

Resolutions of Inquiry in the House

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On July 19, 2022, the House agreed to H.Res. 1232, a special rule reported by the House Committee on Rules. The adoption of the resolution means that temporary procedures previously in place during the 117th Congress (2021-2022) that “paused” certain deadlines for committee action on resolutions of inquiry are no longer in force. Any resolution of inquiry submitted after the adoption of H.Res. 1232 are to be governed by the standing rules of the House, a development that could result in more such resolutions being introduced and referred to committee for consideration.

A resolution of inquiry is a simple House resolution (H.Res.) making a direct request or demand of the President or the head of an executive department to provide specific factual information in the Administration’s possession.

Under [clause 7 of House Rule XIII](#), such resolutions, if properly drafted, are given a special parliamentary status. If the committee to which such a resolution is referred has not reported the measure back to the House within 14 legislative days after its introduction, a privileged and non-debatable motion to discharge the committee of further consideration of the resolution becomes available on the chamber floor. If the House agrees to such a privileged motion to discharge, the resolution of inquiry would be taken out of committee and become available for consideration on the House floor.

If the committee of referral reports a resolution of inquiry within the 14-day time frame, however—regardless of whether the report is favorable, adverse, or made without recommendation—the privileged resolution can be called up on the floor only by a Member who has been authorized by the reporting committee to do so. In other words, by reporting a resolution of inquiry, a committee can preclude the privileged motion to discharge and preserve to itself the decision of whether to call up the measure on the floor. As such, in recent practice, a House committee will virtually always mark up and report a resolution of inquiry that has been referred to it—even one it opposes—in order to retain control of the measure and prevent supporters from triggering floor votes on questions related to considering it.

While resolutions of inquiry have been used since the earliest Congresses to seek information from the executive branch, the basic form of the present House rule was adopted in 1879. The rule was [last amended](#) in 1983 to lengthen the time period for a committee to report from one week to 14 legislative days. On occasion, when the House has expected to hold *pro forma* sessions for extended periods of time (for example, during the traditional August or December recess), it has adopted an order dictating that those *pro forma* days [do not count](#) against the 14-day period the committee has to report a resolution of inquiry. As noted above, until July 19, 2022, the 117th Congress operated under similar temporary procedures (pursuant to several special rules reported by the Rules Committee and adopted by the House) that effectively “turned off” the 14-day deadline.

In order to be privileged, a House resolution of inquiry:

- must be directed to the President or the head of an executive department (not to a subordinate official such as the IRS commissioner or the director of the CIA),
- must not have a preamble,
- must request facts in the possession of the official, and
- may not require the official to express an opinion or undertake an investigation.

The House Parliamentarian has [summarized relevant chamber rules and precedents](#) related to resolutions of inquiry and provided citations to additional reading on the subject.

Unlike subpoenas or statutes, resolutions of inquiry do not have legal force, nor is there any direct enforcement mechanism. Any response by the executive branch to such a request is voluntary. [Available data examined by CRS](#) suggest that over several recent decades, at least 30% of the time, a resolution of inquiry has resulted in the production of some information to the House. In the majority of cases, however, it is simply unknown, unclear, or in dispute whether the resolution of inquiry produced any of the information requested.

Between 1947 and the present, over 300 resolutions of inquiry have been introduced in the House. The information most commonly sought has related to defense, foreign relations, and intelligence. Two periods in particular—1971-1975 and 2003-2006—saw the highest levels of activity during the post-war period. Although Representatives of both political parties have used resolutions of inquiry, in recent Congresses, such resolutions have overwhelmingly been submitted by minority party Representatives seeking information from a President of the opposite political party.

[Some have charged](#) that minority party Members have in recent Congresses used the privileged status such resolutions enjoy as a way to “force” committees to act on a given subject or get Members to record votes on politically controversial policy questions. Those holding this view argue that resolutions of inquiry, in essence, enable the minority party to “schedule” a committee markup on a subject of its choosing. [Others have](#) argued that resolutions of inquiry have increased in frequency over specific recent Congresses because the executive branch has often responded to information requests from Congress grudgingly, if at all. Those holding this view have argued that this has forced minority party Members to repeatedly turn to one of the few oversight tools at their disposal.

Since 1947, most of the resolutions of inquiry reported by the House committee to which they were referred were reported adversely, indicating that the committee opposed floor action on the resolution. The stated reasons for this opposition have included that the resolution had been made moot by the executive branch complying in whole or in part with the request or because such a request would, in the view of the committee, compromise an ongoing investigation, endanger sensitive information, or seek readily available facts. Less than a quarter of the resolutions of inquiry introduced since 1947 reached the House floor, the last one [in 1995](#).

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