

The Committee on Homeland Security and Governmental Affairs has three sources of jurisdiction:

- * (1) Senate Rule XXV 1(k);
- * (2) Section 101 of S Res. 445 (108th Congress); and
- * (3) The Committee's funding resolution.

Each of these are reprinted below.

(1) Senate Rule XXV(k)

(1) [The] committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Archives of the United States.
2. Budget and accounting measures, other than appropriations, except as provided in the Congressional Budget Act of 1974.
3. Census and collection of statistics, including economic and social statistics.
4. Congressional organization, except for any part of the matter that amends the rules or orders of the Senate.
5. Federal Civil Service.
6. Government information.
7. Intergovernmental relations.
8. Municipal affairs of the District of Columbia, except appropriations therefor.
9. Organization and management of United States nuclear export policy.
10. Organization and reorganization of the executive branch of the Government.
11. Postal Service.
12. Status of officers and employees of the United States, including their classification, compensation, and benefits.

(2) [The] committee shall have the duty of —

(A) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the Senate as it deems necessary or desirable in connection with the subject matter of such reports;

(B) studying the efficiency, economy, and effectiveness of all agencies and departments of the Government;

(C) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government; and

(D) studying the intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.

(2) S RES. 445 (108th Cong.)

SEC. 101. HOMELAND SECURITY.

(a) COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS- The Committee on Governmental Affairs is renamed as the Committee on Homeland Security and Governmental Affairs.

(b) JURISDICTION- There shall be referred to the committee all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

(1) Department of Homeland Security, except matters relating to-

(A) the Coast Guard, the Transportation Security Administration, the Federal Law Enforcement Training Center or the Secret Service; and

(B)(i) the United States Citizenship and Immigration Service; or (ii) the immigration functions of the United States Customs and Border Protection or the United States Immigration and Custom Enforcement or the Directorate of Border and Transportation Security; and

(C) the following functions performed by any employee of the Department of Homeland Security--

(i) any customs revenue function including any function provided for in section 415 of the Homeland Security Act of 2002 (Public Law 107-296);

(ii) any commercial function or commercial operation of the Bureau of Customs and Border Protection or Bureau of Immigration and Customs Enforcement, including matters relating to trade facilitation and trade regulation; or

(iii) any other function related to clause (i) or (ii) that was exercised by the United States Customs Service on the day before the effective date of the Homeland Security Act of 2002 (Public Law 107-296).

The jurisdiction of the Committee on Homeland Security and Governmental Affairs in this paragraph shall supersede the jurisdiction of any other committee of the Senate provided in the rules of the Senate: Provided, That the jurisdiction provided under section 101(b)(1) shall not include the National Flood Insurance Act of 1968, or functions of the Federal Emergency Management Agency related thereto.

(2) Archives of the United States.

(3) Budget and accounting measures, other than appropriations, except as provided in the Congressional Budget Act of 1974.

(4) Census and collection of statistics, including economic and social statistics.

(5) Congressional organization, except for any part of the matter that amends the rules or orders of the Senate.

(6) Federal Civil Service.

(7) Government information.

(8) Intergovernmental relations.

(9) Municipal affairs of the District of Columbia, except appropriations therefor.

(10) Organization and management of United States nuclear export policy.

(11) Organization and reorganization of the executive branch of the Government.

(12) Postal Service.

(13) Status of officers and employees of the United States, including their classification, compensation, and benefits.

(c) ADDITIONAL DUTIES- The committee shall have the duty of--

(1) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the Senate as it deems necessary or desirable in connection with the subject matter of such reports;

(2) studying the efficiency, economy, and effectiveness of all agencies and departments of the Government;

(3) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government; and

(4) studying the intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.

(d) JURISDICTION OF BUDGET COMMITTEE- Notwithstanding paragraph (b)(3) of this section, and except as otherwise provided in the Congressional Budget Act of 1974, the Committee on the Budget shall have exclusive jurisdiction over measures affecting the congressional budget process, which are--

(1) the functions, duties, and powers of the Budget Committee;

(2) the functions, duties, and powers of the Congressional Budget Office;

(3) the process by which Congress annually establishes the appropriate levels of budget authority, outlays, revenues, deficits or surpluses, and public debt--including subdivisions thereof--and including the establishment of mandatory ceilings on spending and appropriations, a floor on revenues, timetables for congressional action on concurrent resolutions, on the reporting of authorization bills, and on the enactment of appropriation bills, and enforcement mechanisms for budgetary limits and timetables;

(4) the limiting of backdoor spending devices;

(5) the timetables for Presidential submission of appropriations and authorization requests;

(6) the definitions of what constitutes impoundment--such as `rescissions' and `deferrals';

(7) the process and determination by which impoundments must be reported to and considered by Congress;

(8) the mechanisms to insure Executive compliance with the provisions of the Impoundment Control Act, title X--such as GAO review and lawsuits; and

(9) the provisions which affect the content or determination of amounts included in or excluded from the congressional budget or the calculation of such amounts, including the definition of terms provided by the Budget Act.

(e) OMB NOMINEES- The Committee on the Budget and the Committee on Homeland Security and Governmental Affairs shall have joint jurisdiction over the nominations of persons nominated by the President to fill the positions of Director and Deputy Director for Budget within the Office of Management and Budget, and if one committee votes to order reported such a nomination, the other must report within 30 calendar days session, or be automatically discharged.

(3) Committee Funding Resolution

(S. Res. 53 (112th Cong.))

(c) INVESTIGATIONS-

(1) IN GENERAL- The committee, or any duly authorized subcommittee of the committee, is authorized to study or investigate--

(A) the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices

between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public;

(B) the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities;

(C) organized criminal activity which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions and the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activity have infiltrated lawful business enterprise, and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against such practices or activities;

(D) all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety; including but not limited to investment fraud schemes, commodity and security fraud, computer fraud, and the use of offshore banking and corporate facilities to carry out criminal objectives;

(E) the efficiency and economy of operations of all branches and functions of the Government with particular reference to--

(i) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(ii) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge and talents;

(iii) the adequacy of present intergovernmental relations between the United States and international organizations principally concerned with national security of which the United States is a member; and

(iv) legislative and other proposals to improve these methods, processes, and relationships;

(F) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to--

(i) the collection and dissemination of accurate statistics on fuel demand and supply;

- (ii) the implementation of effective energy conservation measures;
 - (iii) the pricing of energy in all forms;
 - (iv) coordination of energy programs with State and local government;
 - (v) control of exports of scarce fuels;
 - (vi) the management of tax, import, pricing, and other policies affecting energy supplies;
 - (vii) maintenance of the independent sector of the petroleum industry as a strong competitive force;
 - (viii) the allocation of fuels in short supply by public and private entities;
 - (ix) the management of energy supplies owned or controlled by the Government;
 - (x) relations with other oil producing and consuming countries;
 - (xi) the monitoring of compliance by governments, corporations, or individuals with the laws and regulations governing the allocation, conservation, or pricing of energy supplies; and
 - (xii) research into the discovery and development of alternative energy supplies; and
- (G) the efficiency and economy of all branches and functions of Government with particular references to the operations and management of Federal regulatory policies and programs.

(2) EXTENT OF INQUIRIES- In carrying out the duties provided in paragraph (1), the inquiries of this committee or any subcommittee of the committee shall not be construed to be limited to the records, functions, and operations of any particular branch of the Government and may extend to the records and activities of any persons, corporation, or other entity.

The Committee has delegated jurisdiction to its five subcommittees, as follows:

Permanent Subcommittee on Investigations (PSI)

Sen. Carl Levin, Chairman

Sen. Tom Coburn, Ranking Minority Member

* Studying or investigating the efficiency and economy of operations of all branches of the Government;

* Studying or investigating the compliance or noncompliance of corporations, companies, or individual or other entities with the rules, regulations, and laws governing the various governmental agencies and their relationships with the public;

- * Determining whether any changes are required in the laws of the United States in order to protect public interests against the occurrence of improper practices or activities by labor or management groups;
- * Studying or investigating syndicated or organized crime which may operate in or otherwise utilize the facilities of interstate and international commerce;
- * Studying or investigating all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety including but not limited to investment fraud schemes, commodity and security fraud, computer fraud, and the use of offshore banking and corporate facilities to carry out criminal objectives;
- * Studying or investigating the effectiveness of present national security methods; and
- * Studying or investigating the efficiency, economy and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages.

Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia (OGM)

Sen. Daniel K. Akaka, Chairman

Sen. Ron Johnson, Ranking Minority Member

- * The Federal Civil Service;
- * Authorizing matters related to the District of Columbia;
- * Studying the effectiveness of national security staffing;
- * Studying the intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member; and
- * Studying the management, efficiency, effectiveness and economy of all agencies and departments of the Federal government, including the Management Directorate of the Department of Homeland Security.

Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security (FFM)

Sen. Thomas R. Carper, Chairman

Sen. Scott P. Brown, Ranking Minority Member

- * The effectiveness and efficiency of Federal financial management;
- * Budget and accounting measures, other than appropriations, except as provided in the Congressional Budget Act of 1974;
- * Government information, including management of information technology;
- * Archives of the United States;
- * Census and collection of statistics, including economic and social statistics;
- * The United States Postal Service;
- * Studying the effectiveness of present national security methods and nuclear proliferation;
- * Organization and management of United States nuclear export policy; and
- * Studying relations with oil producing and consuming countries with respect to government involvement in the control and management of energy shortages.

Ad Hoc Subcommittee on Disaster Recovery and Intergovernmental Affairs (DRIA)

Sen. Mark Pryor, Chairman

Sen. Rand Paul, Ranking Minority Member

Oversight of:

- *Activities of the Department of Homeland Security related to supporting state and local fusion centers including training and technical assistance;

- * Activities of the Department of Homeland Security related to the Office of the Private Sector and the integration of the private sector into the nation's emergency preparedness, resiliency, and response initiatives;

- *Activities of the Department of Homeland Security related to community preparedness and onsite training and technical assistance programs;

- *Activities of the Department of Homeland Security concerning the establishment and expansion of homeland security education and outreach programs at the primary, secondary, post-secondary, and graduate levels;

- *Activities of the Department of Homeland Security related to disaster recovery, including the recovery provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act and coordination of recovery planning and activities among federal agencies, state and local governments, nongovernmental organizations and the private sector;

- * The efficiency, economy and effectiveness of the Department of Homeland Security's post disaster financial assistance programs under the Stafford Act;

- *Activities of the Department of Homeland Security related to the Office of Counternarcotics Enforcement; and

- *Cooperation between DHS and state and local law enforcement on counternarcotics issues.

Ad Hoc Subcommittee on Contracting Oversight (SCO)

Sen. Claire McCaskill, Chairman

Sen. Rob Portman, Ranking Minority Member

- * Oversight of the implementation of federal statutes and regulations related to procurement, including the Federal Acquisition Regulation;

- * Oversight of agency policies and procedures related to federal contracting and management of contracting; and

- * Oversight of the acquisition functions of the General Services Administration and the Office of Federal Procurement Policy.