

Congress of the United States
U.S. House of Representatives
Committee on Small Business
2361 Rayburn House Office Building
Washington, DC 20515-6515

Memorandum

To: Members, Committee on Small Business

From: Chairwoman Nydia Velázquez

Date: January 28, 2021

Re: Committee Adoption of Rules for the 117th Congress

The House Committee on Small Business will hold its organizational meeting on Thursday, February 4, 2021 at 9:30 a.m. in Rayburn 2360 and via Cisco Webex. The Committee will meet to adopt the Committee's rules for the 117th Congress, as required under House rules.

Background on House Rules Pertaining to Committee Operations

At the beginning of a Congress, each standing Committee meets to adopt the rules that will govern its operation throughout the two-year period. These Committee rules govern within the parameters set by the House Rules, which were adopted at the beginning of the 117th Congress.

The Committee rules incorporate the Rules of the U.S. House of Representatives that were included as part of H.Res. 8, which the House adopted on January 4, 2021. Because the Committees are the agents of the House, they are obligated to comply with all House directives that apply to them. H.Res. 8 incorporated the rules from the 116th Congress in Section 1 and provided some modifications in latter sections.

Generally, the House Rules cover such things as establishing jurisdiction and assignments, requirements for hearings, markups and other meetings, requirements connected to reporting, oversight and investigations including committee powers, funding, staff levels, and travel. While these House Rules govern the committees, the House allows each of its committees to decide for itself how to conduct its business. A committee can adopt its own set of rules providing for additional requirements of decorum and general functions – as long as they are compliant with the governing House rules.

In addition, the Rules of the House provide specific instructions for all committees, including the Small Business Committee. Rule X provides for the organization of the Committees of the House and grants legislative and specific oversight jurisdiction and general oversight jurisdiction, including the Committee. Clause (q) of that rule grants legislative jurisdiction to the Committee as follows:

(q) Committee on Small Business

- (1) Assistance to and protection of small business, including financial aid, regulatory flexibility, and paperwork reduction.*
- (2) Participation of small business enterprises in Federal procurement and Government contracts.*

Finally, the House Rules have granted the Committee on Small Business special broad oversight functions set out in Rule X clause 3(l):

(l) The Committee on Small Business shall study and investigate on a continuing basis the problems of all types of small businesses.

The Committee Rules were drafted with the assistance of the Committee Ranking Minority Member and his staff, and the final version reflects their input.

Summary of Committee Rules for the 117th Congress

The rules that will be considered address nearly all aspects of Committee operations, including notice requirements for markups and hearings, witnesses, subpoenas, quorum rules, subcommittee jurisdictions, record keeping, and the Committee's website. The Committee Rules for the 117th Congress mirrors those of the 116th Congress, with some minor conforming and clarifying changes.

The notable updates of the Committee Rules are:

Subcommittee Renaming: The Committee will continue to have five subcommittees. Three remain unchanged while the remaining two have been renamed and modified to reflect the changing nature of small business policy priorities. The five subcommittees are: Economic Growth, Tax, and Capital Access; Contracting and Infrastructure; Innovation, Entrepreneurship, and Workforce Development (formerly Innovation and Workforce Development); Underserved, Agricultural, and Rural Business Development (formerly Rural Development, Agriculture, Trade, and

Entrepreneurship), and Oversight, Investigations, and Regulations (formerly Investigations, Oversight, and Regulations).

Clarifying Member Question Order for Subcommittee Hearings: During the 116th Congress, many Members of the Full Committee participated in subcommittee hearings when they were not members of that subcommittee. While this is permissible under the rules, a lack of clarity in the rules for this scenario led to confusion with the question order. For the 117th Congress, the rules have been amended to clearly state that subcommittee members will be recognized to ask questions first, before turning to non-subcommittee members with their question order based on full committee seniority.

Conclusion

The Committee's rules establish the Committee's procedures and policy agenda for the 117th Congress. The rules affect how the Committee will carry out its legislative responsibilities and with their adoption, all Committee Members will be full participants in the Committee's discussions, debates, and work products.