.congress.gov
R44247

CRS REPORT
Prepared for Members and
Committees of Congress

Congressional Research Service
Informing the legislative debate since 1914

A Survey of House and Senate Committee Rules on Subpoenas

House Rule XI, clauses 2(m)(1) and (3), authorizes House committees and subcommittees to issue subpoenas for the attendance of witnesses and the production of documents. Senate Rule XXVI, paragraph 1, authorizes Senate committees and subcommittees to subpoena witnesses and documents. In turn, nearly all House and Senate committees have adopted rules containing procedures for exercising this authority granted by their respective chambers.

SUMMARY

R44247

November 9, 2026

Jane A. Hudiburg
Analyst on Congress and the Legislative Process

Committee rules may cover authorization, issuance, and service of subpoenas. They may address just one or two of these actions, or they may be silent on the exercise of subpoena power.

A majority of House and Senate committees have included in their rules one or more provisions authorizing subpoenas by majority vote. The predominant practice among House committees is to delegate subpoena authorization authority to the chair. Many of these rules also require the chair to consult or notify the committee's ranking minority member. In the Senate, the prevailing approach is to delegate subpoena authorization authority to the chair with the agreement of the ranking minority member.

In addition to governing subpoena authorization, committee rules in both chambers generally address subpoena issuance. House committee rules typically delegate authority to issue subpoenas to the chair, while several committees allow another committee member designated by the committee to sign a subpoena. Senate committee rules generally delegate issuance authority to the chair and allow another committee member designated by the chair to sign a subpoena.

Some committees' rules explicitly authorize subcommittees to authorize subpoenas; others do not address this authority.

Committee rules may also impose requirements or limitations on subpoena authority, including conditions governing a chair's exercise of that authority or a ranking minority member's role in authorizing subpoenas.

Other committee procedural rules affect the scheduling and conduct of meetings to authorize subpoenas. These provisions may govern meeting notices and agendas, quorums for conducting business, and voting procedures.

Contents

Introduction 1
House Rules on Subpoenas 2
House Committees' Rules on Subpoenas 2
Explanation of Tables 1 and 2: Committee Subpoena Requirements, House Committees' Rules, 119th Congress 4
Senate Rules on Subpoenas 11
Senate Committees' Rules on Subpoenas 11
Explanation of Tables 3 and 4: Committee Subpoena Requirements, Senate Committee Rules, 119th Congress 13

Tables

Table 1. House Committee Subpoena Requirements 5
Table 2. Text of House Committee Rules Related to the Authorization and Issuance of Subpoenas 7
Table 3. Senate Committee Subpoena Requirements 14
Table 4. Text of Senate Committee Rules Related to the Authorization and Issuance of Subpoenas 16

Contacts

Author Information 22

Introduction

House and Senate rules authorize committees and subcommittees to subpoena witnesses and documents.[1] Committees' subpoena power has been defined as "the authority granted to committees by the rules of their respective houses to issue legal orders requiring individuals to appear and testify, or to produce documents pertinent to the committee's functions, or both."[2] Nearly all committees have adopted rules establishing procedures for exercising this power.[3] Committee rules may address authorization, issuance, signing, and service of subpoenas; address some of these actions; or be silent on the exercise of the subpoena power.[4]

A majority of House and Senate committees include in their rules one or more provisions authorizing subpoenas by majority vote, and some expressly provide for subcommittee authorization.[5] Most House committees have also delegated subpoena authorization to the chair. Many of these rules require the chair to consult or notify the committee's ranking minority member before authorizing a subpoena. In the Senate, the predominant approach is for the chair to authorize subpoenas with the agreement of the ranking minority member.

Committee rules also address issuing subpoenas. Most House committees' rules delegate authority to issue subpoenas to the chair, while several committees allow another committee member who has been *designated by the committee* to sign a subpoena. Most Senate committees' rules delegate authority to issue subpoenas to the chair and allow another committee member *designated by the chair* to sign a subpoena.

This report begins with an explanation of how committees' subpoena rules are analyzed. It then surveys House committees' subpoena rules, followed by Senate committee subpoena rules. Each survey begins with a brief description of chamber rules and a summary of committee rules that are ancillary to committee subpoena authorization procedures or appear in only one or two committees' rules. The surveys also include tables that compare the committees' rules governing the authorization and issuance of subpoenas with table notes providing additional detail.[6]

---

[1] House Rule XI, clause (m), Power to Sit and Act; Subpoena Power; Senate Rule XXVI, paragraph 1, Committee Procedure.

[2] Walter Kravitz, *Congressional Quarterly's American Congressional Dictionary*, 3rd ed. (CQ Press, 2001), p. 250.

[3] For an introduction to congressional subpoenas and their enforcement, see CRS Report R45653, *Congressional Subpoenas: Enforcing Executive Branch Compliance*, by Todd Garvey.

[4] House and Senate rules do not require committees to provide public notice detailing their exercise of the subpoena power. Accordingly, comprehensive data on how frequently or infrequently committees issue subpoenas are not readily available.

[5] House and Senate committees must adopt and publish committee rules in each Congress (House Rule XI, clause 2(a)(1), and Senate Rule XXVI, paragraph 2). In the first months following the convening of a new Congress, committees hold organizational meetings at which they typically adopt rules and take other actions in preparation for the new Congress. Although committees tend to adopt most or all of the rules that they had adopted in the preceding Congress, they also often adopt incremental changes to these rules.

[6] House and Senate rules contemplate means besides subpoenas for congressional committees to obtain information, especially from the executive branch, which include the voluntary appearance of witnesses; writing requirements for reports or studies into law; resolutions of inquiry (see CRS Report R40879, *Resolutions of Inquiry: An Analysis of Their Use in the House, 1947-2017*, by Christopher M. Davis); and existing provisions of law, such as Title 5, Section 2954, of the *U.S. Code*, which requires an executive agency to submit information requested by the House Committee on Oversight and Government Reform, or by any seven members of the committee, or by the Senate Committee on Homeland Security and Governmental Affairs, or by any five members of the committee. Depositions and other oversight techniques, which may include the exercise of a committee's subpoena authority, are discussed in CRS Report RL30240, *Congressional Oversight Manual*, coordinated by Christopher M. Davis, Todd Garvey, and Ben Wilhelm.

All committee rules analyzed in this report are rules established at the beginning of the 119th Congress (2025-2026). The committees published their rules in the *Congressional Record*, complying with their chamber's rule on publication.

House Rules on Subpoenas

Rule XI, clause 2(m)(1) and (3), authorizes committees and subcommittees to issue subpoenas for the attendance of witnesses and the production of documents.[7] Clause 2(m)(3) requires authorization by a committee or subcommittee, "a majority being present."[8] Under Rule XI, clause 2(h)(3), committee rules may establish the quorum for debating a subpoena at no less than one-third the membership of the committee.

Rule XI, clause 2(m)(3), also allows committees to adopt rules to delegate the authorization and issuance of subpoenas to a committee's chair "under such rules and under such limitations as the committee may prescribe." This same subparagraph requires subpoenas to be signed by the chair or by a member who has been designated by the committee.

Rule XI, clause 2(m)(3)(B), allows a committee or subcommittee to designate a return for documents other than at a meeting or hearing.[9] Clause 2(m)(3)(C) allows enforcement of a subpoena only as authorized or directed by the House.[10]

Rule X, clause 10(b), makes Rule XI, clause 2(a), requiring the adoption of committee rules, applicable to select and joint committees unless the House has decided otherwise. Clause 2(a) requires that committee rules incorporate the other provisions of Rule XI, clause 2, including clause (m), which provides for subpoena authority.[11]

House Committees' Rules on Subpoenas

If a committee meets to consider one or more subpoenas for a witness, witnesses, or documents, it meets in a markup session, and committee members may offer amendments and motions, make points of order, and engage the relevant procedures and procedural strategy that could also occur

[7] House Rule XI, clauses 2(k)(5) and (6), directs a committee to dispose of requests to subpoena additional witnesses made by a witness or by committee members.

[8] House Rule XI, clause 2(m)(3)(A)(ii) requires a majority of members of a subcommittee of the Ethics Committee to vote to authorize and issue a subpoena.

[9] *Return* in this rule refers to instructions to the individual named on when and where to respond to the subpoena with the documents demanded. This rule allows a committee or subcommittee to issue a subpoena to an individual both to appear and to provide documents but to deliver the documents at another time than the hearing or meeting at which the individual is directed to appear. If the subpoena is for documents only, the delivery may occur outside of the time designated for a hearing or meeting of the committee or subcommittee authorizing the subpoena.

[10] "An individual who fails or refuses to comply with a House subpoena may be cited for contempt of Congress," John V. Sullivan et al., *House Practice: A Guide to the Rules, Precedents, and Procedures of the House* (GPO, 2024) (hereinafter Sullivan et al., *House Practice*), p. 293; see Sullivan et al., *House Practice*, Chapter 17, "Contempt," pp. 463-469, for an explanation of how the House enforces a subpoena if an individual fails to comply. See also CRS Report R45653, *Congressional Subpoenas: Enforcing Executive Branch Compliance*, by Todd Garvey.

[11] For examples of the House deciding to alter the applicability of Rule XI, clause 2 to select committees, see Section 4 of H.Res. 567 (113th Congress, 2013-2014.) and Section 5 of H.Res. 503 (117th Congress, 2021-2022). The resolutions provided that the chairs would authorize and issue subpoenas and also exempted the select committees from the requirement of adopting committee rules. The resolutions that initially established the Select Committee on the Modernization of Congress and the Select Committee on the Climate Crisis in the 116th Congress and the Select Committee on Economic Disparity and Fairness in Growth in the 117th Congress did not provide subpoena authority but did allow the select committees to submit subpoena recommendations to the relevant standing committees. See H.Res. 6 (116th Congress, 2019-2020) and H.Res. 8 (117th Congress, 2021-2022).

in a markup of legislation. When a House committee or subcommittee considers authorizing a subpoena, House and committee rules on scheduling, notice, open meetings, quorum, and voting apply. The House Office of General Counsel maintains subpoena-related forms to assist committees and may advise committees on the legal sufficiency of subpoenas.

Most House committees' rules delegate authority to issue subpoenas to their chair, but many committees with such a rule also require the chair to consult or notify the ranking minority member. In many committees, subcommittees may authorize and issue subpoenas subject to specified conditions. Some committees' rules are not explicit on procedures for subcommittees to authorize subpoenas. The principal attributes of committees' subpoena rules are analyzed and displayed in **Table 1**. **Table 2** provides the relevant texts of the subpoena rules.

Other provisions pertaining to subpoenas appear in committee rules but may not be included in **Table 1** or **Table 2**. Generally, these rules are ancillary to subpoena authorization rules. They are described below.

Some committees reference the authority of the House to enforce a subpoena issued by the committee or, if permitted by committee rules, its subcommittees. These committees are the Committees on Appropriations, Armed Services, and Transportation and Infrastructure.

In addition, several committees have rules stating that the committee may cite an offender to the House for contempt.[12] The rules of the Permanent Select Committee on Intelligence specify that authority while establishing conditions prior to the referral of a contempt recommendation. "Reasonable" notice of a meeting to consider a contempt recommendation must be given to all committee members. The committee must meet and consider the contempt allegations. The individual who is the subject of the allegations must have an opportunity to respond in writing or in person as to why or why not the individual should be held in contempt. The committee by majority vote must agree to recommend a contempt citation to the House.[13]

The Committee on Ethics has five rules related to subpoenas separate from their authorization and issuance. One rule provides that "all evidence or testimony" submitted pursuant to a subpoena by an investigative subcommittee are "deemed to have been taken or produced in executive session." Two rules relate specifically to subpoenas issued by adjudicatory subcommittees. First, a subpoena for documents may specify terms of return other than a meeting or hearing of the subcommittee. Second, a subpoena requiring a witness to appear must be served "sufficiently in advance" of the scheduled appearance to allow the witness to prepare and to retain counsel. The fourth rule proscribes committee members and staff from disclosing to a person outside the committee the name of a witness subpoenaed to testify or produce documents. The final rule appears to apply to all subpoenaed witnesses, covering, with exceptions, travel expenses at the per-diem rate established by the House Administration Committee.

The Committee on Transportation and Infrastructure has a similar rule on expenses of subpoenaed witnesses.

[12] According to the House Parliamentarian, the Supreme Court, in its rulings, has established that "an individual who fails or refuses to comply with a House subpoena may be cited for contempt of Congress" (Sullivan et al., *House Practice*, p. 463). Presumably, committees have the authority to cite subpoena offenders to the House, even if they do not specify such authority in their rules. *Contempt of Congress* is defined as "Willful obstruction of the proper functions of Congress. Most frequently, it is a refusal to obey a subpoena to appear and testify before a committee or to produce documents demanded by it" (*Congressional Quarterly's American Congressional Dictionary*), p. 66; see also CRS Report R45653, *Congressional Subpoenas: Enforcing Executive Branch Compliance*, by Todd Garvey and Sullivan et al., *House Practice*, pp. 463-469.

[13] Five additional committees (Agriculture, Ethics, Homeland Security, House Administration, and Veterans' Affairs) state in their rules that the "committee may cite the offender to the House [or House of Representatives] for contempt."

The rules of the Committee on Homeland Security allow the chair with the concurrence of the ranking minority member or the committee to include provisions in a subpoena that "prevent" the disclosure of the committee's demand for information "when deemed necessary for the security of information or the progress of an investigation." Such provisions may prohibit witnesses and their counsel from revealing the committee's inquiry. Another rule pertaining to a subpoena for documents allows the committee to specify terms of return other than a regularly scheduled meeting of the committee.

The Committee on Rules delegates subpoena authority to the chair if the House has adjourned for more than three days. In recent practice, the House has not adjourned for more than three days, preventing the use of this provision in the committee's rules.[14]

Five committees also have rules on service of subpoenas. Budget, Financial Services, Natural Resources, Rules, and Intelligence provide that a subpoena may be served by any person designated by the chair or the committee. The Select Intelligence Committee's rules also specifically require a copy of the committee's rules to be attached to any subpoena.

Explanation of Tables 1 and 2: Committee Subpoena Requirements, House Committees' Rules, 119th Congress

Table 1 compares House committees' rules in the 119th Congress (2025-2026) on whose authority a subpoena may be authorized and issued and on notifying members of a committee that a subpoena has been issued. Committees are listed in alphabetical order in the left column, with the Permanent Select Committee on Intelligence and the Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party appearing at the end of the table. The table headings contain key terms describing committees' rules. A check in a box indicates that the committee adopted a rule or a closely related variation on it. An empty box indicates that the committee did not address that subject. Some boxes are footnoted to offer additional detail on a particular committee's rule or lack of a rule. In some cases, a single table note is used to offer additional detail on a rule or circumstances that affect more than one committee's rules.

Table 2 provides the text of House committee rules regarding the authorization and issuance of subpoenas. It does not include all references to subpoenas, such as the required quorum to authorize a subpoena or other provisions ancillary to subpoena authorization requirements.

[14] The adjournment in excess of three days referred to in the committee rule presumably refers to an adjournment of the House taken pursuant to concurrent resolution. The House and Senate have not agreed to a concurrent resolution of adjournment since the 114th Congress (2015-2016), choosing instead to meet in periodic *pro forma* sessions during periods of extended absence. For more information, see CRS Report R42977, *Sessions, Adjournments, and Recesses of Congress*, by Richard S. Beth and Valerie Heitshusen.

Table 1. House Committee Subpoena Requirements

119th Congress (2025-2026)

Committee	By Majority Vote of Committee	Chair Has Authority to Authorize[a]		Individual Authorized to Sign or Issue Subpoena		Notification to Committee or Ranking Minority Member after Issuance
		Own Initiative	Shall Consult Ranking Minority Member	Chair	Member Designated by Committee	
Agriculture	√	√	√	√	√	
Appropriations	√[b]	√[c]		√	√	
Armed Services	√[b,d]			√	√	
Budget	√	√		√		
Education and the Workforce		√	√	√		committee
Energy and Commerce		√	√	√		committee
Ethics	√[b]			√[e]		
Financial Services		√	√[f]	√	√	
Foreign Affairs	√[b]	√	√	√	√	
Homeland Security		√	√	√		committee
House Administration		√		√		ranking member[g]
Judiciary	√[b]	√	√[f]	√	√	
Natural Resources	√	√		√		ranking member[h]
Oversight and Government Reform		√		√		
Rules	√[b,i]	[i]		√	√	
Science, Space, and Technology		√	√	√		
Small Business	√	√	√	√		
Transportation and Infrastructure	√[b]	√[j]	√	√[j]	√	committee
Veterans' Affairs	√[k]					
Ways and Means		√		√		
Permanent Select Committee on Intelligence	√	√	√	√	√	

Committee	By Majority Vote of Committee	Chair Has Authority to Authorize[a]		Individual Authorized to Sign or Issue Subpoena		Notification to Committee or Ranking Minority Member after Issuance
		Own Initiative	Shall Consult Ranking Minority Member	Chair	Member Designated by Committee	
Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party		√		√		

Source: CRS analysis of House committee rules, 119th Congress (2025-2026).

Notes:

a. Even in cases where a committee has delegated the power to authorize and issue subpoenas to its chair pursuant to Rule XI, clause 2(m)(3), the committee retains the ability to meet and, with a majority quorum present, vote to authorize and issue a subpoena.

b. Denotes committees that have rules that explicitly address the subpoena authority of subcommittees.

c. The power to authorize and issue subpoenas may be delegated to the chair pursuant to such rules and under such limitations as the committee may prescribe.

d. A subpoena may be authorized and issued by the committee, or any subcommittee with the concurrence of the chair and after consultation with the ranking minority member.

e. The chair and ranking minority member together issue subpoenas on behalf of the committee and investigative subcommittees. The committee rule permitting adjudicatory subcommittees to authorize subpoenas does not indicate who may issue them.

f. Unless exigent circumstances exist, before authorizing a subpoena, the chair will consult with the ranking minority member in advance and, at that time, provide the ranking minority member with a copy of the proposed subpoena, including any proposed document schedule.

g. Following authorization and issuance of such subpoena, the chair shall notify the ranking minority member and shall provide such member a full copy of the subpoena, including any document schedule.

h. The chair shall, to the extent practicable, cause notice of the issuance of such subpoena to the Minority, and such notice shall be given at least contemporaneously with service of such subpoena.

i. The committee has authority to authorize subpoenas. This authority is delegated to the chair if the House has adjourned for a period of longer than three days.

j. The rule states that the chair may authorize and issue a subpoena if "a specific request for a subpoena has not been previously rejected by either the Committee or subcommittee."

k. The committee, by a majority of the members voting, a majority being present, may authorize and issue a subpoena. The rule does not specify who is authorized to sign a subpoena.

Table 2. Text of House Committee Rules Related to the Authorization and Issuance of Subpoenas

119th Congress (2025-2026)

Committee	Rule(s)
Agriculture	**Rule VII, Subpoenas, Depositions, and Oaths:** (a) Issuance of Subpoenas.—In accordance with clause 2(m) of House Rule XI, a subpoena may be authorized and issued by a majority of the Committee or by the Chairman in consultation with the Ranking Minority Member. Such consultation shall occur at least 48 hours in advance of a subpoena being issued under such authority. Authorized subpoenas shall be signed by the Chairman of the Committee or by any Member designated by the Committee.
Appropriations	**Section 1, Power to Sit and Act:** (a) For the purpose of carrying out any of its functions and duties under rules X and XI of the Rules of the House of Representatives, the Committee and each of its subcommittees is authorized:… (2) To require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, reports, correspondence, memorandums, papers, and documents as it deems necessary…. (c) A subpoena may be authorized and issued by the Committee or its subcommittees under subsection (a)(2) in the conduct of any investigation or activity or series of investigations or activities, only when authorized by a majority of the Members of the Committee voting, a majority being present. The power to authorize and issue subpoenas under subsection (a)(2) may be delegated to the Chair pursuant to such rules and under such limitations as the Committee may prescribe. Authorized subpoenas shall be signed by the Chair or by any Member designated by the Committee.
Armed Services	**Rule 12, Power to Sit and Act; Subpoena Power:** (a) For the purpose of carrying out any of its functions and duties under rules X and XI of the Rules of the House of Representatives, the Committee and any subcommittee is authorized (subject to subparagraph (b)(1) of this paragraph):… (2) to require by subpoena, or otherwise, the attendance and testimony of such witnesses, including by deposition, and the production of such books, records, correspondence, memorandums, papers and documents, including, but not limited to, those in electronic form, as it considers necessary. (b)(1) A subpoena may be authorized and issued by the Committee, or any subcommittee with the concurrence of the Chair and after consultation with the Ranking Minority Member, under subparagraph (a)(2) in the conduct of any investigation, or series of investigations or activities, only when authorized by a majority of the members voting, a majority of the Committee or subcommittee being present. Authorized subpoenas shall be signed only by the Chair, or by any member designated by the Committee.
Budget	**Rule 18, Subpoenas and Oaths:** (a) In accordance with clause 2(m) of rule XI of the Rules of the House of Representatives, subpoenas authorized by a majority of the Committee or by the Chair may be issued over the signature of the Chair and may be served by any person designated by the Chair or such member.
Education and the Workforce	**Rule 10, Subpoena Authority:** The power to authorize and issue subpoenas is delegated to the Chair of the full Committee, as provided for under clause 2(m)(3)(A)(i) of rule XI of the Rules of the House of Representatives. The Chair shall notify the Ranking Member prior to issuing any subpoena under such authority. To the extent practicable, the Chair shall consult with the Ranking Member at least 24 hours in advance of a subpoena being issued under such authority, excluding Saturdays, Sundays, and federal holidays. As soon as practicable after issuing any subpoena under such authority, the Chair shall notify in writing all members of the Committee of the issuance of the subpoena.

Committee	Rule(s)
Energy and Commerce	**RULE 16, Subpoena Power:** The power to authorize and issue subpoenas is delegated to the chair of the full Committee, as provided for under clause 2(m)(3)(A)(i) of rule XI of the Rules of the House of Representatives. The chair shall notify the ranking minority member prior to issuing any subpoena under such authority. To the extent practicable, the chair shall consult with the ranking minority member at least 72 hours in advance of a subpoena being issued under such authority. The chair shall report to the members of the Committee on the issuance of a subpoena as soon as practicable but in no event later than one week after issuance of such subpoena.
Ethics	**Rule 10, Vote Requirements:** (a) The following actions shall be taken only upon an affirmative vote of a majority of the members of the Committee or subcommittee, as appropriate: (1) Issuing a subpoena…. **Rule 19, Investigative Subcommittee:** (b) In an inquiry undertaken by an investigative subcommittee—…. (5) The subcommittee, by a majority vote of its members, may require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry. Unless the Committee otherwise provides, the subpoena power shall rest in the Chair and Ranking Minority Member of the Committee and a subpoena shall be issued upon the request of the investigative subcommittee.
Financial Services	**Rule 3, Meeting and Hearing Procedures:** *Subpoenas and Oaths* (e)(1) The power to authorize and issue subpoenas is delegated to the Chair. Unless there are exigent circumstances, the Chair will provide written notice to the ranking minority member at least 48 hours in advance of the authorization and issuance of a subpoena, and such notice shall include a full copy of the proposed subpoena including any proposed document schedule. Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee and may be served by any person designated by the Chair or such member. The Chair or any person designated by the Chair to serve a subpoena will copy the ranking minority member or designated minority staff when a subpoena is issued and served electronically.
Foreign Affairs	**Rule 22, Subpoena Powers:** A subpoena may be authorized and issued by the Chairman, in accordance with clause 2(m) of rule XI of the House of Representatives, in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee, following consultation with the Ranking Minority Member. In addition, a subpoena may be authorized and issued by the Committee or its subcommittees in accordance with clause 2(m) of rule XI of the House of the Representatives, in the conduct of any investigation or activity or series of investigations or activities, only when authorized by a majority of the Members voting, a majority of the Committee or subcommittee being present. Authorized subpoenas shall be signed by the Chairman or by any Member designated by the Committee.
Homeland Security	**Rule XII, Subpoenas; Counsel:** (A) *Authorization*.—The power to authorize and issue subpoenas is delegated to the Chair of the Full Committee, as provided for under clause 2(m)(3)(A)(i) of rule XI of the Rules of the House of Representatives. The Chair shall notify the Ranking Minority Member prior to issuing any subpoena under such authority. To the extent practicable, the Chair shall consult with the Ranking Minority Member at least 24 hours in advance of a subpoena being issued under such authority, excluding Saturdays, Sundays, and Federal holidays. The Chair of the Full Committee shall notify Members of the Committee of the authorization and issuance of a subpoena under this rule as soon as practicable, but in no event later than one week after service of such subpoena.

Committee	Rule(s)
House Administration	**Rule 6, Power to Sit and Act; Subpoena Power:** (c)(1) A subpoena may be authorized and issued by the Chairman in accordance with clause 2(m) of rule XI of the Rules of the House of Representatives in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee. (2) Following authorization and issuance of such subpoena, the Chairman shall notify the ranking minority member and shall provide such member a full copy of the proposed subpoena, including any proposed document schedule, at that time. (3) A subpoena *duces tecum* may specify terms of return other than at a meeting or hearing of the Committee. (4) The Committee may issue subpoenas for documents or testimony to any person or entity, whether governmental, public, or private, within the United States, including, but not limited to, the President, Vice President, whether current or former, in a personal or official capacity, as well as the White House, the Office of the President, the Executive Office of the President, and any individual currently or formerly employed in the White House, Office of the President, or Executive Office of the President.
Judiciary	**Rule IV, Subpoenas:** (a) A subpoena may be authorized and issued by the Chair, in accordance with clause 2(m) of rule XI of the House of Representatives, in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee, following consultation with the Ranking Minority Member. (b) In addition, a subpoena may be authorized and issued by the Committee or its Subcommittees in accordance with clause 2(m) of rule XI of the House of Representatives, in the conduct of any investigation or activity or series of investigations or activities, when authorized by a majority of the Members voting, a majority of the Committee or Subcommittee being present. Authorized subpoenas shall be signed by the Chair or by any Member designated by the Committee. (c) At least one calendar day before issuing any subpoena pursuant to subsection (a), the Chair shall consult with the Ranking Minority Member regarding the authorization and issuance of such subpoena and shall provide a draft copy of the proposed subpoena, including a draft of any proposed document schedule, at that time. (d) The Chair may waive the requirements of subsection (c) in the event of an emergency that does not reasonably allow for advance written notice, including, but not limited to, when a witness who is voluntarily before the Committee refuses to answer a question.
Natural Resources	**Rule 4, Hearing Procedures:** (d) *Subpoenas*— (1) The Chair of the Committee may authorize and issue a subpoena under clause 2(m) of House rule XI. (2) The Committee may authorize and issue a subpoena under clause 2(m) of House rule XI if authorized by a majority of the Members voting. (3) Subpoenas shall be signed only by the Chair of the Committee. Subpoenas may be served by any person designated by the Chair. (4) For any subpoena issued pursuant to Committee rule 4(d)(1), the Chair shall, to the extent practicable, cause notice of the issuance of such subpoena to the Minority, and such notice shall be given at least contemporaneously with service of such subpoena.
Oversight and Government Reform	**Rule 12, Additional Duties of the Chair of the Committee:** The Chair of the Committee shall:… (g) Authorize and issue subpoenas as provided in House Rule XI, clause 2(m), in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee.

Committee	Rule(s)
Rules	**Rule 3, Meeting and Hearing Procedures:** **Subpoenas and Oaths** (e)(1) Pursuant to clause 2(m) of rule XI of the Rules of the House of Representatives, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. (2) The Chair may authorize and issue subpoenas under such clause during any period in which the House has adjourned for a period of longer than three days. (3) Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee, and may be served by any person designated by the Chair or such member.
Science, Space, and Technology	**Rule IX, Subpoenas:** The power to authorize and issue subpoenas is delegated to the Chair as provided for under clause 2(m)(3)(A)(i) of House rule XI. The Chair shall notify the Ranking Minority Member prior to issuing any subpoena under such authority. To the extent practicable, the Chair shall consult with the Ranking Minority Member at least 24 hours in advance of a subpoena being issued under such authority.
Small Business	**Rule 9, Subpoenas, Oaths, and Depositions:** (A) *Issuance of Subpoena*.—A subpoena may be authorized and issued by the Chairman, in accordance with clause 2(m) of rule XI of the House of Representatives with 24-hour notice and consultation with the Ranking Member. (1) The Committee may authorize and issue a subpoena under clause 2(m) of House rule XI if authorized by a majority of the Members voting.
Transportation and Infrastructure	**Rule XII, Power to Sit and Act; Power to Conduct Investigation Oaths; Subpoena Power:** (a) *Authority To Sit and Act*.—For the purpose of carrying out any of its functions and duties under Rules X and XI of the Rules of the House, the Committee and each of its subcommittees, is authorized (subject to paragraph (d)(1))—…. (2) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary…. (d) *Issuance of Subpoenas*.— (1) *In General*.—A subpoena may be issued by the Committee or subcommittee under paragraph (a)(2) in the conduct of any investigation or activity or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. Such authorized subpoenas shall be signed by the Chair of the Committee or by any member designated by the Committee. If a specific request for a subpoena has not been previously rejected by either the Committee or subcommittee, the Chair of the Committee, after consultation with the ranking minority member of the Committee, may authorize and issue a subpoena under paragraph (a)(2) in the conduct of any investigation or activity or series of investigations or activities, and such subpoena shall for all purposes be deemed a subpoena issued by the Committee. As soon as practicable after a subpoena is issued under this rule, the Chair shall notify all members of the Committee of such action.
Veterans' Affairs	**Rule 1, General Provisions:** (h) *Subpoenas*.—Pursuant to clause 2(m) of House rule XI, subpoenas may be authorized and issued by the Committee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present.
Ways and Means	**Rule 16, Subpoena Power:** The power to authorize and issue subpoenas is delegated to the Chair of the full Committee, as provided for under clause 2(m)(3)(a)(i) of rule XI of the Rules of the House of Representatives.

Committee	Rule(s)
Permanent Select Committee on Intelligence	**Rule 10, Subpoenas:** (A) *Generally*. All subpoenas shall be authorized by the Chair of the full Committee, upon consultation with the Ranking Minority Member, or by vote of the full Committee. A subpoena may be authorized and issued in the conduct of any investigation or series of investigations or activities to require the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, whether physical or electronic, as deemed necessary. (B) *Subpoena Contents*. Any subpoena authorized by the Chair of the full Committee or by the full Committee may compel: (1) The attendance of witnesses and testimony before the Committee; or (2) The production of memoranda, documents, records, whether physical or electronic, or any other tangible item. (C) *Signing of Subpoena*. A subpoena authorized by the Chair of the full Committee or by the full Committee may be signed by the Chair or by any Member of the Committee designated to do so by the full Committee. (D) *Subpoena Service*. A subpoena authorized by the Chair of the full Committee, or by the full Committee, may be served by any person designated to do so by the Chair. (E) *Other Requirements*. Each subpoena shall have attached thereto a copy of these rules. All subpoenas must be reviewed by the House Office of General Counsel and signed by the Clerk of the House prior to issuance.
Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party	**Rule VI, Subpoenas:** The power to authorize and issue subpoenas pursuant to clause 2(m) of House rule XI is hereby delegated to the Chair.

Source: CRS analysis of House committee rules, 119th Congress (2025-2026).

Senate Rules on Subpoenas

Senate committees and subcommittees are authorized to subpoena witnesses and documents (Rule XXVI, paragraph 1). No additional details specific to authorizing or issuing subpoenas appear in Rule XXVI.[15]

Senate Committees' Rules on Subpoenas

If a Senate committee meets to consider one or more subpoenas for a witness, witnesses, or documents, it meets in a markup session, and Senators may offer amendments and motions, make points of order, and engage the relevant procedures and procedural strategy that could also occur in a markup of legislation. The Senate Office of Legal Counsel may advise committees on the legal sufficiency of subpoenas.

[15] Standing orders creating the Senate's select committees may contain additional details, which are reflected in those committees' rules surveyed in the text and table that follow in this report. See U.S. Congress, Senate, *Senate Manual Containing the Standing Rules, Orders, Laws, and Resolutions Affecting the Business*, 118th Cong., 2nd sess., 2024, S.Doc. 118-1 (GPO, 2024).

Most Senate committees in their rules have also delegated authority to issue subpoenas to their chair together with the ranking minority member or to the chair with the ranking minority member's approval. Some committees' rules are explicit on procedures for subcommittees to authorize subpoenas.

Other provisions pertaining to subpoenas, but not directly relating to authorizing or issuing them, may appear in committees' rules. The Select Committee on Ethics has a unique rule for withdrawing a subpoena. The committee by a recorded vote of no fewer than four members may withdraw a subpoena that it had authorized or that the chair and vice chair together had authorized. In addition, the chair and vice chair together could withdraw a subpoena that they had authorized.

The Ethics Committee has additional rules that

- by a recorded vote of no fewer than four members, may prohibit committee members and staff and outside counsel from publicly identifying a subpoenaed witness prior to the day of the witness's appearance, except as authorized by the chair and vice chair acting together;
- allow the respondent in an adjudicatory hearing to "apply to the Committee" for the subpoena of witnesses and documents in the individual's behalf;
- allow a subpoenaed witness to request, subject to the committee's approval, not to be photographed at a hearing or to have the witness's testimony broadcast or reproduced while testifying;
- require a subpoena to be served sufficiently in advance of a scheduled appearance to provide the witness with "a reasonable period of time" to prepare and to obtain counsel; and
- permit service of a subpoena by any person 18 years of age or older designated by the chair or vice chair.

Four other committees have additional rules that pertain to subpoenas, but not specifically to their authorization or issuance.

A Foreign Relations Committee rule provides that documents submitted in response to a subpoena or a request to an agency may be returned at a designated time and place other than a committee meeting.[16] An incomplete return or one accompanied by an objection constitutes good cause for a hearing of the committee on shortened notice. In such cases, the chair or a committee member designated by the chair may convene a hearing on four hours' notice to Members by telephone or email. One Member is a quorum for this hearing, which is held solely to "elucidate further information about the return and to rule on the objection."

The Health, Education, Labor, and Pensions Committee's investigations and subpoena rule makes information obtained from investigative activity available to committee (or subcommittee) members requesting the information. It is also made available to staff of committee (or subcommittee) members who have been designated in writing by the members, subject to restrictions contained in Senate rules. A committee member may also request information relevant to an investigation to be "summarized in writing as soon as practicable." Moreover, the committee or a subcommittee chair must call an executive session to discuss investigative activity and the issuance of subpoenas in support of this activity at the request of any committee member.

[16] *Return* in this rule refers to instructions to the individual named on when and where to respond to the subpoena with the documents demanded. The rule makes explicit that a subpoena for documents may specify that the documents be delivered at other times or to other places than a committee meeting.

A rule of the Small Business and Entrepreneurship Committee authorizes the chair to rule on objections or assertions of privilege in response to subpoenas or on questions raised by a committee member or staff.

The Senate Select Committee on Intelligence has a rule governing recommendations that an individual "be cited for contempt of Congress or that a subpoena be otherwise enforced." Before forwarding such a recommendation to the Senate, the committee must meet to consider it, provide the individual an opportunity to oppose the recommendation in person or in writing, and approve it by majority vote.[17]

Committees' other procedural rules affect scheduling and conducting meetings to authorize a subpoena. These other rules deal with the notice for and agenda of a meeting, the quorum to conduct business, voting, and consideration.

Explanation of Tables 3 and 4: Committee Subpoena Requirements, Senate Committee Rules, 119th Congress

Table 3 compares committee rules in the 119th Congress (2025-2026) on subpoena requirements across the 20 Senate committees. The 16 standing committees with legislative authority are listed in alphabetical order in the left-most column, followed by the two permanent committees with legislative authority. The two committees without legislative authority appear in the last two positions of the table.[18] The heading contains key terms describing the committees' rules. A check in a box indicates that a committee adopted a rule or a closely related variation on it. An empty box indicates that a committee did not address that subject in its rules. Certain checks and blank boxes are footnoted to offer additional detail on a particular committee's rule or lack of rule. In some cases, a single table note is used to give additional detail for a rule or circumstances that affect more than one committee's rules.

Table 4 provides the text of Senate committee rules regarding the authorization and issuance of subpoenas. It does not include all references to subpoenas, such as the required quorum to authorize a subpoena or other provisions ancillary to subpoena authorization requirements.

[17] For an explanation of contempt and enforcement of a Senate subpoena, see CRS Report R45653, *Congressional Subpoenas: Enforcing Executive Branch Compliance*, by Todd Garvey; and U.S. Congress, Senate, *Riddick's Senate Procedure: Precedents and Practices*, prepared by Floyd M. Riddick and Alan S. Frumin, 101st Cong., 2nd sess., S.Doc. 101-28 (GPO, 1992), pp. 687-692.

[18] The Select Committee on Ethics has authority to report by recommendation or resolution "additional rules or regulations" that the 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." S.Res. 338, §2(a)(5), agreed to in the Senate July 24, 1964.

Table 3. Senate Committee Subpoena Requirements

119th Congress (2025-2026)

Committee	By Majority Vote of Committee	Chair Has Authority to Authorize[a]			Authorized to Sign or Issue Subpoena	
		Own Initiative	Together with Ranking Minority Member	With the Approval of the Ranking Minority Member	Chair	Member Designated by Chair
Agriculture, Nutrition, and Forestry	√[b]			√[b]	√	√
Appropriations[c]						
Armed Services	√				√[d]	√[d]
Banking, Housing, and Urban Affairs	√[e,f]			√[f]		
Budget[g]						
Commerce, Science, and Transportation	√[b]			√[b]	√	√
Energy and Natural Resources	√[h]	√[h]		√[h]	√[h]	
Environment and Public Works	√[f]			√[f]		
Finance	√			√	√	√
Foreign Relations	√[i]				√	j
Health, Education, Labor, and Pensions	√[e]				√[k,l]	√[k,l]
Homeland Security and Governmental Affairs	√[e,m,n]	√[n]		n	√	√
Judiciary	√			√	√	√
Rules and Administration	√			√	√	√
Small Business and Entrepreneurship	√[o]			√[p,o]	√	√
Veterans' Affairs	√			√[p]	√	√
Indian Affairs	√			√[q]		
Select Committee on Intelligence	√				√[r,q]	√[r,q]

Committee	By Majority Vote of Committee	Chair Has Authority to Authorize[a]			Authorized to Sign or Issue Subpoena	
		Own Initiative	Together with Ranking Minority Member	With the Approval of the Ranking Minority Member	Chair	Member Designated by Chair
Special Committee on Aging	[e,s]		√		√[l]	√[l]
Select Committee on Ethics	√		√[q]		√[t]	

Source: CRS analysis of Senate committee rules, 119th Congress (2025-2026).

Notes:

a. Even in cases where a committee has delegated the power to authorize and issue subpoenas to its chair, the committee itself presumably still retains the ability to meet and, with a majority quorum present, vote to authorize and issue a subpoena, pursuant to Senate Rule XXVI(1).

b. The chair, with the approval of the ranking minority member of the committee, has subpoena authority. However, the chair may subpoena attendance or production of documents without the approval of the ranking minority member when the chair has not received notification of disapproval from the ranking minority member within 72 hours. If the ranking minority member disapproves, the committee, by majority vote, may authorize the subpoena.

c. The committee's rules do not specifically address subpoena authority.

d. After consultation with the ranking minority member, the chair, or a member designated by the chair, may issue a subpoena. The subpoena shall "briefly state the matter to which the witness is expected to testify or the documents to be produced."

e. Denotes committees that have rules that explicitly address the subpoena authority of subcommittees.

f. The rule does not specify who is authorized to sign or issue an authorized subpoena.

g. The committee's rule allows the committee to poll "steps of an investigation, including issuance of subpoenas," but otherwise does not specify procedures regarding the authorization or issuance of subpoenas.

h. The chair may issue a subpoena (1) with the agreement of the ranking minority member, (2) when authorized by a majority of the committee members, or (3) within the scope of an investigation that was authorized by the chair and ranking minority member together or by a majority of the committee members.

i. A subpoena may be authorized at a meeting or by proxies. At the request of a committee member, a subpoena may be authorized only at a meeting.

j. The chair or a member designated by the committee may sign a subpoena.

k. The committee may, by a majority vote, delegate the authority to issue subpoenas to the chair of the committee or a subcommittee or to any member designated by such chair.

l. Before issuing a subpoena, the ranking minority member and any other member "so requesting" shall be notified of its subject, the information sought, and its relationship to the investigation. The Health, Education, Labor, and Pensions Committee provides an exception when the chair, in consultation with the ranking minority member, determines that notice "would unduly impede the investigation."

m. Each subcommittee may adopt its own subpoena rules, provided that written notice of any authorized subpoena is immediately given to the committee chair and ranking minority member or their designated staff. No subpoena may issue for two calendar days after notice, excluding Saturdays, Sundays, and legal holidays on which the Senate is not in session, unless the chair or ranking minority member waive the period or the subcommittee chair certifies in writing that immediate issuance is necessary.

n. The chair may subpoena witnesses after providing written notice to the ranking minority member or designated minority staff. No subpoena may issue for 72 hours after notice, excluding Saturdays and

Sundays, unless the ranking minority member waives the waiting period or the chair certifies in writing that immediate issuance is necessary.

o. A subpoena for a witness's attendance shall briefly state the purpose of the hearing and the matters on which the witness is expected to testify. A subpoena for the production of memoranda, documents, records, or other materials shall identify the requested items with as much specificity as practicable.

p. Subpoenas for witnesses or materials may be authorized by the chair with the ranking minority member's consent or by a committee majority. The chair may issue a subpoena without the ranking minority member's consent if no disapproval is received within a specified period.

q. The committee uses the title "vice chairman" for its ranking minority member.

r. The rule states that the vice chair, in addition to the chair or any member of the committee designated by the chair, may issue a subpoena authorized by the committee.

s. The preamble to the committee's rules states that the committee is authorized to require the attendance of witnesses or the production of documents by subpoena. However, the rule specific to investigations (Rule VI) delegates subpoena authority to the chair and ranking minority member, acting together.

t. Subpoenas shall be signed by either the chair or the vice chair. The rule also requires that subpoenas be served with a copy of the committee rules and a brief statement of purpose regarding the committee's proceedings. The committee or the chair and vice chair acting jointly may withdraw any subpoena authorized for issuance.

Table 4. Text of Senate Committee Rules Related to the Authorization and Issuance of Subpoenas

119th Congress (2025-2026)

Committee	Rule(s)
Agriculture, Nutrition, and Forestry	**Rule 8, Investigations, Subpoenas and Depositions:** 8.1: Investigations.—Any investigation undertaken by the committee or a subcommittee in which depositions are taken or subpoenas issued, must be authorized by a majority of the members of the committee voting for approval to conduct such investigation at a business meeting of the committee convened in accordance with Rule 1. 8.2: Subpoenas.—The Chairman, with the approval of the ranking minority member of the committee, is delegated the authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing of the committee or a subcommittee or in connection with the conduct of an investigation authorized in accordance with paragraph 8.1. The Chairman may subpoena attendance or production without the approval of the ranking minority member when the Chairman has not received notification from the ranking minority member of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the ranking minority member as provided in this paragraph the subpoena may be authorized by vote of the members of the committee. When the committee or Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other member of the committee designated by the Chairman.
Appropriations	The committee does not have a rule specific to subpoena authority.
Armed Services	**Rule 9, Subpoenas:** Subpoenas for attendance of witnesses and for the production of memoranda, documents, records, and the like may be issued, after consultation with the Ranking Minority Member, by the Chairman or any other member designated by the Chairman, but only when authorized by a majority of the members of the Committee. The subpoena shall briefly state the matter to which the witness is expected to testify or the documents to be produced.

Committee	Rule(s)
Banking, Housing, and Urban Affairs	**Rule 4, Witnesses:** (d) Subpoena of witnesses.—Witnesses may be subpoenaed by the Chairman of the Committee or a Subcommittee with the agreement of the Ranking Member of the Committee or Subcommittee or by a majority vote of the Committee or Subcommittee.
Budget	The committee does not have a rule specific to subpoena authority.
Commerce, Science, and Transportation	**Rule V, Subpoenas; Counsel; Record:** 1. Subpoenas. –The Chair, with the approval of the ranking minority member of the Committee, may subpoena the attendance of witnesses for hearings and the production of memoranda, documents, records, or any other materials. The Chair may subpoena such attendance of witnesses or production of materials without the approval of the ranking minority member if the Chair or a member of the Committee staff designated by the Chair has not received notification from the ranking minority member or a member of the Committee staff designated by the ranking minority member of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the ranking minority member as provided in this paragraph, the subpoena may be authorized by vote of the Members of the Committee, the quorum required by paragraph 1 of rule II being present. When the Committee or Chair authorizes a subpoena, it shall be issued upon the signature of the Chair or any other Member of the Committee designated by the Chair. At the direction of the Chair, with notification to the ranking minority member of not less than 72 hours, the staff is authorized to take depositions from witnesses. The ranking minority member, or a member of the Committee staff designated by the ranking minority member, shall be given the opportunity to attend and participate in the taking of any deposition. Witnesses at depositions shall be examined upon oath administered by an individual authorized by law to administer oaths, or administered by any member of the Committee if one is present.
Energy and Natural Resources	**Rule 10, Investigations:** (a) Neither the Committee nor any of its Subcommittees may undertake an investigation unless specifically authorized by the Chairman and the Ranking Minority Member or a majority of all the Members of the Committee. **Rule 12, Subpoenas:** The Chairman shall have authority to issue subpoenas for the attendance of witnesses or the production of memoranda, documents, records, or other materials (1) with the agreement of the Ranking Minority Member, (2) when authorized by a majority of all the Members of the Committee, or (3) when within the scope of an investigation authorized under Rule 10(a).
Environment and Public Works	**Rule 8. Subpoenas:** The Chair, with the agreement of the Ranking Minority Member or by a vote of the Committee, may subpoena the attendance of a witness at a hearing or deposition, or the production of memoranda, documents, records, or any other materials.
Finance	**Rule 10, Subpoenas:** Witnesses and memoranda, documents, and records may be subpoenaed by the chairman of the committee with the agreement of the ranking minority member or by a majority vote of the committee. Subpoenas for attendance of witnesses and the production of memoranda, documents, and records shall be issued by the chairman, or by any other member of the committee designated by him.

Committee	Rule(s)
Foreign Relations	**Rule 7, Subpoenas:** (a) Authorization.—The chairman or any other member of the committee, when authorized by a majority vote of the committee at a meeting or by proxies, shall have authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials. At the request of any member of the committee, the committee shall authorize the issuance of a subpoena only at a meeting of the committee. When the committee authorizes a subpoena, it may be issued upon the signature of the chairman or any other member designated by the committee. (b) Return.—A subpoena, or a request to an agency, for documents may be issued whose return shall occur at a time and place other than that of a scheduled committee meeting. A return on such a subpoena or request which is incomplete or accompanied by an objection constitutes good cause for a hearing on shortened notice. Upon such a return, the chairman or any other member designated by him may convene a hearing by giving 4 hours notice by telephone or electronic mail to all other members. One member shall constitute a quorum for such a hearing. The sole purpose of such a hearing shall be to elucidate further information about the return and to rule on the objection.
Health, Education, Labor, and Pensions	**Rule 17:** (a) The committee, or any subcommittee, may issue subpoenas, or hold hearings to take sworn testimony or hear subpoenaed witnesses, only if such investigative activity has been authorized by majority vote of the committee. (b) For the purpose of holding a hearing to take sworn testimony or hear subpoenaed witnesses, three members of the committee or subcommittee shall constitute a quorum: provided, with the concurrence of the chair and ranking minority member of the committee or subcommittee, a single member may hear subpoenaed witnesses or take sworn testimony. (c) The committee may, by a majority vote, delegate the authority to issue subpoenas to the chair of the committee or a subcommittee, or to any member designated by such chairman. Prior to the issuance of each subpoena, the ranking minority member of the committee or subcommittee, and any other member so requesting, shall be notified regarding the identity of the person to whom it will be issued and the nature of the information sought and its relationship to the authorized investigative activity, except where the chair of the committee or subcommittee, in consultation with the ranking minority member, determines that such notice would unduly impede the investigation. All information obtained pursuant to such investigative activity shall be made available as promptly as possible to each member of the committee requesting same, or to any assistant to a member of the committee designated by such member in writing, but the use of any such information is subject to restrictions imposed by the rules of the Senate. Such information, to the extent that it is relevant to the investigation shall, if requested by a member, be summarized in writing as soon as practicable. Upon the request of any member, the chair of the committee or subcommittee shall call an executive session to discuss such investigative activity or the issuance of any subpoena in connection therewith.

Committee	Rule(s)
Homeland Security and Governmental Affairs	**Rule 5, Hearings and Hearing Procedures:** C. Full Committee subpoenas. The Chair, with notice to the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses at a hearing or deposition or the production of memoranda, documents, records, or any other materials. A written notice of intent to issue a subpoena shall be provided to the Ranking Minority Member, or staff officers designated by the Ranking Minority Member, by the Chair or a staff officer designated by the Chair, immediately upon such authorization, and no subpoena shall be issued for at least 72 hours, excluding Saturdays and Sundays, from delivery, unless the Ranking Minority Member waives the 72 hour waiting period or unless the Chair certifies in writing to the Ranking Minority Member of the Committee that, in the Chair's opinion, it is necessary to issue a subpoena immediately. When the Committee or Chair authorizes subpoenas, subpoenas may be issued upon the signature of the Chair or any other Member of the Committee designated by the Chair. **Rule 8, Subcommittees and Subcommittee Procedures:** E. Subcommittee subpoenas. Each Subcommittee is authorized to adopt rules concerning subpoenas which need not be consistent with the rules of the Committee; provided: (1) A written notice of intent to issue the subpoena shall be provided to the Chair and Ranking Minority Member of the Committee, or staff officers designated by them, by the Subcommittee Chair or a staff officer designated by the Subcommittee Chair immediately upon such authorization, and no subpoena shall be issued for at least 2 calendar days, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session, from delivery to the appropriate offices, unless the Chair and Ranking Minority Member waive the notice period or unless the Subcommittee Chair certifies in writing to the Chair and Ranking Minority Member that, in the Subcommittee Chair's opinion, it is necessary to issue a subpoena immediately.
Judiciary	**Rule IX. Subpoenas:** The Chair of the Committee, with the agreement of the Ranking Member or by a vote of the Committee, may subpoena the attendance of a witness at a Committee or Subcommittee hearing or Committee deposition, or the production of memoranda, documents, records, or any other materials. Any such subpoena shall be issued upon the signature of the Chair or any other Member of the Committee designated by the Chair.
Rules and Administration	**Rule 24. Delegation of Authority to Committee Chair and Ranking Minority Member:** The Chair, with the concurrence of the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses and the production of correspondence, books, papers, documents, and other materials. Regardless of whether a subpoena has been concurred in by the Ranking Minority Member, such subpoena may be authorized by vote of the Members of the Committee. When a subpoena is authorized, either by a vote of the Committee or by the Chair with the concurrence of the Ranking Minority Member, the subpoena may be issued upon the signature of the Chair or of any other Member of the Committee designated by the Chair.

Committee	Rule(s)
Small Business and Entrepreneurship	**Hearings, Subpoenas, & Legal Counsel:** (d) Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, and other materials may be authorized by the Chair with the consent of the Ranking Minority Member or by the consent of a majority of the Members of the Committee. Such consent may be given informally, without a meeting, but must be in writing. The Chair may subpoena attendance or production without the consent of the Ranking Minority Member when the Chair has not received notification from the Ranking Minority Member of disapproval of the subpoena within 72 hours of being notified of the intended subpoena, excluding Saturdays, Sundays, and holidays. Subpoenas shall be issued by the Chair or by the Member of the Committee designated by him or her. A subpoena for the attendance of a witness shall state briefly the purpose of the hearing and the matter or matters to which the witness is expected to testify. A subpoena for the production of memoranda, documents, records, and other materials shall identify the papers or materials required to be produced with as much particularity as is practicable. (e) The Chair shall rule on any objections or assertions of privilege as to testimony or evidence in response to subpoenas or questions of Committee Members and staff in hearings.
Veterans' Affairs	**Rule IV, Hearings and Hearing Procedures:** (E) The Chairman, with the concurrence of the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses and the production of memoranda, documents, records, and any other materials. If the Chairman or a Committee staff member designated by the Chairman has not received from the Ranking Minority Member or a Committee staff member designated by the Ranking Minority Member notice of the Ranking Minority Member's non-concurrence in the subpoena within 48 hours (not counting Saturdays, Sundays, and federal holidays) of being notified of the Chairman's intention to subpoena attendance or production, the Chairman is authorized following the end of the 48-hour period involved to subpoena the same without the Ranking Minority Member's concurrence. Regardless of whether a subpoena has been concurred in by the Ranking Minority Member, such subpoena may be authorized by vote of the Members of the Committee. When the Committee or Chairman authorizes a subpoena, the subpoena may be issued upon the signature of the Chairman or of any other Member of the Committee designated by the Chairman.
Indian Affairs	**Rule 12, Authorizing Subpoenas:** The Chairman may, with the agreement of the Vice Chairman, or the Committee may, by majority vote, authorize the issuance of subpoenas.
Select Committee on Intelligence	**Rule 7. Subpoenas:** Subpoenas authorized by the Committee for the attendance of witnesses or the production of memoranda, documents, records, or any other material may be issued by the Chairman, the Vice Chairman or any member of the Committee designated by the Chairman, and may be served by any person designated by the Chairman, Vice Chairman or member issuing the subpoenas. Each subpoena shall have attached thereto a copy of S. Res. 400 of the 94th Congress, as amended, and a copy of these Rules.

Committee	Rule(s)
Special Committee on Aging	**Preamble to Rules of Procedure:** C. 1. For the purposes of this section, the special committee is authorized, in its discretion,…to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence books, papers, and documents…. 3. Subpoenas 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 subpoena. **Rule VI, Investigations:** 2. Subpoenas. The Chairman and Ranking Minority Member, acting together, shall authorize a subpoena. Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, or any other materials shall be issued by the Chairman, or by any other Member of the Committee designated by him. Prior to the issuance of each subpoena, the Ranking Minority Member, and any other Member so requesting, shall be notified regarding the identity of the person to whom the subpoena will be issued and the nature of the information sought, and its relationship to the investigation. **Rule VII, Depositions and Commissions:** 5. Commissions. The Committee may authorize the staff, by issuance of commissions, to fill in prepared subpoenas, conduct field hearings, inspect locations, facilities, or systems of records, or otherwise act on behalf of the Committee. Commissions shall be accompanied by instructions from the Committee regulating their use. **VIII, Subcommittees:** Jurisdiction. Within its jurisdiction as described in the Standing Rules of the Senate, each subcommittee is authorized to conduct investigations, including use of subpoenas, depositions, and commissions.
Select Committee on Ethics	**Rule 6: Subpoenas and Depositions** (a) Subpoenas: (1) Authorization For Issuance: Subpoenas for the attendance and testimony of witnesses at depositions or hearings, and subpoenas for the production of documents and tangible things at depositions, hearings, or other times and places designated therein, may be authorized for issuance by either (A) a majority vote of the Committee, or (B) the Chairman and Vice Chairman, acting jointly, at any time during a preliminary inquiry, adjudicatory review, or other proceeding. (2) Signature and Service: All subpoenas shall be signed by the Chairman or the Vice Chairman and may be served by any person eighteen years of age or older, who is designated by the Chairman or Vice Chairman. Each subpoena shall be served with a copy of the Rules of the Committee and a brief statement of the purpose of the Committee's proceeding. (3) Withdrawal of Subpoena: The Committee, by recorded vote of not less than four members of the Committee, may withdraw any subpoena authorized for issuance by it or authorized for issuance by the Chairman and Vice Chairman, acting jointly. The Chairman and Vice Chairman, acting jointly, may withdraw any subpoena authorized for issuance by them.

Source: CRS analysis of Senate committee rules, 119th Congress (2025-2026).

Author Information

Jane A. Hudiburg
Analyst on Congress and the Legislative Process

Acknowledgments

Michael J. Koempel, former Senior Specialist in the Legislative Process, authored an earlier version of this report. The listed author updated and revised the report and is available to respond to inquiries from congressional clients on the subject.

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.