109th Congress
1st Session

COMMITTEE PRINT

RULES ADOPTED BY THE COMMITTEES OF THE HOUSE OF REPRESENTATIVES

109th Congress
2005–2006

COMPILED BY THE

COMMITTEE ON RULES

Printed for the use of the Committee on Rules

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PART I—STANDING COMMITTEES OF THE HOUSE

Committee on Agriculture

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MIKE ROGERS, Alabama
STEVE KING, Iowa
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JOHN R. "RANDY" KUHL, JR., New York
VIRGINIA FOXX, North Carolina
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JEFF FORTENBERRY, Nebraska

COLLIN C. PETERSON, Minnesota
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MIKE McINTYRE, North Carolina
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HENRY CUELLAR, Texas
CHARLIE MELANCON, Louisiana
JIM COSTA, California
JOHN T. SALAZAR, Colorado
JOHN BARROW, Georgia
EARL POMEROY, North Dakota
LEONARD L. BOSWELL, Iowa
RICK LARSEN, Washington
LINCOLN DAVIS, Tennessee
BEN CHANDLER, Kentucky

(Adopted February 16, 2005)

RULE I.—GENERAL PROVISIONS

(a) *Applicability of House Rules.*—(1) The Rules of the House shall govern the procedure of the Committee and its subcommittees, and the rules of the Committee on Agriculture so far as applicable shall be interpreted in accordance with the Rules of the House, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the Committee and its subcommittees. (See Appendix A for the applicable Rules of the U.S. House of Representatives.)

(2) As provided in clause 1(a)(2) of House Rule XI, each subcommittee is part of the Committee and is subject to the authority and direction of the Committee and its rules so far as applicable. (See also Committee rules III, IV, V, VI, VII and X, infra.)

(b) *Authority To Conduct Investigations.*—The Committee and its subcommittees, after consultation with the Chairman of the Committee, may conduct such investigations and studies as they may consider necessary or appropriate in the exercise of their responsibilities under Rule X of the Rules of the House and in accordance with clause 2(m) of House Rule XI.

(c) *Authority To Print.*—The Committee is authorized by the Rules of the House to have printed and bound testimony and other data presented at hearings held by the Committee and its sub-

committees. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee and its subcommittees shall be paid from applicable accounts of the House described in clause 1(i)(1) of House Rule X in accordance with clause 1(c) of House Rule XI. (See also paragraphs (d), (e) and (f) of Committee rule VIII.)

(d) *Vice Chairman.*—The Member of the majority party on the Committee or subcommittee designated by the Chairman of the full Committee shall be the vice chairman of the Committee or subcommittee in accordance with clause 2(d) of House Rule XI.

(e) *Presiding Member.*—If the Chairman of the Committee or subcommittee is not present at any Committee or subcommittee meeting or hearing, the vice chairman shall preside. If the Chairman and vice chairman of the Committee or subcommittee are not present at a Committee or subcommittee meeting or hearing the ranking Member of the majority party who is present shall preside in accordance with clause 2(d), House Rule XI.

(f) *Activities Report.*—(1) The Committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the Committee under Rules X and XI of the Rules of the House during the Congress ending on January 3 of such year. (See also Committee rule VIII (h)(2).)

(2) Such report shall include separate sections summarizing the legislative and oversight activities of the Committee during that Congress.

(3) The oversight section of such report shall include a summary of the oversight plans submitted by the Committee pursuant to clause 2(d) of House Rule X, a summary of the actions taken and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by the Committee, and any recommendations made or actions taken with respect thereto.

(g) *Publication of Rules.*—The Committee's rules shall be published in the Congressional Record not later than thirty days after the Committee is elected in each odd-numbered year as provided in clause 2(a) of House Rule XI.

(h) *Joint Committee Reports of Investigation or Study.*—A report of an investigation or study conducted jointly by more than one committee may be filed jointly, provided that each of the committees complies independently with all requirements for approval and filing of the report.

RULE II.—COMMITTEE BUSINESS MEETINGS—REGULAR, ADDITIONAL AND SPECIAL

(a) *Regular Meetings.*—(1) Regular meetings of the Committee, in accordance with clause 2(b) of House Rule XI, shall be held on the first Wednesday of every month to transact its business unless such day is a holiday, or Congress is in recess or is adjourned, in which case the Chairman shall determine the regular meeting day of the Committee, if any, for that month. The Chairman shall provide each member of the Committee, as far in advance of the day of the regular meeting as practicable, a written agenda of such meeting. Items may be placed on the agenda by the Chairman or a majority of the Committee. If the Chairman believes that there

will not be any bill, resolution or other matter considered before the full Committee and there is no other business to be transacted at a regular meeting, the meeting may be cancelled or it may be deferred until such time as, in the judgment of the Chairman, there may be matters which require the Committee's consideration. This paragraph shall not apply to meetings of any subcommittee. (See paragraph (f) of Committee rule X for provisions that apply to meetings of subcommittees.)

(b) *Additional Meetings.*—The Chairman may call and convene, as he or she considers necessary, after consultation with the Ranking Minority Member of the Committee, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such additional meetings pursuant to a notice from the Chairman.

(c) *Special Meetings.*—If at least three members of the Committee desire that a special meeting of the Committee be called by the Chairman, those members may file in the offices of the Committee their written request to the Chairman for such special meeting. Such request shall specify the measure or matters to be considered. Immediately upon the filing of the request, the Majority Staff Director (serving as the clerk of the Committee for such purpose) shall notify the Chairman of the filing of the request. If, within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within 7 calendar days after the filing of the request, a majority of the members of the Committee may file in the offices of the Committee their written notice that a special meeting of the Committee will be held, specifying the date and hour thereof, and the measures or matter to be considered at that special meeting in accordance with clause 2(c)(2) of House Rule XI. The Committee shall meet on that date and hour. Immediately upon the filing of the notice, the Majority Staff Director (serving as the clerk) of the Committee shall notify all members of the Committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered, and only the measure or matter specified in that notice may be considered at that special meeting.

RULE III.—OPEN MEETINGS AND HEARINGS; BROADCASTING

(a) *Open Meetings and Hearings.*—Each meeting for the transaction of business, including the markup of legislation, and each hearing by the Committee or a subcommittee shall be open to the public unless closed in accordance with clause 2(g) of House Rule XI. (See Appendix A.)

(b) *Broadcasting and Photography.*—Whenever a Committee or subcommittee meeting for the transaction of business, including the markup of legislation, or a hearing is open to the public, that meeting or hearing shall be open to coverage by television, radio, and still photography in accordance with clause 4 of House Rule XI (See Appendix A). When such radio coverage is conducted in the Committee or subcommittee, written notice to that effect shall be placed on the desk of each Member. The Chairman of the Committee or subcommittee, shall not limit the number of television or still cameras permitted in a hearing or meeting room to fewer than

two representatives from each medium (except for legitimate space or safety considerations, in which case pool coverage shall be authorized).

(c) *Closed Meetings—Attendees.*—No person other than Members of the Committee or subcommittee and such congressional staff and departmental representatives as the Committee or subcommittee may authorize shall be present at any business or markup session that has been closed to the public as provided in clause 2(g)(1) of House Rule XI.

(d) *Addressing the Committee.*—A Committee member may address the Committee or a subcommittee on any bill, motion, or other matter under consideration (See Committee rule VII (e) relating to questioning a witness at a hearing). The time a member may address the Committee or subcommittee for any such purpose shall be limited to five minutes, except that this time limit may be waived by unanimous consent. A member shall also be limited in his or her remarks to the subject matter under consideration, unless the Member receives unanimous consent to extend his or her remarks beyond such subject.

(e) *Meetings To Begin Promptly.*—Subject to the presence of a quorum, each meeting or hearing of the Committee and its subcommittees shall begin promptly at the time so stipulated in the public announcement of the meeting or hearing.

(f) *Prohibition on Proxy Voting.*—No vote by any Member of the Committee or subcommittee with respect to any measure or matter may be cast by proxy.

(g) *Location of Persons at Meetings.*—No person other than the Committee or subcommittee Members and Committee or subcommittee staff may be seated in the rostrum area during a meeting of the Committee or subcommittee unless by unanimous consent of Committee or subcommittee.

(h) *Consideration of Amendments and Motions.*—A Member, upon request, shall be recognized by the Chairman to address the Committee or subcommittee at a meeting for a period limited to five minutes on behalf of an amendment or motion offered by the Member or another Member, or upon any other matter under consideration, unless the Member receives unanimous consent to extend the time limit. Every amendment or motion made in Committee or subcommittee shall, upon the demand of any Member present, be reduced to writing, and a copy thereof shall be made available to all Members present. Such amendment or motion shall not be pending before the Committee or subcommittee or voted on until the requirements of this paragraph have been met.

(i) *Demanding Record Vote.*—(1) A record vote of the Committee or subcommittee on a question or action shall be ordered on a demand by one-fifth of the Members present.

(2) The Chairman of the Committee or Subcommittee may postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment. If the Chairman postpones further proceedings:

(A) the Chairman may resume such postponed proceedings, after giving Members adequate notice, at a time chosen in consultation with the Ranking Minority Member; and

(B) notwithstanding any intervening order for the previous question, the underlying proposition on which proceedings were postponed shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(j) *Submission of Motions or Amendments In Advance of Business Meetings.*—The Committee and subcommittee-Chairman may request and Committee and subcommittee Members should, insofar as practicable, cooperate in providing copies of proposed amendments or motions to the Chairman and the Ranking Minority Member of the Committee or the subcommittee twenty-four hours before a Committee or subcommittee business meeting.

(k) *Points of Order.*—No point of order against the hearing or meeting procedures of the Committee or subcommittee shall be entertained unless it is made in a timely fashion.

(l) *Limitation on Committee Sittings.*—The Committee or subcommittees may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

(m) *Prohibition of Wireless Telephones.*—Use of wireless phones during a committee or subcommittee hearing or meeting is prohibited.

RULE IV.—QUORUM

(a) *Working Quorum.*—One-third of the members of the Committee or a subcommittee shall constitute a quorum for taking any action, other than as noted in paragraphs (b) and (c).

(b) *Majority Quorum.*—A majority of the members of the Committee or subcommittee shall constitute a quorum for:

(1) the reporting of a bill, resolution or other measure (See clause 2(h)(1) of House Rules XI, and Committee rule VIII);

(2) the closing of a meeting or hearing to the public pursuant to clauses 2(g) and 2(k)(5) of the Rule XI of the Rules of the House; and

(3) the authorizing of a subpoena as provided in clause 2(m)(3), of House Rule XI. (See also Committee rule VI.)

(c) *Quorum for Taking Testimony.*—Two members of the Committee or subcommittee shall constitute a quorum for the purpose of taking testimony and receiving evidence.

RULE V.—RECORDS

(a) *Maintenance of Records.*—The Committee shall keep a complete record of all Committee and subcommittee action which shall include—

(1) in the case of any meeting or hearing transcripts, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical and typographical corrections authorized by the person making the remarks involved, and

(2) written minutes shall include a record of all Committee and subcommittee action and a record of all votes on any question and a tally on all record votes. The result of each such record vote shall be made available by the Committee for in-

spection by the public at reasonable times in the offices of the Committee and by telephone request. Information so available for public inspection shall include a description of the amendment, motion, order or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting.

(b) *Access to and Correction of Records.*—Any public witness, or person authorized by such witness, during Committee office hours in the Committee offices and within two weeks of the close of hearings, may obtain a transcript copy of that public witness's testimony and make such technical, grammatical and typographical corrections as authorized by the person making the remarks involved as will not alter the nature of testimony given. There shall be prompt return of such corrected copy of the transcript to the Committee. Members of the Committee or subcommittee shall receive copies of transcripts for their prompt review and correction and prompt return to the Committee. The Committee or subcommittee may order the printing of a hearing record without the corrections of any Member or witness if it determines that such Member or witness has been afforded a reasonable time in which to make such corrections and further delay would seriously impede the consideration of the legislative action that is subject of the hearing. The record of a hearing shall be closed ten calendar days after the last oral testimony, unless the Committee or subcommittee determines otherwise. Any person requesting to file a statement for the record of a hearing must so request before the hearing concludes and must file the statement before the record is closed unless the Committee or subcommittee determines otherwise. The Committee or subcommittee may reject any statement in light of its length or its tendency to defame, degrade, or incriminate any person.

(c) *Property of the House.*—All Committee and subcommittee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Members serving as Chairman and such records shall be the property of the House and all Members of the House shall have access thereto. The Majority Staff Director shall promptly notify the Chairman and the Ranking Minority Member of any request for access to such records.

(d) *Availability of Archived Records.*—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with House Rule VII. The Chairman shall notify the Ranking Minority Member of the Committee of the need for a Committee order pursuant to clause 3(b)(3) or clause 4(b) of such House Rule, to withhold a record otherwise available.

(e) *Special Rules for Certain Records and Proceedings.*—A stenographic record of a business meeting of the Committee or subcommittee may be kept and thereafter may be published if the Chairman of the Committee, after consultation with the Ranking Minority Member, determines there is need for such a record. The proceedings of the Committee or subcommittee in a closed meeting, evidence or testimony in such meeting, shall not be divulged unless

otherwise determined by a majority of the Committee or subcommittee.

(f) *Electronic Availability of Committee Publications.*—To the maximum extent feasible, the Committee shall make its publications available in electronic form.

RULE VI.—POWER TO SIT AND ACT; SUBPOENA POWER

(a) *Authority To Sit and Act.*—For the purpose of carrying out any of its function and duties under House Rules X and XI, the Committee and each of its subcommittees is authorized (subject to paragraph (b)(1) of this rule)—

(1) to sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned and to hold such hearings, and

(2) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers and documents, as it deems necessary. The Chairman of the Committee or subcommittee, or any member designated by the Chairman, may administer oaths to any witness.

(b) *Issuance of Subpoenas.*—(1) A subpoena may be authorized and issued by the Committee or subcommittee under paragraph (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 being present, as provided in clause 2(m)(3)(A) of House Rule XI. Such authorized subpoenas shall be signed by the Chairman of the Committee or by any member designated by the Committee. As soon as practicable after a subpoena is issued under this rule, the Chairman shall notify all members of the Committee of such action.

(2) Notice of a meeting to consider a motion to authorize and issue a subpoena should be given to all Members of the Committee by 5 p.m. of the day preceding such meeting.

(3) Compliance with any subpoena issued by the Committee or subcommittee under paragraph (a)(2) may be enforced only as authorized or directed by the House.

(4) A subpoena duces tecum may specify terms of return other than at a meeting or hearing of the committee or subcommittee authorizing the subpoena.

(c) *Expenses of Subpoenaed Witnesses.*—Each witness who has been subpoenaed, upon the completion of his or her testimony before the Committee or any subcommittee, may report to the offices of the Committee, and there sign appropriate vouchers for travel allowances and attendance fees to which he or she is entitled. If hearings are held in cities other than Washington, DC, the subpoenaed witness may contact the Majority Staff Director of the Committee, or his or her representative, before leaving the hearing room.

RULE VII.—HEARING PROCEDURES

(a) *Power To Hear.*—For the purpose of carrying out any of its functions and duties under House Rule X and XI, the Committee and its subcommittees are authorized to sit and hold hearings at

any time or place within the United States whether the House is in session, has recessed, or has adjourned. (See paragraph (a) of Committee rule VI and paragraph (f) of Committee rule X for provisions relating to subcommittee hearings and meetings.)

(b) *Announcement.*—The Chairman of the Committee shall after consultation with the Ranking Minority Member of the Committee, make a public announcement of the date, place and subject matter of any Committee hearing at least one week before the commencement of the hearing. The Chairman of a subcommittee shall schedule a hearing only after consultation with the Chairman of the Committee and after consultation with the Ranking Minority Member of the subcommittee, and the Chairmen of the other subcommittees after such consultation with the Committee Chairman, and shall request the Majority Staff Director to make a public announcement of the date, place, and subject matter of such hearing at least one week before the hearing . If the Chairman of the Committee or the subcommittee, with concurrence of the Ranking Minority Member of the Committee or subcommittee, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman of the Committee or subcommittee, as appropriate, shall request the Majority Staff Director to make such public announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record, and shall promptly enter the appropriate information into the Committee scheduling service of the House Information Systems as soon as possible after such public announcement is made.

(c) *Scheduling of Witnesses.*—Except as otherwise provided in this rule, the scheduling of witnesses and determination of the time allowed for the presentation of testimony at hearings shall be at the discretion of the Chairman of the Committee or subcommittee, unless a majority of the Committee or subcommittee determines otherwise.

(d) *Written Statement; Oral Testimony.*—(1) Each witness who is to appear before the Committee or a subcommittee, shall insofar as practicable file with the Majority Staff Director of the Committee, at least two working days before day of his or her appearance, a written statement of proposed testimony. Witnesses shall provide sufficient copies of their statement for distribution to Committee or subcommittee Members, staff, and the news media. Insofar as practicable, the Committee or subcommittee staff shall distribute such written statements to all Members of the Committee or subcommittee as soon as they are received as well as any official reports from departments and agencies on such subject matter. All witnesses may be limited in their oral presentations to brief summaries of their statements within the time allotted to them, at the discretion of the Chairman of the Committee or subcommittee, in light of the nature of the testimony and the length of time available.

(2) As noted in paragraph (a) of Committee rule VI, the Chairman of the Committee or one of its subcommittees, or any Member designated by the Chairman, may administer an oath to any witness.

(3) To the greatest extent practicable, each witness appearing in a non-governmental capacity shall include with the written statement of proposed testimony a curriculum vitae and disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(e) *Questioning of Witnesses.*—Committee or subcommittee Members may question witnesses only when they have been recognized by the Chairman of the Committee or subcommittee for that purpose. Each Member so recognized shall be limited to questioning a witness for five minutes until such time as each Member of the Committee or subcommittee who so desires has had an opportunity to question the witness for five minutes; and thereafter the Chairman of the Committee or subcommittee may limit the time of a further round of questioning after giving due consideration to the importance of the subject matter and the length of time available. All questions put to witnesses shall be germane to the measure or matter under consideration. Unless a majority of the Committee or subcommittee determines otherwise, no committee or subcommittee staff shall interrogate witnesses.

(f) *Extended Questioning for Designated Members.*—Notwithstanding paragraph (e), the Chairman and Ranking Minority member may designate an equal number of Members from each party to question a witness for a period not longer than 60 minutes.

(g) *Witnesses for the Minority.*—When any hearing is conducted by the Committee or any subcommittee upon any measure or matter, the minority party members on the Committee or subcommittee shall be entitled, upon request to the Chairman by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon as provided in clause 2(j)(1) of House Rule XI.

(h) *Summary of Subject Matter.*—Upon announcement of a hearing, to the extent practicable, the Committee shall make available immediately to all members of the Committee a concise summary of the subject matter (including legislative reports and other material) under consideration. In addition, upon announcement of a hearing and subsequently as they are received, the Chairman of the Committee or subcommittee shall, to the extent practicable, make available to the members of the Committee any official reports from departments and agencies on such matter. (See Committee rule X(f).)

(i) *Open Hearings.*—Each hearing conducted by the Committee or subcommittee shall be open to the public, including radio, television and still photography coverage, except as provided in clause 4 of House Rule XI (see also Committee rule III (b).). In any event, no Member of the House may be excluded from nonparticipatory attendance at any hearing unless the House by majority vote shall authorize the Committee or subcommittee, for purposes of a particular series of hearings on a particular bill or resolution or on a particular subject of investigation, to close its hearings to Members by means of the above procedure.

(j) *Hearings and Reports.*—(1)(i) The Chairman of the Committee or subcommittee at a hearing shall announce in an opening statement the subject of the investigation. A copy of the Committee rules (and the applicable provisions of clause 2 of House Rule XI, regarding hearing procedures, an excerpt of which appears in Appendix A thereto) shall be made available to each witness upon request. Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The Chairman of the Committee or subcommittee may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; but only the full Committee may cite the offender to the House for contempt.

(ii) Whenever it is asserted by a member of the committee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness, such testimony or evidence shall be presented in executive session, notwithstanding the provisions of paragraph (j) of this rule, if by a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony, the Committee or subcommittee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person. The Committee or subcommittee shall afford a person an opportunity voluntarily to appear as a witness; and the Committee or subcommittee shall receive and shall dispose of requests from such person to subpoena additional witnesses.

(iii) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Committee or subcommittee. In the discretion of the Committee or subcommittee, witnesses may submit brief and pertinent statements in writing for inclusion in the record. The Committee or subcommittee is the sole judge of the pertinency of testimony and evidence adduced at its hearings. A witness may obtain a transcript copy of his or her testimony given at a public session or, if given at an executive session, when authorized by the Committee or subcommittee. (See paragraph (c) of Committee rule V.)

(2) A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day) in advance of their consideration.

RULE VIII.—THE REPORTING OF BILLS AND RESOLUTIONS

(a) *Filing of Reports.*—The Chairman shall report or cause to be reported promptly to the House any bill, resolution, or other measure approved by the Committee and shall take or cause to be taken all necessary steps to bring such bill, resolution, or other measure to a vote. No bill, resolution, or measure shall be reported from the Committee unless a majority of the Committee is actually present. A Committee report on any bill, resolution, or other measure approved by the Committee shall be filed within seven calendar days

(not counting days on which the House is not in session) after the day on which there has been filed with the Majority Staff Director of the Committee a written request, signed by a majority of the Committee, for the reporting of that bill or resolution. The Majority Staff Director of the Committee shall notify the Chairman immediately when such a request is filed.

(b) *Content of Reports.*—Each Committee report on any bill or resolution approved by the Committee shall include as separately identified sections:

(1) a statement of the intent or purpose of the bill or resolution;

(2) a statement describing the need for such bill or resolution;

(3) a statement of Committee and subcommittee consideration of the measure including a summary of amendments and motions offered and the actions taken thereon;

(4) the results of each record vote on any amendment in the Committee and subcommittee and on the motion to report the measure or matter, including the names of those Members and the total voting for and the names of those Members and the total voting against such amendment or motion (See clause 3(b) of House Rule XIII);

(5) the oversight findings and recommendations of the Committee with respect to the subject matter of the bill or resolution as required pursuant to clause 3(c)(1) of House Rule XIII and clause 2(b)(1) of House Rule X;

(6) the detailed statement described in section 308(a) of the Congressional Budget Act of 1974 if the bill or resolution provides new budget authority (other than continuing appropriations), new spending authority described in section 401(c)(2) of such Act, new credit authority, or an increase or decrease in revenues or tax expenditures, except that the estimates with respect to new budget authority shall include, when practicable, a comparison of the total estimated funding level for the relevant program (or programs) to the appropriate levels under current law;

(7) the estimate of costs and comparison of such estimates, if any, prepared by the Director of the Congressional Budget Office in connection with such bill or resolution pursuant to section 402 of the Congressional Budget Act of 1974 if submitted in timely fashion to the Committee;

(8) a statement of general performance goals and objectives, including outcome-related goals and objectives, for which the measure authorizes funding;

(9) a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution;

(10) an estimate by the committee of the costs that would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported and for its authorized duration or for each of the five fiscal years following the fiscal year of reporting, whichever period is less (see Rule XIII, clause 3(d)(2), (3) and (h)(2), (3)), together with—

(i) a comparison of these estimates with those made and submitted to the Committee by any Government agency when practicable, and

(ii) a comparison of the total estimated funding level for the relevant program (or programs) with appropriate levels under current law (The provisions of this clause do not apply if a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and included in the report);

(11) the changes in existing law (if any) shown in accordance with clause 3 of House Rule XIII;

(12) the determination required pursuant to section 5(b) of Public Law 92–463, if the legislation reported establishes or authorizes the establishment of an advisory committee; and

(13) the information on Federal and intergovernmental mandates required by section 423(c) and (d) of the Congressional Budget Act of 1974, as added by the Unfunded Mandates Reform Act of 1995 (P.L. 104–4).

(14) a statement regarding the applicability of section 102(b)(3) of the Congressional Accountability Act, Public Law 104–1.

(c) *Supplemental, Minority, or Additional Views.*—If, at the time of approval of any measure or matter by the Committee, any Member of the Committee gives notice of intention to file supplemental, minority, or additional views, that Member shall be entitled to not less than two subsequent calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such date) in which to file such views, in writing and signed by that Member, with the Majority Staff Director of the Committee. When time guaranteed by this paragraph has expired (or if sooner, when all separate views have been received), the Committee may arrange to file its report with the Clerk of the House not later than one hour after the expiration of such time. All such views (in accordance with House Rule XI, clause 2(1) and House Rule XIII, clause 3(a)(1)), as filed by one or more Members of the Committee, shall be included within and made a part of the report filed by the Committee with respect to that bill or resolution.

(d) *Printing of Reports.*—The report of the Committee on the measure or matter noted in paragraph (a) above shall be printed in a single volume, which shall:

(1) include all supplemental, minority or additional views that have been submitted by the time of the filing of the report; and

(2) bear on its cover a recital that any such supplemental, minority, or additional views (and any material submitted under House Rule XII, clause 3(a)(1)) are included as part of the report.

(e) *Immediate Printing; Supplemental Reports.*—Nothing in this rule shall preclude—

(1) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental,

minority, or additional views has been made as provided by paragraph (c), or

(2) the filing by the Committee of any supplemental report on any bill or resolution that may be required for the correction of any technical error in a previous report made by the Committee on that bill or resolution.

(f) *Availability of Printed Hearing Records.*—If hearings have been held on any reported bill or resolution, the Committee shall make every reasonable effort to have the record of such hearings printed and available for distribution to the Members of the House prior to the consideration of such bill or resolution by the House. Each printed hearing of the Committee or any of its subcommittees shall include a record of the attendance of the Members.

(g) *Committee Prints.*—All Committee or subcommittee prints or other Committee or subcommittee documents, other than reports or prints of bills, that are prepared for public distribution shall be approved by the Chairman of the Committee or the Committee prior to public distribution.

(h) *Post Adjournment Filing of Committee Reports.*—(1) After an adjournment of the last regular session of a Congress sine die, an investigative or oversight report approved by the Committee may be filed with the Clerk at any time, provided that if a member gives notice at the time of approval of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than seven calendar days in which to submit such views for inclusion with the report.

(2) After an adjournment of the last regular session of a Congress sine die, the Chairman of the Committee may file at any time with the Clerk the Committee's activity report for that Congress pursuant to clause 1(d)(1) of Rule XI of the Rules of the House without the approval of the Committee, provided that a copy of the report has been available to each member of the Committee for at least seven calendar days and the report includes any supplemental, minority, or additional views submitted by a member of the Committee.

(i) The Chairman is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

RULE IX.—OTHER COMMITTEE ACTIVITIES

(a) *Oversight Plan.*—Not later than February 15 of the first session of a Congress, the Chairman shall convene the Committee in a meeting that is open to the public and with a quorum present to adopt its oversight plans for that Congress. Such plans shall be submitted simultaneously to the Committee on Government Reform and to the Committee on House Administration. In developing such plans the Committee shall, to the maximum extent feasible—

(1) consult with other committees of the House that have jurisdiction over the same or related laws, programs, or agencies within its jurisdiction, with the objective of ensuring that such laws, programs, or agencies are reviewed in the same Congress and that there is a maximum of coordination between such committees in the conduct of such reviews; and such plans

shall include an explanation of what steps have been and will be taken to ensure such coordination and cooperation;

(2) review specific problems with federal rules, regulations, statutes, and court decisions that are ambiguous, arbitrary, or nonsensical, or that impose severe financial burdens on individuals; and

(3) give priority consideration to including in its plans the review of those laws, programs, or agencies operating under permanent budget authority or permanent statutory authority; and

(4) have a view toward ensuring that all significant laws, programs, or agencies within its jurisdiction are subject to review at least once every ten years.

The Committee and its appropriate subcommittees shall review and study, on a continuing basis, the impact or probable impact of tax policies affecting subjects within its jurisdiction as provided in clause 2(d) of House Rule X. The Committee shall include in the report filed pursuant to clause 1(d) of House Rule XI a summary of the oversight plans submitted by the Committee under clause 2(d) of House Rule X, a summary of actions taken and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by the Committee and any recommendations made or actions taken thereon.

(b) *Annual Appropriations.*—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(c) *Budget Act Compliance: Views and Estimates (See Appendix B).*—Not later than six weeks after the President submits his budget under section 1105(a) of title 31, United State Code, or at such time as the Committee on the Budget may request, the Committee shall submit to the Committee on the Budget

(1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year (under section 301 of the Congressional Budget Act of 1974—see Appendix B) that are within its jurisdiction or functions; and

(2) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction that it intends to be effective during that fiscal year.

(d) *Budget Act Compliance: Recommended Changes.*—Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process, it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations

to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974 (See Appendix B).

(e) *Conference Committees.*—Whenever in the legislative process it becomes necessary to appoint conferees, the Chairman shall, after consultation with the Ranking Minority Member, determine the number of conferees the Chairman deems most suitable and then recommend to the Speaker as conferees, in keeping with the number to be appointed by the Speaker as provided in House Rule I, clause 11, the names of those Members of the Committee of not less than a majority who generally supported the House position and who were primarily responsible for the legislation. The Chairman shall, to the fullest extent feasible, include those Members of the Committee who were the principal proponents of the major provisions of the bill as it passed the House and such other Committee Members of the majority party as the Chairman may designate in consultation with the Members of the majority party. Such recommendations shall provide a ratio of majority party Members to minority party Members no less favorable to the majority party than the ratio of majority party Members to minority party Members on the Committee. In making recommendations of Minority Party Members as conferees, the Chairman shall consult with the Ranking Minority Member of the Committee.

RULE X.—SUBCOMMITTEES

(a) *Number and Composition.*—There shall be such subcommittees as specified in paragraph (c) of this rule. Each of such subcommittees shall be composed of the number of members set forth in paragraph (c) of this rule, including ex officio members.[1] The Chairman may create additional subcommittees of an ad hoc nature as the Chairman determines to be appropriate subject to any limitations provided for in the House Rules.

(b) *Ratios.*—On each subcommittee, there shall be a ratio of majority party members to minority party members which shall be consistent with the ratio on the full Committee. In calculating the ratio of majority party members to minority party members, there shall be included the ex officio members of the subcommittees and ratios below reflect that fact.

(c) *Jurisdiction.*—Each subcommittee shall have the following general jurisdiction and number of members:

Department Operations, Oversight, Dairy, Nutrition and Forestry (15 Members, 8 majority and 7 minority)

Agency oversight; review and analysis; special investigations; food stamps, nutrition and consumer programs; forestry in general, forest reserves other than those created from the public domain; energy and biobased energy production; and dairy.

Livestock and Horticulture (24 Members, 13 majority and 11 minority)

Livestock; poultry; meat; seafood and seafood products; inspection, marketing, and promotion of such commodities; aquaculture;

[1] The Chairman and Ranking Minority Member of the Committee serve as *ex officio* Members of the Subcommittee. (See paragraph (c) of this rule).

animal welfare; grazing; fruits and vegetables; marketing and promotion orders.

General Farm Commodities and Risk Management (30 Members, 16 majority, 14 minority)

Program and markets related to cotton, cottonseed, wheat, feed grains, soybeans, oilseeds, rice, dry beans, peas, lentils; Commodity Credit Corporation; crop insurance; and commodity exchanges.

Specialty Crops and Foreign Agriculture Programs (17 Members, 9 majority and 8 minority)

Peanuts; sugar; tobacco; honey and bees; marketing orders relating to such commodities; foreign agricultural assistance and trade promotion programs, generally.

Conservation, Credit, Rural Development and Research (19 Members, 10 majority and 9 minority)

Soil, water, and resource conservation; small watershed program; agricultural credit; rural development; rural electrification; farm security and family farming matters; agricultural research, education and extension services; plant pesticides, quarantine, adulteration of seeds, and insect pests; and biotechnology.

(d) *Referral of Legislation.*—(1)(a) *In General.*—All bills, resolutions, and other matters referred to the Committee shall be referred to all subcommittees of appropriate jurisdiction within 2 weeks after being referred to the Committee. After consultation with the Ranking Minority Member, the Chairman may determine that the Committee will consider certain bills, resolutions, or other matters.

(b) *Trade Matters.*—Unless action is otherwise taken under subparagraph (3), bills, resolutions, and other matters referred to the Committee relating to foreign agriculture, foreign food or commodity assistance, and foreign trade and marketing issues will be considered by the Committee.

(2) The Chairman, by a majority vote of the Committee, may discharge a subcommittee from further consideration of any bill, resolution, or other matter referred to the subcommittee and have such bill, resolution or other matter considered by the Committee. The Committee having referred a bill, resolution, or other matter to a subcommittee in accordance with this rule may discharge such subcommittee from further consideration thereof at any time by a vote of the majority members of the Committee for the Committee's direct consideration or for reference to another subcommittee.

(3) Unless the Committee, a quorum being present, decides otherwise by a majority vote, the Chairman may refer bills, resolutions, legislation or other matters not specifically within the jurisdiction of a subcommittee, or that is within the jurisdiction of more than one subcommittee, jointly or exclusively as the Chairman deems appropriate, including concurrently to the subcommittees with jurisdiction, sequentially to the subcommittees with jurisdiction (subject to any time limits deemed appropriate), divided by subject matter among the subcommittees with jurisdiction, or to an ad hoc subcommittee appointed by the Chairman for the purpose

of considering the matter and reporting to the Committee thereon, or make such other provisions deemed appropriate.

(e) *Participation and Service of Committee Members on Subcommittees.*—(1) The Chairman and the Ranking Minority Member shall serve as ex officio members of all subcommittees and shall have the right to vote on all matters before the subcommittees. The Chairman and the Ranking Minority Member may not be counted for the purpose of establishing a quorum.

(2) Any member of the Committee who is not a member of the subcommittee may have the privilege of sitting and nonparticipatory attendance at subcommittee hearings or meetings in accordance with clause 2(g)(2) of House Rule XI. Such member may not:

(i) vote on any matter;

(ii) be counted for the purpose of a establishing a quorum;

(iii) participate in questioning a witness under the five minute rule, unless permitted to do so by the subcommittee Chairman in consultation with the Ranking Minority Member or a majority of the subcommittee, a quorum being present;

(iv) raise points of order; or

(v) offer amendments or motions.

(f) *Subcommittee Hearings and Meetings.*—(1) Each subcommittee is authorized to meet, hold hearings, receive evidence, and make recommendations to the Committee on all matters referred to it or under its jurisdiction after consultation by the subcommittee Chairmen with the Committee Chairman. (See Committee rule VII.)

(2) After consultation with the Committee Chairman, subcommittee Chairmen shall set dates for hearings and meetings of their subcommittees and shall request the Majority Staff Director to make any announcement relating thereto. (See Committee rule VII(b).) In setting the dates, the Committee Chairman and subcommittee Chairman shall consult with other subcommittee Chairmen and relevant Committee and Subcommittee Ranking Minority Members in an effort to avoid simultaneously scheduling Committee and subcommittee meetings or hearings to the extent practicable.

(3) Notice of all subcommittee meetings shall be provided to the Chairman and the Ranking Minority Member of the Committee by the Majority Staff Director.

(4) Subcommittees may hold meetings or hearings outside of the House if the Chairman of the Committee and other subcommittee Chairmen and the Ranking Minority Member of the subcommittee is consulted in advance to ensure that there is no scheduling problem. However, the majority of the Committee may authorize such meeting or hearing.

(5) The provisions regarding notice and the agenda of Committee meetings under Committee rule II(a) and special or additional meetings under Committee rule II(b) shall apply to subcommittee meetings.

(6) If a vacancy occurs in a subcommittee chairmanship, the Chairman may set the dates for hearings and meetings of the subcommittee during the period of vacancy. The Chairman may also

appoint an acting subcommittee Chairman until the vacancy is filled.

(g) *Subcommittee Action.*—(1) Any bill, resolution, recommendation, or other matter forwarded to the Committee by a subcommittee shall be promptly forwarded by the subcommittee Chairman or any subcommittee member authorized to do so by the subcommittee.

(2) Upon receipt of such recommendation, the Majority Staff Director of the Committee shall promptly advise all members of the Committee of the subcommittee action.

(3) The Committee shall not consider any matters recommended by subcommittees until two calendar days have elapsed from the date of action, unless the Chairman or a majority of the Committee determines otherwise.

(h) *Subcommittee Investigations.*—No investigation shall be initiated by a subcommittee without the prior consultation with the Chairman of the Committee or a majority of the Committee.

RULE XI.—COMMITTEE BUDGET, STAFF, AND TRAVEL

(a) *Committee Budget.*—The Chairman, in consultation with the majority members of the Committee, and the minority members of the Committee, shall prepare a preliminary budget for each session of the Congress. Such budget shall include necessary amounts for staff personnel, travel, investigation, and other expenses of the Committee and subcommittees. After consultation with the Ranking Minority Member, the Chairman shall include an amount budgeted to minority members for staff under their direction and supervision. Thereafter, the Chairman shall combine such proposals into a consolidated Committee budget, and shall take whatever action is necessary to have such budget duly authorized by the House.

(b) *Committee Staff.*—(1) The Chairman shall appoint and determine the remuneration of, and may remove, the professional and clerical employees of the Committee not assigned to the minority. The professional and clerical staff of the Committee not assigned to the minority shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he or she determines appropriate. (See House Rule X, clause 9)

(2) The Ranking Minority member of the Committee shall appoint and determine the remuneration of, and may remove, the professional and clerical staff assigned to the minority within the budget approved for such purposes. The professional and clerical staff assigned to the minority shall be under the general supervision and direction of the Ranking Minority Member of the Committee who may delegate such authority as he or she determines appropriate.

(3) From the funds made available for the appointment of Committee staff pursuant to any primary or additional expense resolution, the Chairman shall ensure that each subcommittee is adequately funded and staffed to discharged its responsibilities and that the minority party is fairly treated in the appointment of such staff (See House Rule X, clause 6(d)).

(c) *Committee Travel.*—(1) Consistent with the primary expense resolution and such additional expense resolution as may have been approved, the provisions of this rule shall govern official travel of Committee members and Committee staff regarding domestic and foreign travel (See House Rule XI, clause 2(n) and House Rule X, clause 8 (reprinted in Appendix A)). Official travel for any member or any Committee staff member shall be paid only upon the prior authorization of the Chairman. Official travel may be authorized by the Chairman for any Committee Member and any Committee staff member in connection with the attendance of hearings conducted by the Committee and its subcommittees and meetings, conferences, facility inspections, and investigations which involve activities or subject matter relevant to the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the Chairman in writing the following:

(i) The purpose of the official travel;

(ii) The dates during which the official travel is to be made and the date or dates of the event for which the official travel is being made;

(iii) The location of the event for which the official travel is to be made; and

(iv) The names of members and Committee staff seeking authorization.

(2) In the case of official travel of members and staff of a subcommittee to hearings, meetings, conferences, facility inspections and investigations involving activities or subject matter under the jurisdiction of such subcommittee to be paid for out of funds allocated to the Committee, prior authorization must be obtained from the subcommittee Chairman and the full Committee Chairman. Such prior authorization shall be given by the Chairman only upon the representation by the applicable subcommittee Chairman in writing setting forth those items enumerated in clause (1).

(3) Within 60 days of the conclusion of any official travel authorized under this rule, there shall be submitted to the Committee Chairman a written report covering the information gained as a result of the hearing, meeting, conference, facility inspection or investigation attended pursuant to such official travel.

(4) Local currencies owned by the United States shall be made available to the Committee and its employees engaged in carrying out their official duties outside the United States, its territories or possessions. No appropriated funds shall be expended for the purpose of defraying expenses of Members of the Committee or is employees in any country where local currencies are available for this purpose; and the following conditions shall apply with respect to their use of such currencies;

(i) No Member or employee of the Committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law; and

(ii) Each Member or employee of the Committee shall make an itemized report to the Chairman within 60 days following the completion of travel showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official

purpose, and shall summarize in these categories the total foreign currencies and appropriated funds expended. All such individual reports shall be filed by the Chairman with the Committee on House Administration and shall be open to public inspection.

RULE XII.—AMENDMENT OF RULES

These rules may be amended by a majority vote of the Committee. A proposed change in these rules shall not be considered by the Committee as provided in clause 2 of House Rule XI, unless written notice of the proposed change has been provided to each Committee member two legislative days in advance of the date on which the matter is to be considered. Any such change in the rules of the Committee shall be published in the Congressional Record within 30 calendar days after its approval.

Committee on Appropriations

JERRY LEWIS, California, *Chairman*

C. W. BILL YOUNG, Florida
RALPH REGULA, Ohio
HAROLD ROGERS, Kentucky
FRANK R. WOLF, Virginia
JIM KOLBE, Arizona
JAMES T. WALSH, New York
CHARLES H. TAYLOR, North Carolina
DAVID L. HOBSON, Ohio
ERNEST J. ISTOOK, JR., Oklahoma
HENRY BONILLA, Texas
JOE KNOLLENBERG, Michigan
JACK KINGSTON, Georgia
RODNEY P. FRELINGHUYSEN, New Jersey
ROGER F. WICKER, Mississippi
RANDY "DUKE" CUNNINGHAM, California
TODD TIAHRT, Kansas
ZACH WAMP, Tennessee
TOM LATHAM, Iowa
ANNE M. NORTHUP, Kentucky
ROBERT B. ADERHOLT, Alabama
JO ANN EMERSON, Missouri
KAY GRANGER, Texas
JOHN E. PETERSON, Pennsylvania
VIRGIL H. GOODE, JR., Virginia
JOHN T. DOOLITTLE, California
RAY LAHOOD, Illinois
JOHN E. SWEENEY, New York
DON SHERWOOD, Pennsylvania
DAVE WELDON, Florida
MICHAEL K. SIMPSON, Idaho
JOHN ABNEY CULBERSON, Texas
MARK STEVEN KIRK, Illinois
ANDER CRENSHAW, Florida
DENNIS R. REHBERG, Montana
JOHN CARTER, Texas
RODNEY ALEXANDER, Louisiana

DAVID R. OBEY, Wisconsin
JOHN P. MURTHA, Pennsylvania
NORMAN D. DICKS, Washington
MARTIN OLAV SABO, Minnesota
STENY H. HOYER, Maryland
ALAN B. MOLLOHAN, West Virginia
MARCY KAPTUR, Ohio
PETER J. VISCLOSKY, Indiana
NITA M. LOWEY, New York
JOSÉ E. SERRANO, New York
ROSA L. DELAURO, Connecticut
JAMES P. MORAN, Virginia
JOHN W. OLVER, Massachusetts
ED PASTOR, Arizona
DAVID E. PRICE, North Carolina
CHET EDWARDS, Texas
ROBERT E. "BUD" CRAMER, JR., Alabama
PATRICK J. KENNEDY, Rhode Island
JAMES E. CLYBURN, South Carolina
MAURICE D. HINCHEY, New York
LUCILLE ROYBAL-ALLARD, California
SAM FARR, California
JESSE L. JACKSON, JR., Illinois
CAROLYN C. KILPATRICK, Michigan
ALLEN BOYD, Florida
CHAKA FATTAH, Pennsylvania
STEVEN R. ROTHMAN, New Jersey
SANFORD D. BISHOP, JR., Georgia
MARION BERRY, Arkansas

(Adopted February 15, 2005)

RESOLVED, That the rules and practices of the Committee on Appropriations, House of Representatives, in the One Hundred Eighth Congress, except as otherwise provided hereinafter, shall be and are hereby adopted as the rules and practices of the Committee on Appropriations in the One Hundred Ninth Congress. The foregoing resolution adopts the following rules:

SEC. 1: POWER 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 of Representatives, the Committee or any of its subcommittees is authorized:

(a) To sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned, and to hold such hearings; and

(b) 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. The Chairman, or any Member designated by the Chairman, may administer oaths to any witness.

(c) A subpoena may be authorized and issued by the Committee or its subcommittees under subsection 1(b) 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 1(b) may be delegated to the Chairman pursuant to such rules and under such limitations as the Committee may prescribe. Authorized subpoenas shall be signed by the Chairman or by any Member designated by the Committee.

(d) Compliance with any subpoena issued by the Committee or its subcommittees may be enforced only as authorized or directed by the House.

SEC. 2: SUBCOMMITTEES

(a) The Majority Caucus of the Committee shall establish the number of subcommittees and shall determine the jurisdiction of each subcommittee.

(b) Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee all matters referred to it.

(c) All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks unless, by majority vote of the Majority Members of the full Committee, consideration is to be by the full Committee.

(d) The Majority Caucus of the Committee shall determine an appropriate ratio of Majority to Minority Members for each subcommittee. The Chairman is authorized to negotiate that ratio with the Minority; Provided, however, That party representation in each subcommittee, including ex-officio members, shall be no less favorable to the Majority than the ratio for the full Committee.

(e) The Chairman and Ranking Minority Member of the full Committee are authorized to sit as a member of all subcommittees and to participate, including voting, in all its work.

SEC. 3: STAFFING

(a) *Committee Staff.*—The Chairman is authorized to appoint the staff of the Committee, and make adjustments in the job titles and compensation thereof subject to the maximum rates and conditions established in Clause 9(c) of Rule X of the Rules of the House of Representatives. In addition, he is authorized, in his discretion, to arrange for their specialized training. The Chairman is also authorized to employ additional personnel as necessary.

(b) *Assistants to Members.*—Each of the top twenty-one senior majority and minority Members of the full Committee may select and designate one staff member who shall serve at the pleasure of

that Member. Such staff members shall be compensated at a rate, determined by the Member, not to exceed 75 per centum of the maximum established in clause 9(c) of Rule X of the Rules of the House of Representatives; Provided, That Members designating staff members under this subsection must specifically certify by letter to the Chairman that the employees are needed and will be utilized for Committee work.

SEC. 4: COMMITTEE MEETINGS

(a) *Regular Meeting Day.*—The regular meeting day of the Committee shall be the first Wednesday of each month while the House is in session, unless the Committee has met within the past 30 days or the Chairman considers a specific meeting unnecessary in the light of the requirements of the Committee business schedule.

(b) *Additional and Special Meetings.*—(1) The Chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to that call of the Chairman.

(2) If at least three Committee Members desire that a special meeting of the Committee be called by the Chairman, those Members may file in the Committee Offices a written request to the Chairman for that special meeting. Such request shall specify the measure or matter to be considered. Upon the filing of the request, the Committee Clerk shall notify the Chairman.

(3) If within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the Committee Members may file in the Committee Offices their written notice that a special meeting will be held, specifying the date and hour of such meeting, and the measure or matter to be considered. The Committee shall meet on that date and hour.

(4) Immediately upon the filing of the notice, the Committee Clerk shall notify all Committee Members that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered. Only the measure or matter specified in that notice may be considered at the special meeting.

(c) *Vice Chairman To Preside in Absence of Chairman.*—A member of the majority party on the Committee or subcommittee thereof designated by the Chairman of the full Committee shall be vice chairman of the Committee or subcommittee, as the case may be, and shall preside at any meeting during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting of the Committee or subcommittee, the ranking member of the majority party who is present shall preside at that meeting.

(d) *Business Meetings.*—

(1) Each meeting for the transaction of business, including the markup of legislation, of the Committee and its subcommittees shall be open to the public except when the Committee or its subcommittees, in open session and with a majority

present, determines by rollcall vote that all or part of the remainder of the meeting on that day shall be closed.

(2) No person other than Committee Members and such congressional staff and departmental representatives as they may authorize shall be present at any business or markup session which has been closed.

(e) *Committee Records.*—

(1) The Committee shall keep a complete record of all Committee action, including a record of the votes on any question on which a rollcall is demanded. The result of each rollcall vote shall be available for inspection by the public during regular business hours in the Committee Offices. The information made available for public inspection shall include a description of the amendment, motion, or other proposition, and the name of each Member voting for and each Member voting against, and the names of those Members present but not voting.

(2) All hearings, records, data, charts, and files of the Committee shall be kept separate and distinct from the congressional office records of the Chairman of the Committee. Such records shall be the property of the House, and all Members of the House shall have access thereto.

(3) The records of the Committee at the National Archives and Records Administration shall be made available in accordance with Rule VII of the Rules of the House, except that the Committee authorizes use of any record to which clause 3(b)(4) of Rule VII of the Rules of the House would otherwise apply after such record has been in existence for 20 years. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of Rule VII of the Rules of the House, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination upon the written request of any Member of the Committee.

SEC. 5: COMMITTEE AND SUBCOMMITTEE HEARINGS

(a) *Overall Budget Hearings.*—Overall budget hearings by the Committee, including the hearing required by Section 242(c) of the Legislative Reorganization Act of 1970 and clause 4(a)(1) of Rule X of the Rules of the House of Representatives shall be conducted in open session except when the Committee in open session and with a majority present, determines by rollcall vote that the testimony to be taken at that hearing on that day may be related to a matter of national security; except that the Committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy furnished to each Member, Delegate, and the Resident Commissioner from Puerto Rico.

(b) *Other Hearings.*—

(1) All other hearings conducted by the Committee or its subcommittees shall be open to the public except when the Committee or subcommittee in open session and with a majority present determines by rollcall vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would

violate any law or Rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present at a hearing conducted by the Committee or any of its subcommittees, there being in attendance the number required under Section 5(c) of these Rules to be present for the purpose of taking testimony, (1) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate clause 2(k)(5) of Rule XI of the Rules of the House of Representatives or (2) may vote to close the hearing, as provided in clause 2(k)(5) of such Rule. No Member of the House of Representatives may be excluded from nonparticipatory attendance at any hearing of the Committee or its subcommittees unless the House of Representatives shall by majority vote authorize the Committee or any of its subcommittees, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subsection for closing hearings to the public; Provided, however, That the Committee or its subcommittees may by the same procedure vote to close five subsequent days of hearings.

(2) Subcommittee chairmen shall coordinate the development of schedules for meetings or hearings after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings.

(3) Each witness who is to appear before the Committee or any of its subcommittees as the case may be, insofar as is practicable, shall file in advance of such appearance, a written statement of the proposed testimony and shall limit the oral presentation at such appearance to a brief summary, except that this provision shall not apply to any witness appearing before the Committee in the overall budget hearings.

(4) Each witness appearing in a nongovernmental capacity before the Committee, or any of its subcommittees as the case may be, shall to the greatest extent practicable, submit a written statement including a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness.

(c) *Quorum for Taking Testimony.*—The number of Members of the Committee which shall constitute a quorum for taking testimony and receiving evidence in any hearing of the Committee shall be two.

(d) *Calling and Interrogation of Witnesses.*—

(1) The Minority Members of the Committee or its subcommittees shall be entitled, upon request to the Chairman or subcommittee chairman, by a majority of them before completion of any hearing, to call witnesses selected by the Minority to testify with respect to the matter under consideration during at least one day of hearings thereon.

(2) The Committee and its subcommittees shall observe the five-minute rule during the interrogation of witnesses until such time as each Member of the Committee or subcommittee who so desires has had an opportunity to question the witness.

(e) *Broadcasting and Photographing of Committee Meetings and Hearings.*—Whenever a hearing or meeting conducted by the full Committee or any of its subcommittees is open to the public, those proceedings shall be open to coverage by television, radio, and still photography, as provided in clause (4)(f) of Rule XI of the Rules of the House of Representatives. Neither the full Committee Chairman or Subcommittee Chairman shall limit the number of television or still cameras to fewer than two representatives from each medium.

(f) *Subcommittee Meetings.*—No subcommittee shall sit while the House is reading an appropriation measure for amendment under the five-minute rule or while the Committee is in session.

(g) *Public Notice of Committee Hearings.*—The Chairman of the Committee shall make public announcement of the date, place, and subject matter of any Committee or subcommittee hearing at least one week before the commencement of the hearing. If the Chairman of the Committee or subcommittee, with the concurrence of the ranking minority member of the Committee or respective subcommittee, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman or subcommittee chairman shall make the announcement at the earliest possible date. Any announcement made under this subparagraph shall be promptly published in the Daily Digest and promptly entered into the Committee scheduling service of the House Information Systems.

SEC. 6: PROCEDURES FOR REPORTING BILLS AND RESOLUTIONS

(a) *Prompt Reporting Requirement.*—

(1) It shall be the duty of the Chairman to report, or cause to be reported promptly to the House any bill or resolution approved by the Committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(2) In any event, a report on a bill or resolution which the Committee has approved shall be filed within seven calendar days (exclusive of days in which the House is not in session) after the day on which there has been filed with the Committee Clerk a written request, signed by a majority of Committee Members, for the reporting of such bill or resolution. Upon the filing of any such request, the Committee Clerk shall notify the Chairman immediately of the filing of the request. This subsection does not apply to the reporting of a regular appropriation bill or to the reporting of a resolution of inquiry addressed to the head of an executive department.

(b) *Presence of Committee Majority.*—No measure or recommendation shall be reported from the Committee unless a majority of the Committee was actually present.

(c) *Rollcall Votes.*—With respect to each rollcall vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure of matter, the total number of

votes cast for and against, and the names of those Members voting for and against, shall be included in the Committee report on the measure or matter.

(d) *Compliance With Congressional Budget Act.*—A Committee report on a bill or resolution which has been approved by the Committee shall include the statement required by Section 308(a) of the Congressional Budget Act of 1974, separately set out and clearly identified, if the bill or resolution provides new budget authority.

(e) *Constitutional Authority Statement.*—Each report of the committee on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

(f) *Changes in Existing Law.*—Each Committee report on a general appropriation bill shall contain a concise statement describing fully the effect of any provision of the bill which directly or indirectly changes the application of existing law.

(g) *Rescissions and Transfers.*—Each bill or resolution reported by the Committee shall include separate headings for rescissions and transfers of unexpended balances with all proposed rescissions and transfers listed therein. The report of the Committee accompanying such a bill or resolution shall include a separate section with respect to such rescissions or transfers.

(h) *Listing of Unauthorized Appropriations.*—Each Committee report on a general appropriations bill shall contain a list of all appropriations contained in the bill for any expenditure not previously authorized by law (except for classified intelligence or national security programs, projects, or activities) along with a statement of the last year for which such expenditures were authorized, the level of expenditures authorized for that year, the actual level of expenditures for that year, and the level of appropriations in the bill for such expenditures.

(i) *Supplemental or Minority Views.*—

(1) If, at the time the Committee approves any measure or matter, any Committee Member gives notice of intention to file supplemental, minority, or additional views, the Member shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays) in which to file such views in writing and signed by the Member, with the Clerk of the Committee. All such views so filed shall be included in and shall be a part of the report filed by the Committee with respect to that measure or matter.

(2) The Committee report on that measure or matter shall be printed in a single volume which—

(i) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and

(ii) shall have on its cover a recital that any such supplemental, minority, or additional views are included as part of the report.

(3) Subsection (i)(1) of this section, above, does not preclude—

(i) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by such subsection; or

(ii) the filing by the Committee of a supplemental report on a measure or matter which may be required for correction of any technical error in a previous report made by the Committee on that measure or matter.

(4) If, at the time a subcommittee approves any measure or matter for recommendation to the full Committee, any Member of that subcommittee who gives notice of intention to offer supplemental, minority, or additional views shall be entitled, insofar as is practicable and in accordance with the printing requirements as determined by the subcommittee, to include such views in the Committee Print with respect to that measure or matter.

(j) *Availability of Reports.*—A copy of each bill, resolution, or report shall be made available to each Member of the Committee at least three calendar days (excluding Saturdays, Sundays, and legal holidays) in advance of the date on which the Committee is to consider each bill, resolution, or report; Provided, That this subsection may be waived by agreement between the Chairman and the Ranking Minority Member of the full Committee.

(k) *Performance Goals and Objectives.*—Each Committee report shall contain a statement of general performance goals and objectives, including outcome-related goals and objectives, for which the measure authorizes funding.

(l) The Chairman is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

SEC. 7: VOTING

(a) No vote by any Member of the Committee or any of its subcommittees with respect to any measure or matter may be cast by proxy.

(b) The vote on any question before the Committee shall be taken by the yeas and nays on the demand of one-fifth of the Members present.

(c) The Chairman of the Committee and any of its subcommittees may—

(1) postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment;

(2) resume proceedings on a postponed question at any time after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

SEC. 8: STUDIES AND EXAMINATIONS

The following procedure shall be applicable with respect to the conduct of studies and examinations of the organization and oper-

ation of Executive Agencies under authority contained in Section 202(b) of the Legislative Reorganization Act of 1946 and in Clause (3)(a) of Rule X of the Rules of the House of Representatives:

(a) The Chairman is authorized to appoint such staff and, in his discretion, arrange for the procurement of temporary services of consultants, as from time to time may be required.

(b) Studies and examinations will be initiated upon the written request of a subcommittee which shall be reasonably specific and definite in character, and shall be initiated only by a majority vote of the subcommittee, with the chairman of the subcommittee and the ranking minority member thereof participating as part of such majority vote. When so initiated such request shall be filed with the Clerk of the Committee for submission to the Chairman and the Ranking Minority Member and their approval shall be required to make the same effective. Notwithstanding any action taken on such request by the chairman and ranking minority member of the subcommittee, a request may be approved by a majority of the Committee.

(c) Any request approved as provided under subsection (b) shall be immediately turned over to the staff appointed for action.

(d) Any information obtained by such staff shall be reported to the chairman of the subcommittee requesting such study and examination and to the Chairman and Ranking Minority Member, shall be made available to the members of the subcommittee concerned, and shall not be released for publication until the subcommittee so determines.

(e) Any hearings or investigations which may be desired, aside from the regular hearings on appropriation items, when approved by the Committee, shall be conducted by the subcommittee having jurisdiction over the matter.

SEC. 9: OFFICIAL TRAVEL

(a) The chairman of a subcommittee shall approve requests for travel by subcommittee members and staff for official business within the jurisdiction of that subcommittee. The ranking minority member of a subcommittee shall concur in such travel requests by minority members of that subcommittee and the Ranking Minority Member shall concur in such travel requests for Minority Members of the Committee. Requests in writing covering the purpose, itinerary, and dates of proposed travel shall be submitted for final approval to the Chairman. Specific approval shall be required for each and every trip.

(b) The Chairman is authorized during the recess of the Congress to approve travel authorizations for Committee Members and staff, including travel outside the United States.

(c) As soon as practicable, the Chairman shall direct the head of each Government agency concerned not to honor requests of subcommittees, individual Members, or staff for travel, the direct or indirect expenses of which are to be defrayed from an executive appropriation, except upon request from the Chairman.

(d) In accordance with Clause 8 of Rule X of the Rules of the House of Representatives and Section 502(b) of the Mutual Security Act of 1954, as amended, local currencies owned by the United States shall be available to Committee Members and staff engaged

in carrying out their official duties outside the United States, its territories, or possessions. No Committee Member or staff member shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law.

(e) *Travel Reports.*—

(1) Members or staff shall make a report to the Chairman on their travel, covering the purpose, results, itinerary, expenses, and other pertinent comments.

(2) With respect to travel outside the United States or its territories or possessions, the report shall include: (i) an itemized list showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose; and (ii) a summary in these categories of the total foreign currencies and/or appropriated funds expended. All such individual reports on foreign travel shall be filed with the Chairman no later than sixty days following completion of the travel for use in complying with reporting requirements in applicable Federal law, and shall be open for public inspection.

(3) Each Member or employee performing such travel shall be solely responsible for supporting the amounts reported by the Member or employee.

(4) No report or statement as to any trip shall be publicized making any recommendations in behalf of the Committee without the authorization of a majority of the Committee.

(f) Members and staff of the Committee performing authorized travel on official business pertaining to the jurisdiction of the Committee shall be governed by applicable laws or regulations of the House and of the Committee on House Administration pertaining to such travel, and as promulgated from time to time by the Chairman.

Committee on Armed Services

DUNCAN HUNTER, California, *Chairman*

CURT WELDON, Pennsylvania
JOEL HEFLEY, Colorado
JIM SAXTON, New Jersey
JOHN M. MCHUGH, New York
TERRY EVERETT, Alabama
ROSCOE G. BARTLETT, Maryland
HOWARD P. "BUCK" MCKEON, California
MAC THORNBERRY, Texas
JOHN N. HOSTETTLER, Indiana
WALTER B. JONES, North Carolina
JIM RYUN, Kansas
JIM GIBBONS, Nevada
ROBIN HAYES, North Carolina
KEN CALVERT, California
ROB SIMMONS, Connecticut
JO ANN DAVIS, Virginia
W. TODD AKIN, Missouri
J. RANDY FORBES, Virginia
JEFF MILLER, Florida
JOE WILSON, South Carolina
FRANK A. LOBIONDO, New Jersey
JEB BRADLEY, New Hampshire
MICHAEL R. TURNER, Ohio
JOHN KLINE, Minnesota
CANDICE S. MILLER, Michigan
MIKE ROGERS, Alabama
TRENT FRANKS, Arizona
BILL SHUSTER, Pennsylvania
THELMA D. DRAKE, Virginia
JOHN J. H. "JOE" SCHWARZ, Michigan
CATHY MCMORRIS, Washington
K. MICHAEL CONAWAY, Texas
GEOFF DAVIS, Kentucky
IKE SKELTON, Missouri

JOHN M. SPRATT, JR., South Carolina
SOLOMON P. ORTIZ, Texas
LANE EVANS, Illinois
GENE TAYLOR, Mississippi
NEIL ABERCROMBIE, Hawaii
MARTIN T. MEEHAN, Massachusetts
SILVESTRE REYES, Texas
VIC SNYDER, Arkansas
ADAM SMITH, Washington
LORETTA SANCHEZ, California
MIKE MCINTYRE, North Carolina
ELLEN O. TAUSCHER, California
ROBERT A. BRADY, Pennsylvania
ROBERT E. ANDREWS, New Jersey
SUSAN A. DAVIS, California
JAMES R. LANGEVIN, Rhode Island
STEVE ISRAEL, New York
RICK LARSEN, Washington
JIM COOPER, Tennessee
JIM MARSHALL, Georgia
KENDRICK B. MEEK, Florida
MADELEINE Z. BORDALLO, Guam
TIM RYAN, Ohio
MARK UDALL, Colorado
G. K. BUTTERFIELD, North Carolina
CYNTHIA MCKINNEY, Georgia
DAN BOREN, Oklahoma

(Adopted January 26, 2005)

RULE 1.—APPLICATION OF HOUSE RULES

The Rules of the House of Representatives are the rules of the Committee on Armed Services (hereinafter referred to in these rules as the "Committee") and its subcommittees so far as applicable.

RULE 2.—FULL COMMITTEE MEETING DATE

(a) The Committee shall meet every Wednesday at 10:00 a.m., and at such other times as may be fixed by the chairman of the Committee (hereinafter referred to in these rules as the "Chairman"), or by written request of members of the Committee pursuant to clause 2(c) of rule XI of the Rules of the House of Representatives.

(b) A Wednesday meeting of the Committee may be dispensed with by the Chairman, but such action may be reversed by a written request of a majority of the members of the Committee.

RULE 3.—SUBCOMMITTEE MEETING DATES

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee on all matters referred to it. Insofar as possible, meetings of the Committee and its subcommittees shall not conflict. A subcommittee chairman shall set meeting dates after consultation with the Chairman, the other subcommittee chairmen, and the ranking minority member of the subcommittee with a view toward avoiding simultaneous scheduling of committee and subcommittee meetings or hearings wherever possible.

RULE 4.—SUBCOMMITTEES

Pursuant to the authority granted by Section 3(b), relating to Separate Orders, of H. Res. 5 as adopted by the House of Representatives on January 4, 2005, the Committee shall be organized to consist of six standing subcommittees with the following jurisdictions:

Subcommittee on Tactical Air and Land Forces

All Army and Air Force acquisition programs (except strategic weapons and lift programs, special operations and information technology accounts). In addition, the subcommittee will be responsible for all Navy and Marine Corps aviation programs, National Guard and Army and Air Force reserve modernization, and ammunition programs.

Subcommittee on Readiness

Military readiness, training, logistics and maintenance issues and programs. In addition, the subcommittee will be responsible for all military construction, installations and family housing issues, including the base closure process.

Subcommittee on Terrorism, Unconventional Threats and Capabilities

Department of Defense counter proliferation and counter terrorism programs and initiatives. In addition, the subcommittee will be responsible for Special Operations Forces, the Defense Advanced Research Projects Agency, information technology and programs, force protection policy and oversight, and related intelligence support.

Subcommittee on Military Personnel

Military personnel policy, reserve component integration and employment issues, military health care, military education and POW/MIA issues. In addition, the subcommittee will be responsible for Morale, Welfare and Recreation issues and programs.

Subcommittee on Strategic Forces

Strategic Forces (except deep strike systems), space programs, ballistic missile defense and Department of Energy national security programs (except non-proliferation programs).

Subcommittee on Projection Forces

Navy and Marine Corps programs (except strategic weapons, space, special operations and information technology programs), deep strike bombers and related systems, and strategic lift programs.

RULE 5.—COMMITTEE PANELS

(a) The Chairman may designate a panel of the Committee consisting of members of the Committee to inquire into and take testimony on a matter or matters that fall within the jurisdiction of more than one subcommittee and to report to the Committee.

(b) No panel so appointed shall continue in existence for more than six months. A panel so appointed may, upon the expiration of six months, be reappointed by the Chairman.

(c) No panel so appointed shall have legislative jurisdiction.

RULE 6.—REFERENCE AND CONSIDERATION OF LEGISLATION

(a) The Chairman shall refer legislation and other matters to the appropriate subcommittee or to the full Committee.

(b) Legislation shall be taken up for a hearing or markup only when called by the Chairman of the Committee or subcommittee, as appropriate, or by a majority of those present and voting.

(c) The Chairman, with approval of a majority vote of a quorum of the Committee, shall have authority to discharge a subcommittee from consideration of any measure or matter referred thereto and have such measure or matter considered by the Committee.

(d) Reports and recommendations of a subcommittee may not be considered by the Committee until after the intervention of three calendar days from the time the report is approved by the subcommittee and available to the members of the Committee, except that this rule may be waived by a majority vote of a quorum of the Committee.

RULE 7.—PUBLIC ANNOUNCEMENT OF HEARINGS AND MEETINGS

Pursuant to clause 2(g)(3) of Rule XI of the Rules of the House of Representatives, the Chairman of the Committee or of any subcommittee or panel shall make public announcement of the date, place, and subject matter of any committee or subcommittee hearing at least one week before the commencement of the hearing. However, if the Chairman of the Committee or of any subcommittee or panel, with the concurrence of the respective ranking minority member of the Committee, subcommittee or panel, determines that there is good cause to begin the hearing sooner, or if the Committee, subcommittee or panel so determines by majority vote, a quorum being present for the transaction of business, such chairman shall make the announcement at the earliest possible

date. Any announcement made under this rule shall be promptly published in the Daily Digest, promptly entered into the committee scheduling service of the House Information Resources, and promptly posted to the internet web page maintained by the Committee.

RULE 8.—BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

Clause 4 of Rule XI of the Rules of the House of Representatives shall apply to the Committee.

RULE 9.—MEETINGS AND HEARINGS OPEN TO THE PUBLIC

(a) Each hearing and meeting for the transaction of business, including the markup of legislation, conducted by the Committee or a subcommittee shall be open to the public except when the Committee or subcommittee, in open session and with a majority being present, determines by record vote that all or part of the remainder of that hearing or meeting on that day shall be in executive session because disclosure of testimony, evidence, or other matters to be considered would endanger the national security, would compromise sensitive law enforcement information, or would violate any law or rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present, there being in attendance no fewer than two members of the Committee or subcommittee, may vote to close a hearing or meeting for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or would violate any law or rule of the House of Representatives. If the decision is to proceed in executive session, the vote must be by record vote and in open session, a majority of the Committee or subcommittee being present.

(b) Whenever it is asserted by a member of the committee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness, notwithstanding the requirements of (a) and the provisions of clause 2(g)(2) of rule XI of the Rules of the House of Representatives, such evidence or testimony shall be presented in executive session, if by a majority vote of those present, there being in attendance no fewer than two members of the Committee or subcommittee, the Committee or subcommittee determines that such evidence may tend to defame, degrade or incriminate any person. A majority of those present, there being in attendance no fewer than two members of the Committee or subcommittee, may also vote to close the hearing or meeting for the sole purpose of discussing whether evidence or testimony to be received would tend to defame, degrade or incriminate any person. The Committee or subcommittee shall proceed to receive such testimony in open session only if the Committee or subcommittee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade or incriminate any person.

(c) Notwithstanding the foregoing, and with the approval of the Chairman, each member of the Committee may designate by letter to the Chairman, a member of that member's personal staff with Top Secret security clearance to attend hearings of the Committee, or that member's subcommittee(s) (excluding briefings or meetings held under the provisions of committee rule 9(a)), which have been closed under the provisions of rule 9(a) above for national security purposes for the taking of testimony. The attendance of such a staff member at such hearings is subject to the approval of the Committee or subcommittee as dictated by national security requirements at that time. The attainment of any required security clearances is the responsibility of individual members of the Committee.

(d) Pursuant to clause 2(g)(2) of Rule XI of the Rules of the House of Representatives, no Member, Delegate, or Resident Commissioner may be excluded from nonparticipatory attendance at any hearing of the Committee or a subcommittee, unless the House of Representatives shall by majority vote authorize the Committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members, Delegates, and the Resident Commissioner by the same procedures designated in this rule for closing hearings to the public.

(e) The Committee or the subcommittee may vote, by the same procedure, to meet in executive session for up to five additional consecutive days of hearings.

RULE 10.—QUORUM

(a) For purposes of taking testimony and receiving evidence, two members shall constitute a quorum.

(b) One-third of the members of the Committee or subcommittee shall constitute a quorum for taking any action, with the following exceptions, in which case a majority of the Committee or subcommittee shall constitute a quorum:

(1) Reporting a measure or recommendation;

(2) Closing committee or subcommittee meetings and hearings to the public;

(3) Authorizing the issuance of subpoenas;

(4) Authorizing the use of executive session material; and

(5) Voting to proceed in open session after voting to close to discuss whether evidence or testimony to be received would tend to defame, degrade, or incriminate any person.

(c) No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee is actually present.

RULE 11.—THE FIVE-MINUTE RULE

(a) The time any one member may address the Committee or subcommittee on any measure or matter under consideration shall not exceed five minutes and then only when the member has been recognized by the Chairman or subcommittee chairman, as appropriate, except that this time limit may be exceeded by unanimous consent. Any member, upon request, shall be recognized for not to exceed five minutes to address the Committee or subcommittee on

behalf of an amendment which the member has offered to any pending bill or resolution. The five-minute limitation shall not apply to the Chairman and ranking minority member of the Committee or subcommittee.

(b) Members present at a hearing of the Committee or subcommittee when a hearing is originally convened shall be recognized by the Chairman or subcommittee chairman, as appropriate, in order of seniority. Those members arriving subsequently shall be recognized in order of their arrival. Notwithstanding the foregoing, the Chairman and the ranking minority member will take precedence upon their arrival. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of either party.

(c) No person other than a Member, Delegate, or Resident Commissioner of Congress and committee staff may be seated in or behind the dais area during Committee, subcommittee, or panel hearings and meetings.

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 are authorized (subject to subparagraph (b)(1) of this paragraph):

(1) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold hearings, and

(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, 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 full Committee Chairman, 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 Chairman, or by any member designated by the Chairman.

(2) Pursuant to clause 2(m) of rule XI of the Rules of the House of Representatives, compliance with any subpoena issued by the Committee or any subcommittee under subparagraph (a)(2) may be enforced only as authorized or directed by the House of Representatives.

RULE 13.—WITNESS STATEMENTS

(a) Any prepared statement to be presented by a witness to the Committee or a subcommittee shall be submitted to the Committee or subcommittee at least 48 hours in advance of presentation and shall be distributed to all members of the Committee or subcommittee at least 24 hours in advance of presentation. A copy of

any such prepared statement shall also be submitted to the Committee in electronic form. If a prepared statement contains national security information bearing a classification of secret or higher, the statement shall be made available in the Committee rooms to all members of the Committee or subcommittee at least 24 hours in advance of presentation; however, no such statement shall be removed from the Committee offices. The requirement of this rule may be waived by a majority vote of the Committee or subcommittee, a quorum being present.

(b) The Committee and each subcommittee shall require each witness who is to appear before it to file with the Committee in advance of his or her appearance a written statement of the proposed testimony and to limit the oral presentation at such appearance to a brief summary of his or her argument.

RULE 14.—ADMINISTERING OATHS TO WITNESSES

(a) The Chairman, or any member designated by the Chairman, may administer oaths to any witness.

(b) Witnesses, when sworn, shall subscribe to the following oath: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee (or subcommittee) in the matters now under consideration will be the truth, the whole truth, and nothing but the truth, so help you God?"

RULE 15.—QUESTIONING OF WITNESSES

(a) When a witness is before the Committee or a subcommittee, members of the Committee or subcommittee may put questions to the witness only when recognized by the Chairman or subcommittee chairman, as appropriate, for that purpose.

(b) Members of the Committee or subcommittee who so desire shall have not to exceed five minutes to interrogate each witness or panel of witnesses until such time as each member has had an opportunity to interrogate each witness or panel of witnesses; thereafter, additional rounds for questioning witnesses by members are discretionary with the Chairman or subcommittee chairman, as appropriate.

(c) Questions put to witnesses before the Committee or subcommittee shall be pertinent to the measure or matter that may be before the Committee or subcommittee for consideration.

RULE 16.—PUBLICATION OF COMMITTEE HEARINGS AND MARKUPS

The transcripts of those hearings and mark-ups conducted by the Committee or a subcommittee that are decided by the Chairman to be officially published will be published in verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate. Any requests to correct any errors, other than those in transcription, or disputed errors in transcription, will be appended to the record, and the appropriate place where the change is requested will be footnoted.

RULE 17.—VOTING AND ROLLCALLS

(a) Voting on a measure or matter may be by record vote, division vote, voice vote, or unanimous consent.

(b) A record vote shall be ordered upon the request of one-fifth of those members present.

(c) No vote by any member of the Committee or a subcommittee with respect to any measure or matter shall be cast by proxy.

(d) In the event of a vote or votes, when a member is in attendance at any other committee, subcommittee, or conference committee meeting during that time, the necessary absence of that member shall be so noted in the record vote record, upon timely notification to the Chairman by that member.

RULE 18.—COMMITTEE REPORTS

(a) If, at the time of approval of any measure or matter by the Committee, any member of the Committee gives timely notice of intention to file supplemental, minority, additional or dissenting views, that member shall be entitled to not less than two calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such days) in which to file such views, in writing and signed by that member, with the staff director of the Committee. All such views so filed by one or more members of the Committee shall be included within, and shall be a part of, the report filed by the Committee with respect to that measure or matter.

(b) With respect to each record vote on a motion to report any measure or matter, and on any amendment offered to the measure or matter, the total number of votes cast for and against, the names of those voting for and against, and a brief description of the question, shall be included in the committee report on the measure or matter.

RULE 19.—POINTS OF ORDER

No point of order shall lie with respect to any measure reported by the Committee or any subcommittee on the ground that hearings on such measure were not conducted in accordance with the provisions of the rules of the Committee; except that a point of order on that ground may be made by any member of the Committee or subcommittee which reported the measure if, in the Committee or subcommittee, such point of order was (a) timely made and (b) improperly overruled or not properly considered.

RULE 20.—PUBLIC INSPECTION OF COMMITTEE ROLLCALLS

The result of each record vote in any meeting of the Committee shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition and the names of those members present but not voting.

RULE 21.—PROTECTION OF NATIONAL SECURITY INFORMATION

(a) Except as provided in clause 2(g) of Rule XI of the Rules of the House of Representatives, all national security information bearing a classification of secret or higher which has been received by the Committee or a subcommittee shall be deemed to have been received in executive session and shall be given appropriate safekeeping.

(b) The Chairman of the Committee shall, with the approval of a majority of the Committee, establish such procedures as in his judgment may be necessary to prevent the unauthorized disclosure of any national security information received classified as secret or higher. Such procedures shall, however, ensure access to this information by any member of the Committee or any other Member, Delegate, or Resident Commissioner of the House of Representatives who has requested the opportunity to review such material.

RULE 22.—COMMITTEE STAFFING

The staffing of the Committee, the standing subcommittees, and any panel designated by the Chairman shall be subject to the rules of the House of Representatives.

RULE 23.—COMMITTEE RECORDS

The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House of Representatives. The Chairman shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of rule VII, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee.

RULE 24.—HEARING PROCEDURES

Clause 2(k) of Rule XI of the Rules of the House of Representatives shall apply to the Committee.

Committee on the Budget

JIM NUSSLE, Iowa, *Chairman*

JIM RYUN, Kansas
ANDER CRENSHAW, Florida
ADAM H. PUTNAM, Florida
ROGER F. WICKER, Mississippi
KENNY C. HULSHOF, Missouri
JO BONNER, Alabama
SCOTT GARRETT, New Jersey
J. GRESHAM BARRETT, South Carolina
THADDEUS G. McCOTTER, Michigan
MARIO DIAZ-BALART, Florida
JEB HENSARLING, Texas
ILEANA ROS-LEHTINEN, Florida
DANIEL E. LUNGREN, California
PETE SESSIONS, Texas
PAUL RYAN, Wisconsin
MICHAEL K. SIMPSON, Idaho
JEB BRADLEY, New Hampshire
PATRICK T. McHENRY, North Carolina
CONNIE MACK, Florida
K. MICHAEL CONAWAY, Texas

JOHN M. SPRATT, Jr., South Carolina
DENNIS MOORE, Kansas
RICHARD E. NEAL, Massachusetts
ROSA L. DeLAURO, Connecticut
CHET EDWARDS, Texas
HAROLD E. FORD, Jr., Tennessee
LOIS CAPPS, California
BRIAN BAIRD, Washington
JIM COOPER, Tennessee
ARTUR DAVIS, Alabama
WILLIAM J. JEFFERSON, Louisiana
THOMAS H. ALLEN, Maine
ED CASE, Hawaii
CYNTHIA McKINNEY, Georgia
HENRY CUELLAR, Texas
ALLYSON Y. SCHWARTZ, Pennsylvania
RON KIND, Wisconsin

(Adopted February 2, 2005)

GENERAL APPLICABILITY

Rule 1.—Applicability of House Rules

Except as otherwise specified herein, the Rules of the House are the rules of the committee so far as applicable, except that a motion to recess from day to day is a motion of high privilege.

MEETINGS

Rule 2.—Regular Meetings

(a) The regular meeting day of the committee shall be the second Wednesday of each month at 11 a.m., while the House is in session.

(b) The Chairman is authorized to dispense with a regular meeting when the Chairman determines there is no business to be considered by the committee. The Chairman shall give written notice to that effect to each member of the committee as far in advance of the regular meeting day as the circumstances permit.

(c) Regular meetings shall be canceled when they conflict with meetings of either party's caucus or conference.

Rule 3.—Additional and Special Meetings

(a) The Chairman may call and convene additional meetings of the committee as the Chairman considers necessary, or special meetings at the request of a majority of the members of the committee in accordance with House Rule XI, clause 2(c).

(b) In the absence of exceptional circumstances, the Chairman shall provide written notice of additional meetings to the office of each member at least 24 hours in advance while Congress is in session, and at least three days in advance when Congress is not in session.

RULE 4.—OPEN BUSINESS MEETINGS

(a) Each meeting for the transaction of committee business, including the markup of measures, shall be open to the public except when the committee, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed to the public in accordance with House Rule XI, clause 2(g)(1).

(b) No person other than members of the committee and such congressional staff and departmental representatives as the committee may authorize shall be present at any business or markup session which has been closed to the public.

RULE 5.—QUORUMS

A majority of the committee shall constitute a quorum. No business shall be transacted and no measure or recommendation shall be reported unless a quorum is actually present.

RULE 6.—RECOGNITION

Any member, when recognized by the Chairman, may address the committee on any bill, motion, or other matter under consideration before the committee. The time of such member shall be limited to five minutes until all members present have been afforded an opportunity to comment.

RULE 7.—CONSIDERATION OF BUSINESS

Measures or matters may be placed before the committee, for its consideration, by the Chairman or by a majority vote of the members of the committee, a quorum being present.

RULE 8.—AVAILABILITY OF LEGISLATION

The committee shall consider no bill, joint resolution, or concurrent resolution unless copies of the measure have been made available to all committee members at least four hours prior to the time at which such measure is to be considered. When considering concurrent resolutions on the budget, this requirement shall be satisfied by making available copies of the complete Chairman's mark (or such material as will provide the basis for committee consideration). The provisions of this rule may be suspended with the concurrence of the Chairman and Ranking Minority Member.

RULE 9.—PROCEDURE FOR CONSIDERATION OF BUDGET RESOLUTION

(a) It shall be the policy of the committee that the starting point for any deliberations on a concurrent resolution on the budget should be the estimated or actual levels for the fiscal year preceding the budget year.

(b) In the consideration of a concurrent resolution on the budget, the committee shall first proceed, unless otherwise determined by the committee, to consider budget aggregates, functional categories, and other appropriate matters on a tentative basis, with the document before the committee open to amendment. Subsequent amendments may be offered to aggregates, functional categories, or other appropriate matters, which have already been amended in their entirety.

(c) Following adoption of the aggregates, functional categories, and other matters, the text of a concurrent resolution on the budget incorporating such aggregates, functional categories, and other appropriate matters shall be considered for amendment and a final vote.

RULE 10.—ROLLCALL VOTES

A rollcall of the members may be had upon the request of at least one-fifth of those present. In the apparent absence of a quorum, a rollcall may be had on the request of any member.

HEARINGS

RULE 11.—ANNOUNCEMENT OF HEARINGS

The Chairman shall make a public announcement of the date, place, and subject matter of any committee hearing at least 1 week before the hearing, beginning with the day in which the announcement is made and ending the day preceding the scheduled hearing unless the Chairman, with the concurrence of the Ranking Minority Member, or the committee by majority vote with a quorum present for the transaction of business, determines there is good cause to begin the hearing sooner, in which case the Chairman shall make the announcement at the earliest possible date.

RULE 12.—OPEN HEARINGS

(a) Each hearing conducted by the committee or any of its task forces shall be open to the public except when the committee or task force, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security, or would compromise sensitive law enforcement information, or would tend to defame, degrade, or incriminate any person, or would violate any law or rule of the House of Representatives. The committee or task forces may by the same procedure vote to close one subsequent day of hearing.

(b) For the purposes of House Rule XI, clause 2(g)(2), the task forces of the committee are considered to be subcommittees.

RULE 13.—QUORUMS

For the purpose of hearing testimony, not less than two members of the committee shall constitute a quorum.

RULE 14.—QUESTIONING WITNESSES

(a) Questioning of witnesses will be conducted under the five-minute rule unless the committee adopts a motion pursuant to House Rule XI clause 2(j).

(b) In questioning witnesses under the 5-minute rule:

(1) First, the Chairman and the Ranking Minority Member shall be recognized;

(2) Next, the members present at the time the hearing is called to order shall be recognized in order of seniority; and

(3) Finally, members not present at the time the hearing is called to order may be recognized in the order of their arrival at the hearing. In recognizing members to question witnesses, the Chairman may take into consideration the ratio of majority members to minority members and the number of majority and minority members present and shall apportion the recognition for questioning in such a manner as not to disadvantage the members of the majority.

RULE 15.—SUBPOENAS AND OATHS

(a) In accordance with House Rule XI, clause 2(m) subpoenas authorized by a majority of the committee may be issued over the signature of the Chairman or of any member of the committee designated by him, and may be served by any person designated by the Chairman or such member.

(b) The Chairman, or any member of the committee designated by the Chairman, may administer oaths to witnesses.

RULE 16.—WITNESSES' STATEMENTS

(a) So far as practicable, any prepared statement to be presented by a witness shall be submitted to the committee at least 24 hours in advance of presentation, and shall be distributed to all members of the committee in advance of presentation.

(b) To the greatest extent possible, each witness appearing in a nongovernmental capacity shall include with the written statement of proposed testimony a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or sub-grant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

PRINTS AND PUBLICATIONS

RULE 17.—COMMITTEE PRINTS

All committee prints and other materials prepared for public distribution shall be approved by the committee prior to any distribution, unless such print or other material shows clearly on its face that it has not been approved by the committee.

RULE 18.—COMMITTEE PUBLICATIONS ON THE INTERNET

To the maximum extent feasible, the committee shall make its publications available in electronic form.

STAFF

RULE 19.—COMMITTEE STAFF

(a) Subject to approval by the committee, and to the provisions of the following paragraphs, the professional and clerical staff of the committee shall be appointed, and may be removed, by the Chairman.

(b) Committee staff shall not be assigned any duties other than those pertaining to committee business, and shall be selected without regard to race, creed, sex, or age, and solely on the basis of fitness to perform the duties of their respective positions.

(c) All committee staff shall be entitled to equitable treatment, including comparable salaries, facilities, access to official committee records, leave, and hours of work.

(d) Notwithstanding paragraphs a, b, and c, staff shall be employed in compliance with House rules, the Employment and Accountability Act, the Fair Labor Standards Act of 1938, and any other applicable Federal statutes.

RULE 20.—STAFF SUPERVISION

(a) Staff shall be under the general supervision and direction of the Chairman, who shall establish and assign their duties and responsibilities, delegate such authority as he deems appropriate, fix and adjust staff salaries (in accordance with House Rule X, clause 9(c)) and job titles, and, at his discretion, arrange for their specialized training.

(b) Staff assigned to the minority shall be under the general supervision and direction of the minority members of the committee, who may delegate such authority, as they deem appropriate.

RECORDS

RULE 21.—PREPARATION AND MAINTENANCE OF COMMITTEE RECORDS

(a) A substantially verbatim account of remarks actually made during the proceedings shall be made of all hearings and business meetings subject only to technical, grammatical, and typographical corrections.

(b) The proceedings of the committee shall be recorded in a journal, which shall among other things, include a record of the votes on any question on which a record vote is demanded.

(c) Members of the committee shall correct and return transcripts of hearings as soon as practicable after receipt thereof, except that any changes shall be limited to technical, grammatical, and typographical corrections.

(d) Any witness may examine the transcript of his own testimony and make grammatical, technical, and typographical corrections.

(e) The Chairman may order the printing of a hearing record without the corrections of any member or witness if he determines that such member or witness has been afforded a reasonable time for correction, and that further delay would seriously impede the committee's responsibility for meeting its deadlines under the Congressional Budget Act of 1974.

(f) Transcripts of hearings and meetings may be printed if the Chairman decides it is appropriate, or if a majority of the members so request.

RULE 22.—ACCESS TO COMMITTEE RECORDS

(a)(1) The Chairman shall promulgate regulations to provide for public inspection of roll call votes and to provide access by members to committee records (in accordance with House Rule XI, clause 2(e)).

(2) Access to classified testimony and information shall be limited to Members of Congress and to House Budget Committee staff and staff of the Office of Official Reporters who have appropriate security clearance.

(3) Notice of the receipt of such information shall be sent to the committee members. Such information shall be kept in the committee safe, and shall be available to members in the committee office.

(b) The records of the committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the committee for a determination on the written request of any member of the committee.

OVERSIGHT

RULE 23.—GENERAL OVERSIGHT

(a) The committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject of which is within its jurisdiction.

(b) The committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under clause (1)(d) of Rule X of the Rules of the House, and, subject to the adoption of expense resolutions as required by clause 6 of Rule X, to incur expenses (including travel expenses) in connection therewith.

(c) Not later than February 15 of the first session of a Congress, the committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Government Reform in accordance with the provisions of clause (2)(d) of House Rule X.

REPORTS

RULE 24.—AVAILABILITY BEFORE FILING

(a) Any report accompanying any bill or resolution ordered reported to the House by the committee shall be available to all committee members at least 36 hours prior to filing with the House.

(b) No material change shall be made in any report made available to members pursuant to section (a) without the concurrence of the Ranking Minority Member or by a majority vote of the committee.

(c) Notwithstanding any other rule of the committee, either or both subsections (a) and (b) may be waived by the Chairman or with a majority vote by the committee.

RULE 25.—REPORT ON THE BUDGET RESOLUTION

The report of the committee to accompany a concurrent resolution on the budget shall include a comparison of the estimated or actual levels for the year preceding the budget year with the proposed spending and revenue levels for the budget year and each out year along with the appropriate percentage increase or decrease for each budget function and aggregate. The report shall include any roll call vote on any motion to amend or report any measure.

RULE 26.—PARLIAMENTARIAN'S STATUS REPORT AND SECTION 302 STATUS REPORT

(a)(1) In order to carry out its duty under sections 311 and 312 of the Congressional Budget Act to advise the House of Representatives as to the current level of spending and revenues as compared to the levels set forth in the latest agreed-upon concurrent resolution on the budget, the committee shall advise the Speaker on at least a monthly basis when the House is in session as to its estimate of the current level of spending and revenue. Such estimates shall be prepared by the staff of the committee, transmitted to the Speaker in the form of a Parliamentarian's Status Report, and printed in the Congressional Record.

(2) The committee authorizes the Chairman, in consultation with the Ranking Minority Member, to transmit to the Speaker the Parliamentarian's Status Report described above.

(b)(1) In order to carry out its duty under sections 302 and 312 of the Congressional Budget Act to advise the House of Representatives as to the current level of spending within the jurisdiction of committees as compared to the appropriate allocations made pursuant to the Budget Act in conformity with the latest agreed-upon concurrent resolution on the budget, the committee shall, as necessary, advise the Speaker as to its estimate of the current level of spending within the jurisdiction of appropriate committees. Such estimates shall be prepared by the staff of the committee and transmitted to the Speaker in the form of a Section 302 Status Report.

(2) The committee authorizes the Chairman, in consultation with the Ranking Minority Member, to transmit to the Speaker the Section 302 Status Report described above.

RULE 27.—ACTIVITY REPORT

After an adjournment of the last regular session of a Congress sine die, the Chair of the committee may file any time with the Clerk the committee's activity report for that Congress pursuant to clause (1)(d)(1) of Rule XI of the Rules of the House without the

approval of the committee, if a copy of the report has been available to each member of the committee for at least seven calendar days and the report includes any supplemental, minority, or additional views submitted by a member of the committee.

MISCELLANEOUS

RULE 28.—BROADCASTING OF MEETINGS AND HEARINGS

(a) It shall be the policy of the committee to give all news media access to open hearings of the committee, subject to the requirements and limitations set forth in House Rule XI, clause 4.

(b) Whenever any committee business meeting is open to the public, that meeting may be covered, in whole or in part, by television broadcast, radio broadcast, still photography, or by any of such methods of coverage, in accordance with House Rule XI, clause 4.

RULE 29.—APPOINTMENT OF CONFEREES

(a) Majority party members recommended to the Speaker as conferees shall be recommended by the Chairman subject to the approval of the majority party members of the committee.

(b) The Chairman shall recommend such minority party members as conferees as shall be determined by the minority party; the recommended party representation shall be in approximately the same proportion as that in the committee.

RULE 30.—WAIVERS

When a reported bill or joint resolution, conference report, or anticipated floor amendment violates any provision of the Congressional Budget Act of 1974, the Chairman may, if practical, consult with the committee members on whether the Chairman should recommend, in writing, that the Committee on Rules report a special rule that enforces the Act by not waiving the applicable points of order during the consideration of such measure.

Committee on Education and the Workforce

JOHN BOEHNER, Ohio, *Chairman*

THOMAS E. PETRI, Wisconsin
HOWARD P. "BUCK" McKEON, California
MICHAEL N. CASTLE, Delaware
SAM JOHNSON, Texas
MARK E. SOUDER, Indiana
CHARLIE NORWOOD, Georgia
VERNON J. EHLERS, Michigan
JUDY BIGGERT, Illinois
TODD RUSSELL PLATTS, Pennsylvania
PATRICK J. TIBERI, Ohio
RIC KELLER, Florida
TOM OSBORNE, Nebraska
JOE WILSON, South Carolina
JON C. PORTER, Nevada
JOHN KLINE, Minnesota
MARILYN N. MUSGRAVE, Colorado
BOB INGLIS, South Carolina
CATHY McMORRIS, Washington
KENNY MARCHANT, Texas
TOM PRICE, Georgia
LUIS G. FORTUÑO, Puerto Rico
BOBBY JINDAL, Louisiana
CHARLES W. BOUSTANY, Jr., Louisiana
VIRGINIA FOXX, North Carolina
THELMA D. DRAKE, Virginia
JOHN R. "RANDY" KUHL, Jr., New York

GEORGE MILLER, California
DALE E. KILDEE, Michigan
MAJOR R. OWENS, New York
DONALD M. PAYNE, New Jersey
ROBERT E. ANDREWS, New Jersey
ROBERT C. SCOTT, Virginia
LYNN C. WOOLSEY, California
RUBÉN HINOJOSA, Texas
CAROLYN McCARTHY, New York
JOHN F. TIERNEY, Massachusetts
RON KIND, Wisconsin
DENNIS J. KUCINICH, Ohio
DAVID WU, Oregon
RUSH D. HOLT, New Jersey
SUSAN A. DAVIS, California
BETTY McCOLLUM, Minnesota
DANNY K. DAVIS, Illinois
RAÚL M. GRIJALVA, Arizona
CHRIS VAN HOLLEN, Maryland
TIM RYAN, Ohio
TIMOTHY H. BISHOP, New York
JOHN BARROW, Georgia

(Adopted February 2, 2005)

RULE 1.—REGULAR, ADDITIONAL, AND SPECIAL MEETINGS: VICE-CHAIRMAN

(a) Regular meetings of the committee shall be held on the second Wednesday of each month at 9:30 a.m., while the House is in session. When the Chairman believes that the committee will not be considering any bill or resolution before the committee and that there is no other business to be transacted at a regular meeting, he will give each member of the committee, as far in advance of the day of the regular meeting as the circumstances make practicable, a written notice to that effect; and no committee meeting shall be held on that day.

(b) The Chairman may call and convene, as he considers necessary, additional meetings of the committee for the consideration of any bill or resolution pending before the committee or for the conduct of other committee business. The committee shall meet for such purposes pursuant to that call of the Chairman.

(c) If at least three members of the committee desire that a special meeting of the committee be called by the Chairman, those members may file in the offices of the committee their written request to the Chairman for that special meeting. Immediately upon

the filing of the request, the staff director of the committee shall notify the Chairman of the filing of the request. If, within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour thereof, and the measure or matter to be considered at that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the staff director of the committee shall notify all members of the committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered; and only the measure or matter specified in that notice may be considered at that special meeting.

(d) All legislative meetings of the committee and its subcommittees shall be open to the public, including radio, television and still photography coverage. No business meeting of the committee, other than regularly scheduled meetings, may be held without each member being given reasonable notice. Such meeting shall be called to order and presided over by the Chairman, or in the absence of the Chairman, by the vice-chairman, or the Chairman's designee.

(e) The Chairman of the committee or of a subcommittee, as appropriate, shall preside at meetings or hearings, or, in the absence of the chairman, the vice-chairman, or the Chairman's designee shall preside.

RULE 2.—QUESTIONING OF WITNESSES

(a) Subject to clauses (b) and (c), Committee members may question witnesses only when they have been recognized by the Chairman for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The questioning of witnesses in both committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority party member and all other members alternating between the majority and minority party in order of the member's appearance at the hearing. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority party members present and shall establish the order of recognition for questioning in such a manner as not to place the members of the majority party in a disadvantageous position.

(b) The Chairman may permit a specified number of members to question a witness for longer than five minutes. The time for extended questioning of a witness under this clause shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

(c) The Chairman may permit committee staff for the majority and the minority party members to question a witness for equal specified periods. The time for extended questioning of a witness under this clause shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

RULE 3.—RECORDS AND ROLLCALLS

(a) Written records shall be kept of the proceedings of the committee and of each subcommittee, including a record of the votes on any question on which a rollcall is demanded. The result of each such rollcall vote shall be made available by the committee or subcommittee for inspection by the public at reasonable times in the offices of the committee or subcommittee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting. A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member.

(b) In accordance with Rule VII of the Rules of the House of Representatives, any official permanent record of the committee (including any record of a legislative, oversight, or other activity of the committee or any subcommittee) shall be made available for public use if such record has been in existence for 30 years, except that—

(1) any record that the committee (or a subcommittee) makes available for public use before such record is delivered to the Archivist under clause 2 of Rule VII of the Rules of the House of Representatives shall be made available immediately, including any record described in subsection (a) of this Rule;

(2) any investigative record that contains personal data relating to a specific living individual (the disclosure of which would be an unwarranted invasion of personal privacy), any administrative record with respect to personnel, and any record with respect to a hearing closed pursuant to clause 2(g)(2) of Rule XI of the Rules of the House of Representatives shall be available if such record has been in existence for 50 years; or

(3) except as otherwise provided by order of the House, any record of the committee for which a time, schedule, or condition for availability is specified by order of the committee (entered during the Congress in which the record is made or acquired by the committee) shall be made available in accordance with the order of the committee.

(c) The official permanent records of the committee include noncurrent records of the committee (including subcommittees) delivered by the Clerk of the House of Representatives to the Archivist of the United States for preservation at the National Archives and Records Administration, which are the property of and remain subject to the rules and orders of the House of Representatives.

(d)(1) Any order of the committee with respect to any matter described in paragraph (2) of this subsection shall be adopted only if the notice requirements of committee Rule 18(c) have been met, a quorum consisting of a majority of the members of the committee is present at the time of the vote, and a majority of those present and voting approve the adoption of the order, which shall be submitted to the Clerk of the House of Representatives, together with any accompanying report.

(2) This subsection applies to any order of the committee which—

(A) provides for the non-availability of any record subject to subsection (b) of this rule for a period longer than the period otherwise applicable; or

(B) is subsequent to, and constitutes a later order under clause 4(b) of Rule VII of the Rules of the House of Representatives, regarding a determination of the Clerk of the House of Representatives with respect to authorizing the Archivist of the United States to make available for public use the records delivered to the Archivist under clause 2 of Rule VII of the Rules of the House of Representatives; or

(C) specifies a time, schedule, or condition for availability pursuant to subsection (b)(3) of this Rule.

RULE 4.—STANDING SUBCOMMITTEES AND JURISDICTION

(a) There shall be five standing subcommittees. In addition to the conducting oversight in the area of their respective jurisdictions as required in clause 2 of House Rule X, each subcommittee shall have the following jurisdictions:

Subcommittee on Education Reform.—Education from preschool through the high school level including, but not limited to, elementary and secondary education generally, vocational education, preschool programs including the Head Start Act, school lunch and child nutrition, and overseas dependent schools; special education programs including, but not limited to, alcohol and drug abuse, education of the disabled, migrant and agricultural labor education and homeless education; educational research and improvement, including the Institute of Education Sciences; poverty programs, including the Community Services Block Grant Act and the Low Income Home Energy Assistance Program (LIHEAP).

Subcommittee on 21st Century Competitiveness.—Education and training beyond the high school level including, but not limited to higher education generally, including postsecondary student assistance and employment services, Title IV of the Higher Education Act; training and apprenticeship including the Workforce Investment Act, displaced homemakers, adult basic education (family literacy), rehabilitation, professional development, and training programs from immigration funding; pre-service and in-service teacher training, including Title II of the Elementary and Secondary Education Act and Title II of the Higher Education Act; Title III and V of the Higher Education Act; Title I of the Higher Education Act as it relates to Titles II, III, IV, and V; science and technology programs; affirmative action in higher education; all welfare reform programs including, work incentive programs, welfare-to-work requirements, and childcare services, including the Childcare Development Block Grant; Native American Programs Act, Robert A. Taft Institute, and Institute for Peace.

Subcommittee on Select Education.—Programs and services for the care and treatment of certain at risk youth, including the Juvenile Justice and Delinquency Prevention Act and the Runaway and Homeless Youth Act; all matters dealing with child abuse and domestic violence, including the Child Abuse Prevention and Treatment Act, and child adoption; all matters dealing with programs and services for the elderly, including nutrition programs and the

Older Americans Act; environmental education; all domestic volunteer programs; School to Work Opportunities Act; library services and construction, and programs related to the arts and humanities, museum services, and arts and artifacts indemnity; Titles VI and VII, Title I as it relates to those Titles, and oversight of Title III and V of the Higher Education Act; and fiscal auditing of the Department of Education organization.

Subcommittee on Workforce Protections.—Wages and hours of labor including, but not limited to, Davis-Bacon Act, Walsh-Healey Act, Fair Labor Standards Act (including child labor), workers' compensation generally, Longshore and Harbor Workers' Compensation Act, Federal Employees' Compensation Act, Migrant and Seasonal Agricultural Worker Protection Act, Service Contract Act, Family and Medical Leave Act, Worker Adjustment and Retraining Notification Act, Employee Polygraph Protection Act of 1988, workers' health and safety including, but not limited to, occupational safety and health, mine health and safety, youth camp safety, and migrant and agricultural labor health and safety; and, in addition, oversight of compulsory union dues within the jurisdiction of another subcommittee.

Subcommittee on Employer-Employee Relations.—All matters dealing with relationships between employers and employees generally including, but not limited to, the National Labor Relations Act, Bureau of Labor Statistics, pension, health, and other employee benefits, including the Employee Retirement Income Security Act (ERISA); all matters related to equal employment opportunity and civil rights in employment, including affirmative action.

(b) The majority party members of the committee may provide for such temporary, ad hoc subcommittees as determined to be appropriate.

RULE 5.—EX OFFICIO MEMBERSHIP

The Chairman of the committee and the ranking minority party member shall be ex officio members, but not voting members, of each subcommittee to which such Chairman or ranking minority party member has not been assigned.

RULE 6.—SPECIAL ASSIGNMENT OF MEMBERS

To facilitate the oversight and other legislative and investigative activities of the committee, the Chairman of the committee may, at the request of a subcommittee chairman, make a temporary assignment of any member of the committee to such subcommittee for the purpose of constituting a quorum and of enabling such member to participate in any public hearing, investigation, or study by such subcommittee to be held outside of Washington, DC. Any member of the committee may attend public hearings of any subcommittee and any member of the committee may question witnesses only when they have been recognized by the Chairman for that purpose.

RULE 7.—SUBCOMMITTEE CHAIRMANSHIPS

The method for selection of chairmen of the subcommittees shall be at the discretion of the full committee Chairman, unless a ma-

jority of the majority party members of the full committee disapprove of the action of the Chairman.

RULE 8.—SUBCOMMITTEE SCHEDULING

Subcommittee chairmen shall set meeting dates after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of committee and subcommittee meetings or hearings, wherever possible. Available dates for subcommittee meetings during the session shall be assigned by the Chairman to the subcommittees as nearly as practicable in rotation and in accordance with their workloads. As far as practicable, the Chairman shall not schedule simultaneous subcommittee markups, a subcommittee markup during a full committee markup, or any hearing during a markup.

RULE 9.—SUBCOMMITTEE RULES

The rules of the committee shall be the rules of its subcommittees.

RULE 10.—COMMITTEE STAFF

(a) The employees of the committee shall be appointed by the Chairman in consultation with subcommittee chairmen and other majority party members of the committee within the budget approved for such purposes by the committee.

(b) The staff appointed by the minority shall have their remuneration determined in such manner as the minority party members of the committee shall determine within the budget approved for such purposes by the committee.

RULE 11.—SUPERVISION AND DUTIES OF COMMITTEE STAFF

The staff of the committee shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate authority as he determines appropriate. The staff appointed by the minority shall be under the general supervision and direction of the minority party members of the committee, who may delegate such authority as they determine appropriate. All committee staff shall be assigned to committee business and no other duties may be assigned to them.

RULE 12.—HEARINGS PROCEDURE

(a) The Chairman, in the case of hearings to be conducted by the committee, and the appropriate subcommittee chairman, in the case of hearings to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the committee or subcommittee determines that there is good cause to begin such hearing at an earlier date. In the latter event, the Chairman or the subcommittee chairman, as the case may be, shall make such public announcement at the earliest possible date. To the extent practicable, the Chairman or the subcommittee chair-

man shall make public announcement of the final list of witnesses scheduled to testify at least 48 hours before the commencement of the hearing. The staff director of the committee shall promptly notify the Daily Digest Clerk of the Congressional Record as soon as possible after such public announcement is made.

(b) All opening statements at hearings conducted by the committee or any subcommittee will be made part of the permanent written record. Opening statements by members may not be presented orally, unless the Chairman of the committee or any subcommittee determines that one statement from the Chairman or a designee will be presented, in which case the ranking minority party member or a designee may also make a statement. If a witness scheduled to testify at any hearing of the Committee or any subcommittee is a constituent of a member of the committee or subcommittee, such member shall be entitled to introduce such witness at the hearing.

(c) To the extent practicable, witnesses who are to appear before the committee or a subcommittee shall file with the staff director of the committee, at least 48 hours in advance of their appearance, a written statement of their proposed testimony, together with a brief summary thereof, and shall limit their oral presentation to a summary thereof. The staff director of the committee shall promptly furnish to the staff director of the minority a copy of such testimony submitted to the committee pursuant to this rule.

(d) When any hearing is conducted by the committee or any subcommittee upon any measure or matter, the minority party members on the committee shall be entitled, upon request to the Chairman by a majority of those minority party members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon. The minority party may waive this right by calling at least one witness during a committee hearing or subcommittee hearing.

RULE 13.—MEETINGS—HEARINGS—QUORUMS

(a) Subcommittees are authorized to hold hearings, receive exhibits, hear witnesses, and prior authorization of the committee Chairman. Where feasible and practicable, 14 days' report to the committee for final action, together with such recommendations as may be agreed upon by the subcommittee. No such meetings or hearings, however, shall be held outside of Washington, DC, or during a recess or adjournment of the House without the notice will be given of such meeting or hearing.

(b) One-third of the members of the committee or subcommittee shall constitute a quorum for taking any action other than amending committee rules, closing a meeting from the public, reporting a measure or recommendation, or in the case of the committee or a subcommittee authorizing a subpoena. For the enumerated actions, a majority of the committee or subcommittee shall constitute a quorum. Any two members shall constitute a quorum for the purpose of taking testimony and receiving evidence.

(c) When a bill or resolution is being considered by the committee or a subcommittee, members shall provide the clerk in a timely manner a sufficient number of written copies of any amendment of-

fered, so as to enable each member present to receive a copy thereof prior to taking action. A point of order may be made against any amendment not reduced to writing. A copy of each such amendment shall be maintained in the public records of the committee or subcommittee, as the case may be.

(d) In the conduct of hearings of subcommittees sitting jointly, the rules otherwise applicable to all subcommittees shall likewise apply to joint subcommittee hearings for purposes of such shared consideration.

(e) No person other than a Member of Congress or Congressional staff may walk in, stand in, or be seated at the rostrum area during a meeting or hearing of the Committee or Subcommittee unless authorized by the Chairman.

RULE 14.—SUBPOENA AUTHORITY

The power to authorize and issue subpoenas is delegated to the Chairman 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 Chairman shall notify the ranking minority member prior to issuing any subpoena under such authority. To the extent practicable, the Chairman 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. As soon as practicable after issuing any subpoena under such authority, the Chairman shall notify in writing all members of the Committee of the issuance of the subpoena.

RULE 15.—REPORTS OF SUBCOMMITTEES

(a) Whenever a subcommittee has ordered a bill, resolution, or other matter to be reported to the committee, the chairman of the subcommittee reporting the bill, resolution, or matter to the committee, or any member authorized by the subcommittee to do so, may report such bill, resolution, or matter to the committee. It shall be the duty of the chairman of the subcommittee to report or cause to be reported promptly such bill, resolution, or matter, and to take or cause to be taken the necessary steps to bring such bill, resolution, or matter to a vote.

(b) In any event, the report, described in the proviso in subsection (d) of this rule, of any subcommittee on a measure which has been approved by the subcommittee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the staff director of the committee a written request, signed by a majority of the members of the subcommittee, for the reporting of that measure. Upon the filing of any such request, the staff director of the committee shall transmit immediately to the chairman of the subcommittee a notice of the filing of that request.

(c) All committee or subcommittee reports printed pursuant to legislative study or investigation and not approved by a majority vote of the committee or subcommittee, as appropriate, shall contain the following disclaimer on the cover of such report:

> This report has not been officially adopted by the Committee on Education and the Workforce (or pertinent sub-

committee thereof) and therefore may not necessarily reflect the views of its members.

The minority party members of the committee or subcommittee shall have three calendar days, excluding weekends and holidays, to file, as part of the printed report, supplemental, minority, or additional views.

(d) Bills, resolutions, or other matters favorably reported by a subcommittee shall automatically be placed upon the agenda of the committee as of the time they are reported. No bill or resolution or other matter reported by a subcommittee shall be considered by the full committee unless it has been delivered or electronically sent to all members and notice of its prior transmission has been in the hands of all members at least 48 hours prior to such consideration; a member of the Committee shall receive, upon his or her request, a paper copy of the such bill, resolution, or other matter reported. When a bill is reported from a subcommittee, such measure shall be accompanied by a section-by-section analysis; and, if the Chairman of the committee so requires (in response to a request from the ranking minority member of the committee or for other reasons), a comparison showing proposed changes in existing law.

(e) To the extent practicable, any report prepared pursuant to a committee or subcommittee study or investigation shall be available to members no later than 48 hours prior to consideration of any such report by the committee or subcommittee, as the case may be.

RULE 16.—VOTES

(a) With respect to each rollcall vote on a motion to report any bill, resolution or matter of a public character, and on any amendment offered thereto, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the committee report on the measure or matter.

(b) In accordance with clause 2(h) of House Rule XI, the Chairman of the Committee or a Subcommittee is authorized to postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment. Such Chairman may resume proceedings on a postponed request at any time after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE 17.—AUTHORIZATION FOR TRAVEL

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of committee members and staff. Travel to be paid from funds set aside for the full committee for any member or any staff member shall be paid only upon the prior authorization of the Chairman. Travel may be authorized by the Chairman for any member and any staff member in connection

with the attendance of hearings conducted by the committee or any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the committee. The Chairman shall review travel requests to assure the validity to committee business. Before such authorization is given, there shall be submitted to the Chairman in writing the following:

(1) the purpose of the travel;

(2) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made;

(3) the location of the event for which the travel is to be made; and

(4) the names of members and staff seeking authorization.

(b)(1) In the case of travel outside the United States of members and staff of the committee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the committee or pertinent subcommittees, prior authorization must be obtained from the Chairman, or, in the case of a subcommittee, from the subcommittee chairman and the Chairman. Before such authorization is given, there shall be submitted to the Chairman, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

(A) the purpose of travel;

(B) the dates during which the travel will occur;

(C) the names of the countries to be visited and the length of time to be spent in each;

(D) an agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of committee jurisdiction involved; and

(E) the names of members and staff for whom authorization is sought.

(2) Requests for travel outside the United States may be initiated by the Chairman or the chairman of a subcommittee (except that individuals may submit a request to the Chairman for the purpose of attending a conference or meeting) and shall be limited to members and permanent employees of the committee.

(3) The Chairman shall not approve a request involving travel outside the United States while the House is in session (except in the case of attendance at meetings and conferences or where circumstances warrant an exception).

(4) At the conclusion of any hearing, investigation, study, meeting, or conference for which travel outside the United States has been authorized pursuant to this rule, each subcommittee (or members and staff attending meetings or conferences) shall submit a written report to the Chairman covering the activities of the subcommittee and containing the results of these activities and other pertinent observations or information gained as a result of such travel.

(c) Members and staff of the committee performing authorized travel on official business shall be governed by applicable laws, res-

olutions, or regulations of the House and of the Committee on House Administration pertaining to such travel, including rules, procedures, and limitations prescribed by the Committee on House Administration with respect to domestic and foreign expense allowances.

(d) Prior to the Chairman's authorization for any travel, the ranking minority party member shall be given a copy of the written request therefor.

RULE 18.—REFERRAL OF BILLS, RESOLUTIONS, AND OTHER MATTERS

(a) The Chairman shall consult with subcommittee chairmen regarding referral, to the appropriate subcommittees, of such bills, resolutions, and other matters, which have been referred to the committee. Once printed copies of a bill, resolution, or other matter are available to the Committee, the Chairman shall, within three weeks of such availability, provide notice of referral, if any, to the appropriate subcommittee.

(b) Referral to a subcommittee shall not be made until three days shall have elapsed after written notification of such proposed referral to all subcommittee chairmen, at which time such proposed referral shall be made unless one or more subcommittee chairmen shall have given written notice to the Chairman of the full committee and to the chairman of each subcommittee that he [or she] intends to question such proposed referral at the next regularly scheduled meeting of the committee, or at a special meeting of the committee called for that purpose, at which time referral shall be made by the majority members of the committee. All bills shall be referred under this rule to the subcommittee of proper jurisdiction without regard to whether the author is or is not a member of the subcommittee. A bill, resolution, or other matter referred to a subcommittee in accordance with this rule may be recalled therefrom at any time by a vote of the majority members of the committee for the committee's direct consideration or for reference to another subcommittee.

(c) All members of the committee shall be given at least 24 hours' notice prior to the direct consideration of any bill, resolution, or other matter by the committee; but this requirement may be waived upon determination, by a majority of the members voting, that emergency or urgent circumstances require immediate consideration thereof.

RULE 19.—COMMITTEE REPORTS

(a) All committee reports on bills or resolutions shall comply with the provisions of clause 2 of Rule XI and clauses 2, 3, and 4 of Rule XIII of the Rules of the House of Representatives.

(b) No such report shall be filed until copies of the proposed report have been available to all members at least 36 hours prior to such filing in the House. No material change shall be made in the report distributed to members unless agreed to by majority vote; but any member or members of the committee may file, as part of the printed report, individual, minority, or dissenting views, without regard to the preceding provisions of this rule.

(c) Such 36-hour period shall not conclude earlier than the end of the period provided under clause 4 of Rule XIII of the Rules of the House of Representatives after the committee approves a measure or matter if a member, at the time of such approval, gives notice of intention to file supplemental, minority, or additional views for inclusion as part of the printed report.

(d) The report on activities of the committee required under clause 1 of Rule XI of the Rules of the House of Representatives, shall include the following disclaimer in the document transmitting the report to the Clerk of the House:

> This report has not been officially adopted by the Committee on Education and the Workforce or any subcommittee thereof and therefore may not necessarily reflect the views of its members.

Such disclaimer need not be included if the report was circulated to all members of the committee at least 7 days prior to its submission to the House and provision is made for the filing by any member, as part of the printed report, of individual, minority, or dissenting views.

RULE 20.—MEASURES TO BE CONSIDERED UNDER SUSPENSION

A member of the committee may not seek to suspend the Rules of the House on any bill, resolution, or other matter which has been modified after such measure is ordered reported, unless notice of such action has been given to the Chairman and ranking minority member of the full committee.

RULE 21.—BUDGET AND EXPENSES

(a) The Chairman in consultation with the majority party members of the committee shall prepare a preliminary budget. Such budget shall include necessary amounts for staff personnel, for necessary travel, investigation, and other expenses of the committee; and, after consultation with the minority party membership, the Chairman shall include amounts budgeted to the minority party members for staff personnel to be under the direction and supervision of the minority party, travel expenses of minority party members and staff, and minority party office expenses. All travel expenses of minority party members and staff shall be paid for out of the amounts so set aside and budgeted. The Chairman shall take whatever action is necessary to have the budget as finally approved by the committee duly authorized by the House. After such budget shall have been adopted, no change shall be made in such budget unless approved by the committee. The Chairman or the chairman of any standing subcommittee may initiate necessary travel requests as provided in Rule 16 within the limits of their portion of the consolidated budget as approved by the House, and the Chairman may execute necessary vouchers therefor.

(b) Subject to the rules of the House of Representatives and procedures prescribed by the Committee on House Administration, and with the prior authorization of the Chairman of the committee in each case, there may be expended in any one session of Congress

for necessary travel expenses of witnesses attending hearings in Washington, DC:

(1) out of funds budgeted and set aside for each subcommittee, not to exceed $5,000 for expenses of witnesses attending hearings of each such subcommittee;

(2) out of funds budgeted for the full committee majority, not to exceed $5,000 for expenses of witnesses attending full committee hearings; and

(3) out of funds set aside to the minority party members,

(A) not to exceed, for each of the subcommittees, $5,000 for expenses of witnesses attending subcommittee hearings, and

(B) not to exceed $5,000 for expenses of witnesses attending full committee hearings.

(c) A full and detailed monthly report accounting for all expenditures of committee funds shall be maintained in the committee office, where it shall be available to each member of the committee. Such report shall show the amount and purpose of each expenditure, and the budget to which such expenditure is attributed.

RULE 22.—APPOINTMENT OF CONFEREES, NOTICE OF CONFERENCE MEETINGS AND CONFERENCE MOTION

(a) Whenever in the legislative process it becomes necessary to appoint conferees, the Chairman shall recommend to the Speaker as conferees the names of those members of the subcommittee which handled the legislation in the order of their seniority upon such subcommittee and such other committee members as the Chairman may designate with the approval of the majority party members. Recommendations of the Chairman to the Speaker shall provide a ratio of majority party members to minority party members no less favorable to the majority party than the ratio of majority members to minority party members on the full committee. In making assignments of minority party members as conferees, the Chairman shall consult with the ranking minority party member of the committee.

(b) After the appointment of conferees pursuant to clause 11 of Rule I of the Rules of the House of Representatives for matters within the jurisdiction of the committee, the Chairman shall notify all members appointed to the conference of meetings at least 48 hours before the commencement of the meeting. If such notice is not possible, then notice shall be given as soon as possible.

(c) The chairman is directed to offer a motion under clause 1 of rule XXII of the Rules of the House whenever the chairman considers it appropriate.

RULE 23.—BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

(a) *Television, Radio and Still Photography.*—(1) Whenever a hearing or meeting conducted by the Committee or any subcommittee is open to the public, those proceedings shall be open to coverage by television, radio, and still photography subject to the requirements of Rule XI, clause 4 of the Rules of the House of Representatives and except when the hearing or meeting is closed pursuant to the Rules of the House of Representatives and of the Com-

mittee. The coverage of any hearing or meeting of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the Chairman of the Committee, the subcommittee chairman, or other member of the Committee presiding at such hearing or meeting and may be terminated by such member in accordance with the Rules of the House.

(2) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(3) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery.

(b) *Internet Broadcast.*—An open meeting or hearing of the committee or subcommittee may be covered and recorded, in whole or in part, by Internet broadcast, unless such meeting or hearing is closed pursuant to the Rules of the House and of the Committee. Such coverage shall be fair and nonpartisan and in accordance clause 4(b) of House Rule XI and other applicable rules of the House of Representatives and of the Committee. Members of the Committee shall have prompt access to any recording of such coverage to the extent that such coverage is maintained. Personnel providing such coverage shall be employees of the House of Representatives or currently accredited to the Radio and Television Correspondents' Galleries.

RULE 24.—CHANGES IN COMMITTEE RULES

The committee shall not consider a proposed change in these rules unless the text of such change has been delivered or electronically sent to all members and notice of its prior transmission has been in the hands of all members at least 48 hours prior to such consideration; a member of the Committee shall receive, upon his or her request, a paper copy of the such proposed change.

Committee on Energy and Commerce

JOE BARTON, Texas, *Chairman*

RALPH M. HALL, Texas
MICHAEL BILIRAKIS, Florida
FRED UPTON, Michigan
CLIFF STEARNS, Florida
PAUL E. GILLMOR, Ohio
NATHAN DEAL, Georgia
ED WHITFIELD, Kentucky
CHARLIE NORWOOD, Georgia
BARBARA CUBIN, Wyoming
JOHN SHIMKUS, Illinois
HEATHER WILSON, New Mexico
JOHN B. SHADEGG, Arizona
CHARLES W. "CHIP" PICKERING, Mississippi
VITO FOSSELLA, New York
ROY BLUNT, Missouri
STEVE BUYER, Indiana
GEORGE RADANOVICH, California
CHARLES F. BASS, New Hampshire
JOSEPH R. PITTS, Pennsylvania
MARY BONO, California
GREG WALDEN, Oregon
LEE TERRY, Nebraska
MIKE FERGUSON, New Jersey
MIKE ROGERS, Michigan
C. L. "BUTCH" OTTER, Idaho
SUE WILKINS MYRICK, North Carolina
JOHN SULLIVAN, Oklahoma
TIM MURPHY, Pennsylvania
MICHAEL C. BURGESS, Texas
MARSHA BLACKBURN, Tennessee

JOHN D. DINGELL, Michigan
HENRY A. WAXMAN, California
EDWARD J. MARKEY, Massachusetts
RICK BOUCHER, Virginia
EDOLPHUS TOWNS, New York
FRANK PALLONE, JR., New Jersey
SHERROD BROWN, Ohio
BART GORDON, Tennessee
BOBBY L. RUSH, Illinois
ANNA G. ESHOO, California
BART STUPAK, Michigan
ELIOT L. ENGEL, New York
ALBERT RUSSELL WYNN, Maryland
GENE GREEN, Texas
TED STRICKLAND, Ohio
DIANA DEGETTE, Colorado
LOIS CAPPS, California
MICHAEL F. DOYLE, Pennsylvania
THOMAS H. ALLEN, Maine
JIM DAVIS, Florida
JANICE D. SCHAKOWSKY, Illinois
HILDA L. SOLIS, California
CHARLES A. GONZALEZ, Texas
JAY INSLEE, Washington
TAMMY BALDWIN, Wisconsin
MIKE ROSS, Arkansas

(Adopted February 2, 2005)

RULE 1.—GENERAL PROVISIONS

(a) *Rules of the Committee.*—The Rules of the House are the rules of the Committee on Energy and Commerce (hereinafter the "Committee") and its subcommittees so far as is applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, is nondebatable and privileged in the Committee and its subcommittees.

(b) *Rules of the Subcommittees.*—Each subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as applicable. Written rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each subcommittee of the Committee.

RULE 2.—TIME AND PLACE OF MEETINGS

(a) *Regular Meeting Days.*—The Committee shall meet on the fourth Tuesday of each month at 10 a.m., for the consideration of bills, resolutions, and other business, if the House is in session on that day. If the House is not in session on that day and the Committee has not met during such month, the Committee shall meet at the earliest practicable opportunity when the House is again in session. The chairman of the Committee may, at his discretion, cancel, delay, or defer any meeting required under this section, after consultation with the ranking minority member.

(b) *Additional Meetings.*—The chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purposes pursuant to that call of the chairman.

(c) *Vice Chairmen; Presiding Member.*—The chairman shall designate a member of the majority party to serve as vice chairman of the Committee, and shall designate a majority member of each subcommittee to serve as vice chairman of each subcommittee. The vice chairman of the Committee or subcommittee, as the case may be, shall preside at any meeting or hearing during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting or hearing, the ranking member of the majority party who is present shall preside at the meeting or hearing.

(d) *Open Meetings and Hearings.*—Except as provided by the Rules of the House, each meeting of the Committee or any of its subcommittees for the transaction of business, including the markup of legislation, and each hearing, shall be open to the public including to radio, television and still photography coverage, consistent with the provisions of Rule XI of the Rules of the House.

RULE 3.—AGENDA

The agenda for each Committee or subcommittee meeting (other than a hearing), setting out the date, time, place, and all items of business to be considered, shall be provided to each member of the Committee at least 36 hours in advance of such meeting.

RULE 4.—PROCEDURE

(a)(1) *Hearings.*—The date, time, place, and subject matter of any hearing of the Committee or any of its subcommittees shall be announced at least one week in advance of the commencement of such hearing, unless the Committee or subcommittee determines in accordance with clause 2(g)(3) of Rule XI of the Rules of the House that there is good cause to begin the hearing sooner.

(2)(A) *Meetings.*—The date, time, place, and subject matter of any meeting (other than a hearing) scheduled on a Tuesday, Wednesday, or Thursday when the House will be in session, shall be announced at least 36 hours (exclusive of Saturdays, Sundays, and legal holidays except when the House is in session on such days) in advance of the commencement of such meeting.

(B) *Other Meetings.*—The date, time, place, and subject matter of a meeting (other than a hearing or a meeting to which subparagraph (A) applies) shall be announced at least 72 hours in advance of the commencement of such meeting.

(3) *Motions.*—Pursuant to clause 1(a)(2) of Rule XI of the Rules of the House, privileged motions to recess from day to day, or recess subject to the call of the Chair (within 24 hours), and to dispense with the first reading (in full) of a bill or resolution if printed copies are available shall be decided without debate.

(b)(1) *Requirements for Testimony.*—Each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee, at least two working days in advance of his or her appearance, sufficient copies, as determined by the chairman of the Committee or a subcommittee, of a written statement of his or her proposed testimony to provide to members and staff of the Committee or subcommittee, the news media, and the general public. Each witness shall, to the greatest extent practicable, also provide a copy of such written testimony in an electronic format prescribed by the chairman. Each witness shall limit his or her oral presentation to a brief summary of the argument. The chairman of the Committee or of a subcommittee, or the presiding member, may waive the requirements of this paragraph or any part thereof.

(2) *Additional Requirements for Testimony.*—To the greatest extent practicable, the written testimony of each witness appearing in a non-governmental capacity shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years by the witness or by an entity represented by the witness.

(c)(1) *Questioning Witnesses.*—The right to interrogate the witnesses before the Committee or any of its subcommittees shall alternate between majority and minority members. Each member shall be limited to 5 minutes in the interrogation of witnesses until such time as each member who so desires has had an opportunity to question witnesses. No member shall be recognized for a second period of 5 minutes to interrogate a witness until each member of the Committee present has been recognized once for that purpose. While the Committee or subcommittee is operating under the 5–minute rule for the interrogation of witnesses, the chairman shall recognize in order of appearance members who were not present when the meeting was called to order after all members who were present when the meeting was called to order have been recognized in the order of seniority on the Committee or subcommittee, as the case may be.

(2) *Questions for the Record.*—Each member may submit to the Chairman of the Committee or the subcommittee additional questions for the record, to be answered by the witnesses who have appeared. Each member shall provide a copy of the questions in an electronic format to the clerk of the Committee no later than ten business days following a hearing. The Chairman shall transmit all questions received from members of the Committee or the subcommittee to the appropriate witness, and include the transmittal letter and the responses from the witnesses in the hearing record.

(d) *Explanation of Subcommittee Action.*—No bill, recommendation, or other matter reported by a subcommittee shall be considered by the full Committee unless the text of the matter reported, together with an explanation, has been available to members of the Committee for at least 36 hours. Such explanation shall include a summary of the major provisions of the legislation, an explanation of the relationship of the matter to present law, and a summary of the need for the legislation. All subcommittee actions shall be reported promptly by the clerk of the Committee to all members of the Committee.

(e) *Opening Statements.*—(1) All written opening statements at hearings conducted by the committee or any of its subcommittees shall be made part of the permanent hearing record.

(2) Statements shall be limited to 5 minutes each for the chairman and ranking minority member (or their respective designee) of the Committee or subcommittee, as applicable, and 3 minutes each for all other members. With the consent of the Committee, prior to the recognition of the first witness for testimony, any Member, when recognized for an opening statement, may completely defer his or her opening statement and instead use those three minutes during the initial round of questioning.

(3) At any hearing of the full Committee, the chairman may limit opening statements for Members (including, at the discretion of the Chairman, the chairman and ranking minority member) to one minute. At any hearing conducted by any subcommittee, the chairman of that subcommittee, with the consent of its ranking minority member, may reduce the time for statements by members or defer statements until the conclusion of testimony.

RULE 5.—WAIVER OF AGENDA, NOTICE, AND LAYOVER REQUIREMENTS

Requirements of rules 3, 4(a)(2), and 4(d) may be waived by a majority of those present and voting (a majority being present) of the Committee or subcommittee, as the case may be.

RULE 6.—QUORUM

Testimony may be taken and evidence received at any hearing at which there are present not fewer than two members of the Committee or subcommittee in question. A majority of the members of the Committee shall constitute a quorum for the purposes of reporting any measure or matter, of authorizing a subpoena, or of closing a meeting or hearing pursuant to clause 2(g) of Rule XI of the Rules of the House (except as provided in clause 2(g)(2)(A) and (B)). For the purposes of taking any action other than those specified in the preceding sentence, one-third of the members of the Committee or subcommittee shall constitute a quorum.

RULE 7.—OFFICIAL COMMITTEE RECORDS

(a)(1) *Journal.*—The proceedings of the Committee shall be recorded in a journal which shall, among other things, show those present at each meeting, and include a record of the vote on any question on which a record vote is demanded and a description of

the amendment, motion, order, or other proposition voted. A copy of the journal shall be furnished to the ranking minority member.

(2) *Record Votes.*—A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. No demand for a record vote shall be made or obtained except for the purpose of procuring a record vote or in the apparent absence of a quorum. The result of each record vote in any meeting of the Committee shall be made available in the Committee office for inspection by the public, as provided in Rule XI, clause 2(e) of the Rules of the House.

(b) *Archived Records.*—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The chairman shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the Rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee. The chairman shall consult with the ranking minority member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the Rule.

RULE 8.—SUBCOMMITTEES

There shall be such standing subcommittees with such jurisdiction and size as determined by the majority party caucus of the Committee. The jurisdiction, number, and size of the subcommittees shall be determined by the majority party caucus prior to the start of the process for establishing subcommittee chairmanships and assignments.

RULE 9.—POWERS AND DUTIES OF SUBCOMMITTEES

Each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Committee on all matters referred to it. Subcommittee chairmen shall set hearing and meeting dates only with the approval of the chairman of the Committee with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings whenever possible.

RULE 10.—REFERENCE OF LEGISLATION AND OTHER MATTERS

All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks of the date of receipt by the Committee unless action is taken by the full committee within those two weeks, or by majority vote of the members of the Committee, consideration is to be by the full Committee. In the case of legislation or other matter within the jurisdiction of more than one subcommittee, the chairman of the Committee may, in his discretion, refer the matter simultaneously to two or more subcommittees for concurrent consideration, or may designate a subcommittee of primary jurisdiction and also refer the matter to one or more additional subcommittees for consideration in sequence (subject to appropriate time limitations), either on its

initial referral or after the matter has been reported by the subcommittee of primary jurisdiction. Such authority shall include the authority to refer such legislation or matter to an ad hoc subcommittee appointed by the chairman, with the approval of the Committee, from the members of the subcommittee having legislative or oversight jurisdiction.

RULE 11.—RATIO OF SUBCOMMITTEES

The majority caucus of the Committee shall determine an appropriate ratio of majority to minority party members for each subcommittee and the chairman shall negotiate that ratio with the minority party, provided that the ratio of party members on each subcommittee shall be no less favorable to the majority than that of the full Committee, nor shall such ratio provide for a majority of less than two majority members.

RULE 12.—SUBCOMMITTEE MEMBERSHIP

(a) *Selection of Subcommittee Members.*—Prior to any organizational meeting held by the Committee, the majority and minority caucuses shall select their respective members of the standing subcommittees.

(b) *Ex Officio Members.*—The chairman and ranking minority member of the Committee shall be ex officio members with voting privileges of each subcommittee of which they are not assigned as members and may be counted for purposes of establishing a quorum in such subcommittees.

RULE 13.—MANAGING LEGISLATION ON THE HOUSE FLOOR

The chairman, in his discretion, shall designate which member shall manage legislation reported by the Committee to the House.

RULE 14.—COMMITTEE PROFESSIONAL AND CLERICAL STAFF APPOINTMENTS

(a) *Delegation of Staff.*—Whenever the chairman of the Committee determines that any professional staff member appointed pursuant to the provisions of clause 9 of Rule X of the House of Representatives, who is assigned to such chairman and not to the ranking minority member, by reason of such professional staff member's expertise or qualifications will be of assistance to one or more subcommittees in carrying out their assigned responsibilities, he may delegate such member to such subcommittees for such purpose. A delegation of a member of the professional staff pursuant to this subsection shall be made after consultation with subcommittee chairmen and with the approval of the subcommittee chairman or chairmen involved.

(b) *Minority Professional Staff.*—Professional staff members appointed pursuant to clause 9 of Rule X of the House of Representatives, who are assigned to the ranking minority member of the Committee and not to the chairman of the Committee, shall be assigned to such Committee business as the minority party members of the Committee consider advisable.

(c) *Additional Staff Appointments.*—In addition to the professional staff appointed pursuant to clause 9 of Rule X of the House of Representatives, the chairman of the Committee shall be entitled to make such appointments to the professional and clerical staff of the Committee as may be provided within the budget approved for such purposes by the Committee. Such appointee shall be assigned to such business of the full Committee as the chairman of the Committee considers advisable.

(d) *Sufficient Staff.*—The chairman shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee.

(e) *Fair Treatment of Minority Members in Appointment of Committee Staff.*—The chairman shall ensure that the minority members of the Committee are treated fairly in appointment of Committee staff.

(f) *Contracts for Temporary or Intermittent Services.*—Any contract for the temporary services or intermittent service of individual consultants or organizations to make studies or advise the Committee or its subcommittees with respect to any matter within their jurisdiction shall be deemed to have been approved by a majority of the members of the Committee if approved by the chairman and ranking minority member of the Committee. Such approval shall not be deemed to have been given if at least one-third of the members of the Committee request in writing that the Committee formally act on such a contract, if the request is made within 10 days after the latest date on which such chairman or chairmen, and such ranking minority member or members, approve such contract.

RULE 15.—SUPERVISION, DUTIES OF STAFF

(a) *Supervision of Majority Staff.*—The professional and clerical staff of the Committee not assigned to the minority shall be under the supervision and direction of the chairman who, in consultation with the chairmen of the subcommittees, shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he determines appropriate.

(b) *Supervision of Minority Staff.*—The professional and clerical staff assigned to the minority shall be under the supervision and direction of the minority members of the Committee, who may delegate such authority as they determine appropriate.

RULE 16.—COMMITTEE BUDGET

(a) *Preparation of Committee Budget.*—The chairman of the Committee, after consultation with the ranking minority member of the Committee and the chairmen of the subcommittees, shall for the 109th Congress prepare a preliminary budget for the Committee, with such budget including necessary amounts for professional and clerical staff, travel, investigations, equipment and miscellaneous expenses of the Committee and the subcommittees, and which shall be adequate to fully discharge the Committee's responsibilities for legislation and oversight. Such budget shall be presented by the chairman to the majority party caucus of the Committee and thereafter to the full Committee for its approval.

(b) *Approval of the Committee Budget.*—The chairman shall take whatever action is necessary to have the budget as finally approved by the Committee duly authorized by the House. No proposed Committee budget may be submitted to the Committee on House Administration unless it has been presented to and approved by the majority party caucus and thereafter by the full Committee. The chairman of the Committee may authorize all necessary expenses in accordance with these rules and within the limits of the Committee's budget as approved by the House.

(c) *Monthly Expenditures Report.*—Committee members shall be furnished a copy of each monthly report, prepared by the chairman for the Committee on House Administration, which shows expenditures made during the reporting period and cumulative for the year by the Committee and subcommittees, anticipated expenditures for the projected Committee program, and detailed information on travel.

RULE 17.—BROADCASTING OF COMMITTEE HEARINGS

Any meeting or hearing that is open to the public may be covered in whole or in part by radio or television or still photography, subject to the requirements of clause 4 of Rule XI of the Rules of the House. The coverage of any hearing or other proceeding of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the chairman of the Committee, the subcommittee chairman, or other member of the Committee presiding at such hearing or other proceeding and may be terminated by such member in accordance with the Rules of the House.

RULE 18.—COMPTROLLER GENERAL AUDITS

The chairman of the Committee is authorized to request verification examinations by the Comptroller General of the United States pursuant to Title V, Part A of the Energy Policy and Conservation Act (Public Law 94–163), after consultation with the members of the Committee.

RULE 19.—SUBPOENAS

The Committee, or any subcommittee, may authorize and issue a subpoena under clause 2(m)(2)(A) of Rule XI of the House, if authorized by a majority of the members of the Committee or subcommittee (as the case may be) voting, a quorum being present. Authorized subpoenas may be issued over the signature of the chairman of the Committee or any member designated by the Committee, and may be served by any person designated by such chairman or member. The chairman of the Committee may authorize and issue subpoenas under such clause during any period for which the House has adjourned for a period in excess of 3 days when, in the opinion of the chairman, authorization and issuance of the subpoena is necessary to obtain the material set forth in the subpoena. The chairman shall report to the members of the Committee on the authorization and issuance of a subpoena during the recess period as soon as practicable but in no event later than one week after service of such subpoena.

RULE 20.—TRAVEL OF MEMBERS AND STAFF

(a) *Approval of Travel.*—Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the chairman. Travel may be authorized by the chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the chairman in writing the following: (1) the purpose of the travel; (2) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made; (3) the location of the event for which the travel is to be made; and (4) the names of members and staff seeking authorization.

(b) *Approval of Travel by Minority Members and Staff.*—In the case of travel by minority party members and minority party professional staff for the purpose set out in (a), the prior approval, not only of the chairman but also of the ranking minority member, shall be required. Such prior authorization shall be given by the chairman only upon the representation by the ranking minority member in writing setting forth those items enumerated in (1), (2), (3), and (4) of paragraph (a).

Committee on Financial Services

MICHAEL G. OXLEY, Ohio, *Chairman*

JAMES A. LEACH, Iowa
RICHARD H. BAKER, Louisiana
DEBORAH PRYCE, Ohio
SPENCER BACHUS, Alabama
MICHAEL N. CASTLE, Delaware
PETER T. KING, New York
EDWARD R. ROYCE, California
FRANK D. LUCAS, Oklahoma
ROBERT W. NEY, Ohio
SUE W. KELLY, New York, *Vice Chairman*
RON PAUL, Texas
PAUL E. GILLMOR, Ohio
JIM RYUN, Kansas
STEVEN C. LATOURETTE, Ohio
DONALD A. MANZULLO, Illinois
WALTER B. JONES, JR., North Carolina
JUDY BIGGERT, Illinois
CHRISTOPHER SHAYS, Connecticut
VITO FOSSELLA, New York
GARY G. MILLER, California
PATRICK J. TIBERI, Ohio
MARK R. KENNEDY, Minnesota
TOM FEENEY, Florida
JEB HENSARLING, Texas
SCOTT GARRETT, New Jersey
GINNY BROWN-WAITE, Florida
J. GRESHAM BARRETT, South Carolina
KATHERINE HARRIS, Florida
RICK RENZI, Arizona
JIM GERLACH, Pennsylvania
STEVAN PEARCE, New Mexico
RANDY NEUGEBAUER, Texas
TOM PRICE, Georgia
MICHAEL G. FITZPATRICK, Pennsylvania
GEOFF DAVIS, Kentucky
PATRICK T. MCHENRY, North Carolina

BARNEY FRANK, Massachusetts
PAUL E. KANJORSKI, Pennsylvania
MAXINE WATERS, California
CAROLYN B. MALONEY, New York
LUIS V. GUTIERREZ, Illinois
NYDIA M. VELÁZQUEZ, New York
MELVIN L. WATT, North Carolina
GARY L. ACKERMAN, New York
DARLENE HOOLEY, Oregon
JULIA CARSON, Indiana
BRAD SHERMAN, California
GREGORY W. MEEKS, New York
BARBARA LEE, California
DENNIS MOORE, Kansas
MICHAEL E. CAPUANO, Massachusetts
HAROLD E. FORD, JR., Tennessee
RUBÉN HINOJOSA, Texas
JOSEPH CROWLEY, New York
WM. LACY CLAY, Missouri
STEVE ISRAEL, New York
CAROLYN MCCARTHY, New York
JOE BACA, California
JIM MATHESON, Utah
STEPHEN F. LYNCH, Massachusetts
BRAD MILLER, North Carolina
DAVID SCOTT, Georgia
ARTUR DAVIS, Alabama
GENE GREEN, Texas
EMANUEL CLEAVER, Missouri
MELISSA L. BEAN, Illinois
DEBBIE WASSERMAN SCHULTZ, Florida
GWEN MOORE, Wisconsin,
BERNARD SANDERS, Vermont

(Adopted February 2, 2005)

RULE 1.—GENERAL PROVISIONS

(a) The rules of the House are the rules of the Committee on Financial Services (hereinafter in these rules referred to as the "Committee") and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are privileged motions in the Committee and shall be considered without debate. A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day).

(b) Each subcommittee is a part of the Committee, and is subject to the authority and direction of the Committee and to its rules so far as applicable.

(c) The provisions of clause 2 of Rule XI of the Rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

RULE 2.—MEETINGS

CALLING OF MEETINGS

(a)(1) The Committee shall regularly meet on the first Tuesday of each month when the House is in session.

(2) A regular meeting of the Committee may be dispensed with if, in the judgment of the Chairman of the Committee (hereinafter in these rules referred to as the "Chair"), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair, in accordance with clause 2(g)(3) of Rule XI of the Rules of the House.

(4) Special meetings shall be called and convened by the Chair as provided in clause 2(c)(2) of Rule XI of the Rules of the House.

NOTICE FOR MEETINGS

(b)(1) The Chair shall notify each member of the Committee of the agenda of each regular meeting of the Committee at least two calendar days before the time of the meeting.

(2) The Chair shall provide to each member of the Committee, at least two calendar days before the time of each regular meeting for each measure or matter on the agenda a copy of—

(A) the measure or materials relating to the matter in question; and

(B) an explanation of the measure or matter to be considered, which, in the case of an explanation of a bill, resolution, or similar measure, shall include a summary of the major provisions of the legislation, an explanation of the relationship of the measure to present law, and a summary of the need for the legislation.

(3) The agenda and materials required under this subsection shall be provided to each member of the Committee at least three calendar days before the time of the meeting where the measure or matter to be considered was not approved for full Committee consideration by a subcommittee of jurisdiction.

(4) The provisions of this subsection may be waived by a two thirds vote of the Committee, or by the Chair with the concurrence of the ranking minority member.

RULE 3.—MEETING AND HEARING PROCEDURES

IN GENERAL

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the member designated by the Chair as the Vice Chair of the Committee, or by the ranking majority member of the Committee present as Acting Chair.

(2) Meetings and hearings of the committee shall be open to the public unless closed in accordance with clause 2(g) of Rule XI of the Rules of the House.

(3) Any meeting or hearing of the Committee that is open to the public shall be open to coverage by television broadcast, radio broadcast, and still photography in accordance with the provisions of clause 4 of Rule XI of the Rules of the House (which are incorporated by reference as part of these rules). Operation and use of any Committee operated broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of Rule XI and all other applicable rules of the Committee and the House.

(4) Opening statements by members at the beginning of any hearing or meeting of the Committee shall be limited to 5 minutes each for the Chair or ranking minority member, or their respective designee, and 3 minutes each for all other members.

(5) No person, other than a Member of Congress, Committee staff, or an employee of a Member when that Member has an amendment under consideration, may stand in or be seated at the rostrum area of the Committee rooms unless the Chair determines otherwise.

QUORUM

(b)(1) For the purpose of taking testimony and receiving evidence, two members of the Committee shall constitute a quorum.

(2) A majority of the members of the Committee shall constitute a quorum for the purposes of reporting any measure or matter, of authorizing a subpoena, of closing a meeting or hearing pursuant to clause 2(g) of Rule XI of the Rules of the House (except as provided in clause 2(g)(2)(A) and (B)) or of releasing executive session material pursuant to clause 2(k)(7) of Rule XI of the Rules of the House.

(3) For the purpose of taking any action other than those specified in paragraph (2) one-third of the members of the Committee shall constitute a quorum.

VOTING

(c)(1) No vote may be conducted on any measure or matter pending before the Committee unless the requisite number of members of the Committee is actually present for such purpose.

(2) A record vote of the Committee shall be provided on any question before the Committee upon the request of one-fifth of the members present.

(3) No vote by any member of the Committee on any measure or matter may be cast by proxy.

(4) In accordance with clause 2(e)(1)(B) of Rule XI, a record of the vote of each member of the Committee on each record vote on any measure or matter before the Committee shall be available for public inspection at the offices of the Committee, and, with respect to any record vote on any motion to report or on any amendment, shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those members voting for and against.

(5) *Postponed Record Votes*.—(A) Subject to subparagraph (B), the Chairman may postpone further proceedings when a record

vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman may resume proceedings on a postponed request at any time, but no later than the next meeting day.

(B) In exercising postponement authority under subparagraph (A), the Chairman shall take all reasonable steps necessary to notify members on the resumption of proceedings on any postponed record vote;

(C) When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

HEARING PROCEDURES

(d)(1)(A) The Chair shall make public announcement of the date, place, and subject matter of any committee hearing at least one week before the commencement of the hearing, unless the Chair, with the concurrence of the ranking minority member, or the Committee by majority vote with a quorum present for the transaction of business, determines there is good cause to begin the hearing sooner, in which case the Chair shall make the announcement at the earliest possible date.

(B) Not less than three days before the commencement of a hearing announced under this paragraph, the Chair shall provide to the members of the Committee a concise summary of the subject of the hearing, or, in the case of a hearing on a measure or matter, a copy of the measure or materials relating to the matter in question and a concise explanation of the measure or matter to be considered.

(2) To the greatest extent practicable—

(A) each witness who is to appear before the Committee shall file with the Committee two business days in advance of the appearance sufficient copies (including a copy in electronic form), as determined by the Chair, of a written statement of proposed testimony and shall limit the oral presentation to the Committee to brief summary thereof; and

(B) each witness appearing in a non-governmental capacity shall include with the written statement of proposed testimony a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(3) The requirements of paragraph (2)(A) may be modified or waived by the Chair when the Chair determines it to be in the best interest of the Committee.

(4) The five-minute rule shall be observed in the interrogation of witnesses before the Committee until each member of the Committee has had an opportunity to question the witnesses. No member shall be recognized for a second period of 5 minutes to interrogate witnesses until each member of the Committee present has been recognized once for that purpose.

(5) Whenever any hearing is conducted by the Committee on any measure or matter, the minority party members of the Committee shall be entitled, upon the request of a majority of them before the

completion of the hearing, to call witnesses with respect to that measure or matter during at least one day of hearing thereon.

SUBPOENAS AND OATHS

(e)(1) Pursuant to clause 2(m) of Rule XI of the Rules of the House, 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, or pursuant to paragraph (2).

(2) The Chair, with the concurrence of the ranking minority member, may authorize and issue subpoenas under such clause during any period for which the House has adjourned for a period in excess of 3 days when, in the opinion of the Chair, authorization and issuance of the subpoena is necessary to obtain the material or testimony set forth in the subpoena. The Chair shall report to the members of the Committee on the authorization and issuance of a subpoena during the recess period as soon as practicable, but in no event later than one week after service of such subpoena.

(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.

(4) The Chair, or any member of the Committee designated by the Chair, may administer oaths to witnesses before the Committee.

SPECIAL PROCEDURES

(f)(1)(A) *Commemorative Medals and Coins.*—It shall not be in order for the Subcommittee on Domestic and International Monetary Policy, Trade, and Technology to hold a hearing on any commemorative medal or commemorative coin legislation unless the legislation is cosponsored by at least two-thirds of the members of the House.

(B) It shall not be in order for the subcommittee to approve a bill or measure authorizing commemorative coins for consideration by the full Committee which does not conform with the mintage restrictions established by section 5112 of title 31, United States Code.

(C) In considering legislation authorizing Congressional gold medals, the subcommittee shall apply the following standards—

(i) the recipient shall be a natural person;

(ii) the recipient shall have performed an achievement that has an impact on American history and culture that is likely to be recognized as a major achievement in the recipient's field long after the achievement;

(iii) the recipient shall not have received a medal previously for the same or substantially the same achievement;

(iv) the recipient shall be living or, if deceased, shall have been deceased for not less than 5 years and not more than 25 years;

(v) the achievements were performed in the recipient's field of endeavor, and represent either a lifetime of continuous superior achievements or a single achievement so significant that the recipient is recognized and acclaimed by others in the same

field, as evidenced by the recipient having received the highest honors in the field.

(2) *Testimony of Certain Officials.*—(A) Notwithstanding subsection (a)(4), when the Chair announces a hearing of the Committee for the purpose of receiving—

(i) testimony from the Chairman of the Federal Reserve Board pursuant to section 2B of the Federal Reserve Act (12 U.S.C. 221 et seq.), or

(ii) testimony from the Chairman of the Federal Reserve Board or a member of the President's cabinet at the invitation of the Chair, the Chair may, in consultation with the ranking minority member, limit the number and duration of opening statements to be delivered at such hearing. The limitation shall be included in the announcement made pursuant to subsection (d)(1)(A), and shall provide that the opening statements of all members of the Committee shall be made a part of the hearing record.

RULE 4.—PROCEDURES FOR REPORTING MEASURES OR MATTERS

(a) No measure or matter shall be reported from the Committee unless a majority of the Committee is actually present.

(b) The Chair of the Committee shall report or cause to be reported promptly to the House any measure approved by the Committee and take necessary steps to bring a matter to a vote.

(c) The report of the Committee on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the Committee a written request, signed by a majority of the members of the Committee, for the reporting of that measure pursuant to the provisions of clause 2(b)(2) of Rule XIII of the Rules of the House.

(d) All reports printed by the Committee pursuant to a legislative study or investigation and not approved by a majority vote of the Committee shall contain the following disclaimer on the cover of such report: "This report has not been officially adopted by the Committee on Financial Services and may not necessarily reflect the views of its Members."

(e) The Chair is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chair considers it appropriate.

RULE 5.—SUBCOMMITTEES

ESTABLISHMENT AND RESPONSIBILITIES OF SUBCOMMITTEES

(a)(1) There shall be 5 subcommittees of the Committee as follows:

(A) *Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises.*—The jurisdiction of the Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises includes—

(i) securities, exchanges, and finance;

(ii) capital markets activities;

(iii) activities involving futures, forwards, options, and other types of derivative instruments;

(iv) secondary market organizations for home mortgages including the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Federal Agricultural Mortgage Corporation;

(v) the Office of Federal Housing Enterprise Oversight;

(vi) the Federal Home Loan Banks; and

(vii) insurance generally.

(B) *Subcommittee on Domestic and International Monetary Policy, Trade, and Technology.*—The jurisdiction of the Subcommittee on Domestic and International Monetary Policy, Trade, and Technology includes—

(i) financial aid to all sectors and elements within the economy;

(ii) economic growth and stabilization;

(iii) defense production matters as contained in the Defense Production Act of 1950, as amended;

(iv) domestic monetary policy, and agencies which directly or indirectly affect domestic monetary policy, including the effect of such policy and other financial actions on interest rates, the allocation of credit, and the structure and functioning of domestic financial institutions;

(v) coins, coinage, currency, and medals, including commemorative coins and medals, proof and mint sets and other special coins, the Coinage Act of 1965, gold and silver, including the coinage thereof (but not the par value of gold), gold medals, counterfeiting, currency denominations and design, the distribution of coins, and the operations of the Bureau of the Mint and the Bureau of Engraving and Printing;

(vi) development of new or alternative forms of currency;

(vii) multilateral development lending institutions, including activities of the National Advisory Council on International Monetary and Financial Policies as related thereto, and monetary and financial developments as they relate to the activities and objectives of such institutions;

(viii) international trade, including but not limited to the activities of the Export-Import Bank;

(ix) the International Monetary Fund, its permanent and temporary agencies, and all matters related thereto; and

(x) international investment policies, both as they relate to United States investments for trade purposes by citizens of the United States and investments made by all foreign entities in the United States.

(C) *Subcommittee on Financial Institutions and Consumer Credit.*—The jurisdiction of the Subcommittee on Financial Institutions and Consumer Credit includes—

(i) all agencies, including the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System and the Federal Reserve System, the Office of Thrift Supervision, and the National Credit Union Administration, which directly or indirectly exercise supervisory or regulatory authority in connection with, or provide deposit in-

surance for, financial institutions, and the establishment of interest rate ceilings on deposits;

(ii) the chartering, branching, merger, acquisition, consolidation, or conversion of financial institutions;

(iii) consumer credit, including the provision of consumer credit by insurance companies, and further including those matters in the Consumer Credit Protection Act dealing with truth in lending, extortionate credit transactions, restrictions on garnishments, fair credit reporting and the use of credit information by credit bureaus and credit providers, equal credit opportunity, debt collection practices, and electronic funds transfers;

(iv) creditor remedies and debtor defenses, Federal aspects of the Uniform Consumer Credit Code, credit and debit cards, and the preemption of State usury laws;

(v) consumer access to financial services, including the Home Mortgage Disclosure Act and the Community Reinvestment Act;

(vi) the terms and rules of disclosure of financial services, including the advertisement, promotion and pricing of financial services, and availability of government check cashing services;

(vii) deposit insurance; and

(viii) consumer access to savings accounts and checking accounts in financial institutions, including lifeline banking and other consumer accounts.

(D) *Subcommittee on Housing and Community Opportunity.*—The jurisdiction of the Subcommittee on Housing and Community Opportunity includes—

(i) housing (except programs administered by the Department of Veterans Affairs), including mortgage and loan insurance pursuant to the National Housing Act; rural housing; housing and homeless assistance programs; all activities of the Government National Mortgage Association; private mortgage insurance; housing construction and design and safety standards; housing-related energy conservation; housing research and demonstration programs; financial and technical assistance for nonprofit housing sponsors; housing counseling and technical assistance; regulation of the housing industry (including landlord/tenant relations); and real estate lending including regulation of settlement procedures;

(ii) community development and community and neighborhood planning, training and research; national urban growth policies; urban/rural research and technologies; and regulation of interstate land sales;

(iii) government sponsored insurance programs, including those offering protection against crime, fire, flood (and related land use controls), earthquake and other natural hazards; and

(iv) the qualifications for and designation of Empowerment Zones and Enterprise Communities (other than matters relating to tax benefits).

(E) *Subcommittee on Oversight and Investigations.*—The jurisdiction of the Subcommittee on Oversight and Investigations includes—

(i) the oversight of all agencies, departments, programs, and matters within the jurisdiction of the Committee, including the development of recommendations with regard to the necessity or desirability of enacting, changing, or repealing any legislation within the jurisdiction of the Committee, and for conducting investigations within such jurisdiction; and

(ii) research and analysis regarding matters within the jurisdiction of the Committee, including the impact or probable impact of tax policies affecting matters within the jurisdiction of the Committee.

(2) In addition, each such subcommittee shall have specific responsibility for such other measures or matters as the Chair refers to it.

(3) Each subcommittee of the Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its general responsibility.

REFERRAL OF MEASURES AND MATTERS TO SUBCOMMITTEES

(b)(1) The Chair shall regularly refer to one or more subcommittees such measures and matters as the Chair deems appropriate given its jurisdiction and responsibilities. In making such a referral, the Chair may designate a subcommittee of primary jurisdiction and subcommittees of additional or sequential jurisdiction.

(2) All other measures or matters shall be subject to consideration by the full Committee.

(3) In referring any measure or matter to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(4) The Committee by motion may discharge a subcommittee from consideration of any measure or matter referred to a subcommittee of the Committee.

COMPOSITION OF SUBCOMMITTEES

(c)(1) Members shall be elected to each subcommittee and to the positions of chair and ranking minority member thereof, in accordance with the rules of the respective party caucuses. The Chair of the Committee shall designate a member of the majority party on each subcommittee as its vice chair.

(2) The Chair and ranking minority member of the Committee shall be ex officio members with voting privileges of each subcommittee of which they are not assigned as members and may be counted for purposes of establishing a quorum in such subcommittees.

(3) The subcommittees shall be comprised as follows:

(A) The Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises shall be comprised of 49 members, 26 elected by the majority caucus and 23 elected by the minority caucus.

(B) The Subcommittee on Domestic and International Monetary Policy, Trade, and Technology shall be comprised of 26 members, 14 elected by the majority caucus and 12 elected by the minority caucus.

(C) The Subcommittee on Financial Institutions and Commercial Credit shall be comprised of 47 members, 25 elected by the majority caucus and 22 elected by the minority caucus.

(D) The Subcommittee on Housing and Community Opportunity shall be comprised of 26 members, 14 elected by the majority caucus and 12 elected by the minority caucus.

(E) The Subcommittee on Oversight and Investigations shall be comprised of 20 members, 11 elected by the majority caucus and 9 elected by the minority caucus.

SUBCOMMITTEE MEETINGS AND HEARINGS

(d)(1) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it, consistent with subsection (a).

(2) No subcommittee of the Committee may meet or hold a hearing at the same time as a meeting or hearing of the Committee.

(3) The chair of each subcommittee shall set hearing and meeting dates only with the approval of the Chair with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings.

EFFECT OF A VACANCY

(e) Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of the subcommittee as long as the required quorum is present.

RECORDS

(f) Each subcommittee of the Committee shall provide the full Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee as the Chair deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 6.—STAFF

IN GENERAL

(a)(1) Except as provided in paragraph (2), the professional and other staff of the Committee shall be appointed, and may be removed by the Chair, and shall work under the general supervision and direction of the Chair.

(2) All professional and other staff provided to the minority party members of the Committee shall be appointed, and may be removed, by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member.

(3) It is intended that the skills and experience of all members of the Committee staff be available to all members of the Committee.

SUBCOMMITTEE STAFF

(b) From funds made available for the appointment of staff, the Chair of the Committee shall, pursuant to clause 6(d) of Rule X of the Rules of the House, ensure that sufficient staff is made available so that each subcommittee can carry out its responsibilities under the rules of the Committee and that the minority party is treated fairly in the appointment of such staff.

COMPENSATION OF STAFF

(c)(1) Except as provided in paragraph (2), the Chair shall fix the compensation of all professional and other staff of the Committee.

(2) The ranking minority member shall fix the compensation of all professional and other staff provided to the minority party members of the Committee.

RULE 7.—BUDGET AND TRAVEL

BUDGET

(a)(1) The Chair, in consultation with other members of the Committee, shall prepare for each Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

(2) From the amount provided to the Committee in the primary expense resolution adopted by the House of Representatives, the Chair, after consultation with the ranking minority member, shall designate an amount to be under the direction of the ranking minority member for the compensation of the minority staff, travel expenses of minority members and staff, and minority office expenses. All expenses of minority members and staff shall be paid for out of the amount so set aside.

TRAVEL

(b)(1) The Chair may authorize travel for any member and any staff member of the Committee in connection with activities or subject matters under the general jurisdiction of the Committee. Before such authorization is granted, there shall be submitted to the Chair in writing the following:

(A) The purpose of the travel.

(B) The dates during which the travel is to occur.

(C) The names of the States or countries to be visited and the length of time to be spent in each.

(D) The names of members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

RULE 8.—COMMITTEE ADMINISTRATION

RECORDS

(a)(1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the members of the Committee requests such printing. Any such transcripts shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks. Nothing in this paragraph shall be construed to require that all such transcripts be subject to correction and publication.

(2) The Committee shall keep a record of all actions of the Committee and of its subcommittees. The record shall contain all information required by clause 2(e)(1) of Rule XI of the Rules of the House and shall be available for public inspection at reasonable times in the offices of the Committee.

(3) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Chair, shall be the property of the House, and all Members of the House shall have access thereto as provided in clause 2(e)(2) of Rule XI of the Rules of the House.

(4) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House of Representatives. The Chair shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

COMMITTEE PUBLICATIONS ON THE INTERNET

(b) To the maximum extent feasible, the Committee shall make its publications available in electronic form.

Committee on Government Reform

TOM DAVIS, Virginia, *Chairman*

DAN BURTON, Indiana
CHRISTOPHER SHAYS, Connecticut, *Vice Chairman*
ILEANA ROS-LEHTINEN, Florida
JOHN M. MCHUGH, New York
JOHN L. MICA, Florida
GIL GUTKNECHT, Minnesota
MARK E. SOUDER, Indiana
STEVEN C. LATOURETTE, Ohio
TODD RUSSELL PLATTS, Pennsylvania
CHRIS CANNON, Utah
JOHN J. DUNCAN, JR., Tennessee
CANDICE S. MILLER, Michigan
MICHAEL R. TURNER, Ohio
DARRELL E. ISSA, California
GINNY BROWN-WAITE, Florida
JON C. PORTER, Nevada
KENNY MARCHANT, Texas
LYNN A. WESTMORELAND, Georgia
PATRICK T. MCHENRY, North Carolina
CHARLES W. DENT, Pennsylvania
VIRGINIA FOXX, North Carolina

HENRY A. WAXMAN, California, *Ranking Minority Member*
TOM LANTOS, California
MAJOR R. OWENS, New York
EDOLPHUS TOWNS, New York
PAUL E. KANJORSKI, Pennsylvania
CAROLYN B. MALONEY, New York
ELIJAH E. CUMMINGS, Maryland
DENNIS J. KUCINICH, Ohio
DANNY K. DAVIS, Illinois
WM. LACY CLAY, Missouri
DIANE E. WATSON, California
STEPHEN F. LYNCH, Massachusetts
CHRIS VAN HOLLEN, Maryland
LINDA T. SANCHEZ, California
C. A. DUTCH RUPPERSBERGER, Maryland
BRIAN HIGGINS, New York
ELEANOR HOLMES NORTON, District of Columbia

(Adopted February 9, 2005)

RULE 1.—APPLICATION OF RULES

Except where the terms "full committee" and "subcommittee" are specifically referred to, the following rules shall apply to the Committee on Government Reform and its subcommittees as well as to the respective chairmen.

RULE 2.—MEETINGS

The regular meetings of the full committee shall be held on the second Tuesday of each month at 10 a.m., when the House is in session. The chairman is authorized to dispense with a regular meeting or to change the date thereof, and to call and convene additional meetings, when circumstances warrant. A special meeting of the committee may be requested by members of the committee following the provisions of House Rule XI, clause 2(c)(2). Subcommittees shall meet at the call of the subcommittee chairmen. Every member of the committee or the appropriate subcommittee, unless prevented by unusual circumstances, shall be provided with a memorandum at least three calendar days before each meeting or hearing explaining (1) the purpose of the meeting or hearing; and (2) the names, titles, background and reasons for appearance of any witnesses. The ranking minority member shall be responsible for providing the same information on witnesses whom the minority may request.

RULE 3.—QUORUMS

(a) A majority of the members of the committee shall form a quorum, except that two members shall constitute a quorum for taking testimony and receiving evidence, and one-third of the members shall form a quorum for taking any action other than the reporting of a measure or recommendation. If the chairman is not present at any meeting of the committee or subcommittee, the ranking member of the majority party on the committee or subcommittee who is present shall preside at that meeting.

(b) The Chairman of the committee may, at the request of a subcommittee chairman, make a temporary assignment of any member of the committee to such subcommittee for the purpose of constituting a quorum at and participating in any public hearing by such subcommittee to be held outside of Washington, DC. Members appointed to such temporary positions shall not be voting members. The Chairman shall give reasonable notice of such temporary assignment to the ranking members of the committee and subcommittee.

RULE 4.—COMMITTEE REPORTS

Bills and resolutions approved by the committee shall be reported by the chairman following House Rule XIII, clauses 2 and 4.

A proposed report shall not be considered in subcommittee or full committee unless the proposed report has been available to the members of such subcommittee or full committee for at least three calendar days (excluding Saturdays, Sundays, and legal holidays, unless the House is in session on such days) before consideration of such proposed report in subcommittee or full committee. Any report will be considered as read if available to the members at least 24 hours before consideration, excluding Saturdays, Sundays, and legal holidays unless the House is in session on such days. If hearings have been held on the matter reported upon, every reasonable effort shall be made to have such hearings available to the members of the subcommittee or full committee before the consideration of the proposed report in such subcommittee or full committee. Every investigative report shall be approved by a majority vote of the committee at a meeting at which a quorum is present.

Supplemental, minority, or additional views may be filed following House Rule XI, clause 2(l) and Rule XIII, clause 3(a)(1). The time allowed for filing such views shall be three calendar days, beginning on the day of notice, but excluding Saturdays, Sundays, and legal holidays (unless the House is in session on such a day), unless the committee agrees to a different time, but agreement on a shorter time shall require the concurrence of each member seeking to file such views.

An investigative or oversight report may be filed after sine die adjournment of the last regular session of Congress, provided that if a member gives timely notice of intention to file supplemental, minority or additional views, that member shall be entitled to not less than seven calendar days in which to submit such views for inclusion with the report.

Only those reports approved by a majority vote of the committee may be ordered printed, unless otherwise required by the Rules of the House of Representatives.

RULE 5.—PROXY VOTES

In accordance with the Rules of the House of Representatives, members may not vote by proxy on any measure or matter before the committee or any subcommittee.

RULE 6.—RECORD VOTES

A record vote of the members may be had upon the request of any member upon approval of a one-fifth vote of the members present.

RULE 7.—RECORD OF COMMITTEE ACTIONS

The committee staff shall maintain in the committee offices a complete record of committee actions from the current Congress including a record of the rollcall votes taken at committee business meetings. The original records, or true copies thereof, as appropriate, shall be available for public inspection whenever the committee offices are open for public business. The staff shall assure that such original records are preserved with no unauthorized alteration, additions, or defacement.

RULE 8.—SUBCOMMITTEES; REFERRALS

(a) There shall be seven standing subcommittees with appropriate party ratios. The Chairman shall assign members to subcommittees. Minority party assignments shall be made only with the concurrence of the Ranking Minority Member. The subcommittees shall have the following fixed jurisdictions:

(i) *Subcommittee on National Security, Emerging Threats, and International Relations.*—All matters relating to the oversight of national security, emerging threats, veterans affairs, homeland security, and international relations, including anti-terrorism efforts, both foreign and domestic, and international trade.

(ii) *Subcommittee on Criminal Justice, Drug Policy, and Human Resources.*—All matters relating to the criminal justice system, the nation's counter-narcotics programs, both foreign and domestic, and food and drug safety; all matters relating to the oversight of the Judiciary, public health and welfare, education, arts, the humanities, publicly sponsored media, and the National Parks.

(iii) *Subcommittee on Government Management, Finance, and Accountability.*—All matters relating to financial management of executive departments and agencies, excluding acquisition; all matters relating to governmental accounting measures; all matters relating to the overall efficiency and management of government operations including program assessment and review and excluding Federal property; all matters relating to public records, including presidential records, the public access to records, advisory committees, and the Archives; and all mat-

ters relating to the oversight of financial services, government-sponsored enterprises, and the nation's economic growth.

(iv) *Subcommittee on and Regulatory Affairs.*—All matters relating to regulatory reform, Congressional review, the costs of regulation, and paperwork reduction measures; and all matters relating to the oversight of tax policy.

(v) *Subcommittee on Federalism and the Census.*—All matters relating to inter-governmental relations and aid to the States and localities, including unfunded mandates, grant management reform, brownfields clean-up and redevelopment, and infrastructure; all matters relating to population and demography generally, including the Census, and the Bureau of Economic Analysis. All matters relating to the oversight of housing and urban development.

(vi) *Subcommittee on Energy and Resources.*—All matters related to the oversight of environmental policy, natural resources, and federal land; and all matters related to the oversight of energy policy, commerce, housing, and urban development.

(vii) *Subcommittee on the Federal Workforce and Agency Organization.*—All matters relating to the federal civil service, including personnel, compensation, employment benefits and employee relations; all matters relating to reorganizations of the executive branch including the study of redundancy; and all matters relating to the oversight of workforce, retirement, and health policy.

(b) The full committee shall retain jurisdiction over federal acquisition policy, federal property, information management, technology policy, the Postal Service, and the District of Columbia.

(c) Bills, resolutions, and other matters shall be expeditiously referred by the Chairman to subcommittees for consideration or investigation in accordance with their fixed jurisdictions. Where the subject matter of the referral involves the jurisdiction of more than one subcommittee or does not fall within any previously assigned jurisdiction, the chairman shall refer the matter as he may deem advisable. Bills, resolutions, and other matters referred to subcommittees may be reassigned by the Chairman when, in his judgment, the subcommittee is not able to complete its work or cannot reach agreement therein. In a subcommittee having an even number of members, if there is a tie vote with all members voting on any measure, the measure shall be placed on the agenda for full committee consideration as if it had been ordered reported by the subcommittee without recommendation. This provision shall not preclude further action on the measure by the subcommittee.

RULE 9.—EX OFFICIO MEMBERS

The chairman and the ranking minority member of the committee shall be ex officio members of all subcommittees. They are authorized to vote on subcommittee matters; but, unless they are regular members of the subcommittee, they shall not be counted in determining a subcommittee quorum other than a quorum for taking testimony.

RULE 10.—STAFF

Except as otherwise provided by House Rule X, clauses 6, 7 and 9, the chairman of the full committee shall have the authority to hire and discharge employees of the professional and clerical staff of the full committee and of subcommittees.

RULE 11.—STAFF DIRECTION

Except as otherwise provided by House Rule X, clauses 6, 7 and 9, the staff of the committee shall be subject to the direction of the chairman of the full committee and shall perform such duties as he may assign.

RULE 12.—HEARING DATES AND WITNESSES

(a) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it.

(b) No subcommittee of the Committee may meet or hold a hearing at the same time as a meeting or hearing of the Committee.

(c) The chairman of each subcommittee shall set hearing and meeting dates only with the approval of the Chairman with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings.

(d) Each subcommittee chairman shall notify the Chairman of any hearing plans at least two weeks before the date of commencement of hearings, including the date, place, subject matter, and the names of witnesses, willing and unwilling, who would be called to testify, including, to the extent he is advised thereof, witnesses whom the minority members may request.

(e) Witnesses appearing before the committee shall so far as practicable, submit written statements at least 24 hours before their appearance and, when appearing in a non governmental capacity, provide a curriculum vitae and a listing of any Federal Government grants and contracts received in the previous fiscal year.

RULE 13.—OPEN MEETINGS

Meetings for the transaction of business and hearings of the committee shall be open to the public or closed in accordance with Rule XI of the House of Representatives.

RULE 14.—FIVE-MINUTE RULE

(a) A committee member may question a witness only when recognized by the chairman for that purpose. In accordance with House Rule XI, clause 2(j)(2), each committee member may request up to five minutes to question a witness until each member who so desires has had such opportunity. Until all such requests have been satisfied, the chairman shall, so far as practicable, recognize alternately based on seniority of those majority and minority members present at the time the hearing was called to order and others based on their arrival at the hearing. After that, additional time may be extended at the direction of the chairman.

(b) The chairman, with the concurrence of the ranking minority member, or the committee by motion, may permit an equal number of majority and minority members to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(c) The chairman, with the concurrence of the ranking minority member, or the committee by motion, may permit committee staff of the majority and minority to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(d) Nothing in paragraph (b) or (c) affects the rights of a Member (other than a Member designated under paragraph (b)) to question a witness for 5 minutes in accordance with paragraph (a) after the questioning permitted under paragraph (b) or (c). In any extended questioning permitted under paragraph (b) or (c), the chairman shall determine how to allocate the time permitted for extended questioning by majority members or majority committee staff and the ranking minority member shall determine how to allocate the time permitted for extended questioning by minority members or minority committee staff. The chairman or the ranking minority member, as applicable, may allocate the time for any extended questioning permitted to staff under paragraph (c) to members.

RULE 15.—INVESTIGATIVE HEARING PROCEDURES

Investigative hearings shall be conducted according to the procedures in House Rule XI, clause 2(k). All questions put to witnesses before the committee shall be relevant to the subject matter before the committee for consideration, and the chairman shall rule on the relevance of any questions put to the witnesses.

RULE 16.—STENOGRAPHIC RECORD

A stenographic record of all testimony shall be kept of public hearings and shall be made available on such conditions as the chairman may prescribe.

RULE 17.—AUDIO AND VISUAL COVERAGE OF COMMITTEE PROCEEDINGS

(a) An open meeting or hearing of the committee or a subcommittee may be covered, in whole or in part, by television broadcast, radio broadcast, Internet broadcast, and still photography, unless closed subject to the provisions of House Rule XI, clause 2(g). Any such coverage shall conform with the provisions of House Rule XI, clause 4.

(b) Use of the Committee Broadcast System shall be fair and nonpartisan, and in accordance with House Rule XI, clause 4(b), and all other applicable rules of the House of Representatives and the Committee on Government Reform. Members of the committee shall have prompt access to a copy of coverage by the Committee Broadcast System, to the extent that such coverage is maintained.

(c) Personnel providing coverage of an open meeting or hearing of the committee or a subcommittee by Internet broadcast, other than through the Committee Broadcast System, shall be currently accredited to the Radio and Television Correspondents' Galleries.

RULE 18.—ADDITIONAL DUTIES AND AUTHORITIES OF CHAIRMAN

The chairman of the full committee shall:

(a) Make available to other committees the findings and recommendations resulting from the investigations of the committee or its subcommittees as required by House Rule X, clause 4(c)(2);

(b) Direct such review and studies on the impact or probable impact of tax policies affecting subjects within the committee's jurisdiction as required by House Rule X, clause 2(c);

(c) Submit to the Committee on the Budget views and estimates required by House Rule X, clause 4(f), and to file reports with the House as required by the Congressional Budget Act;

(d) 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;

(e) Prepare, after consultation with subcommittee chairmen and the minority, a budget for the committee, which shall include an adequate budget for the subcommittees to discharge their responsibilities;

(f) Make any necessary technical and conforming changes to legislation reported by the committee upon unanimous consent; and

(g) Designate a vice chairman from the majority party.

(h) The Chairman is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

RULE 19.—SUBJECTS OF STAMPS

The committee has adopted the policy that the determination of the subject matter of commemorative stamps and new semi-postal issues is properly for consideration by the Postmaster General and that the committee will not give consideration to legislative proposals specifying the subject matter of commemorative stamps and new semi-postal issues. It is suggested that recommendations for the subject matter of stamps be submitted to the Postmaster General.

RULE 20.—PANELS AND TASK FORCES

(a) The chairman of the committee is authorized to appoint panels or task forces to carry out the duties and functions of the committee.

(b) The chairman and ranking minority member of the committee may serve as ex-officio members of each panel or task force.

(c) The chairman of any panel or task force shall be appointed by the chairman of the committee. The ranking minority member shall select a ranking minority member for each panel or task force.

(d) The House and committee rules applicable to subcommittee meetings, hearings, recommendations and reports shall apply to the meetings, hearings, recommendations and reports of panels and task forces.

(e) No panel or task force so appointed shall continue in existence for more than six months. A panel or task force so appointed

may, upon the expiration of six months, be reappointed by the chairman.

Committee on Homeland Security

CHRIS COX, California, *Chairman*

DON YOUNG, Alaska
LAMAR S. SMITH, Texas
CURT WELDON, Pennsylvania
CHRISTOPHER SHAYS, Connecticut
PETER T. KING, New York
JOHN LINDER, Georgia
MARK E. SOUDER, Indiana
TOM DAVIS, Virginia
DANIEL E. LUNGREN, California
JIM GIBBONS, Nevada
ROB SIMMONS, Connecticut
MIKE ROGERS, Alabama
STEVAN PEARCE, New Mexico
KATHERINE HARRIS, Florida
BOBBY JINDAL, Louisiana
DAVE G. REICHERT, Washington
MICHAEL McCAUL, Texas
CHARLIE DENT, Pennsylvania

BENNIE G. THOMPSON, Mississippi
LORETTA SANCHEZ, California
EDWARD J. MARKEY, Massachusetts
NORMAN D. DICKS, Washington
JANE HARMAN, California
PETER A. DeFAZIO, Oregon
NITA M. LOWEY, New York
ELEANOR HOLMES NORTON, District of Columbia
ZOE LOFGREN, California
SHEILA JACKSON-LEE, Texas
BILL PASCRELL, Jr., New Jersey
DONNA M. CHRISTENSEN, U.S. Virgin Islands
BOB ETHERIDGE, North Carolina
JAMES R. LANGEVIN, Rhode Island
KENDRICK B. MEEK, Florida

(Adopted February 9, 2005)

RULE I.—GENERAL PROVISIONS

(A) *Applicability of the Rules of the U.S. House of Representatives.*—The Rules of the U.S. House of Representatives (the "House") are the rules of the Committee on Homeland Security (the "Committee") and its subcommittees insofar as applicable.

(B) *Applicability to Subcommittees.*—Except where the terms "full Committee" and "subcommittee" are specifically referred to, the following rules shall apply to the Committee's subcommittees and their respective Chairmen and Ranking Minority Members to the same extent as they apply to the full Committee and its Chairman and Ranking Minority Member.

(C) *Appointments by the Chairman.*—The Chairman of the Committee ("the Chairman") shall appoint a Member of the majority party to serve as Vice Chairman of the Committee. The Chairman shall appoint other Members of the majority party to serve as Chairmen of each of the subcommittees.

(D) *Referral of Bills by Chairman.*—Except for bills or measures retained by the Chairman for full Committee consideration or discharged by the Chairman, every bill or other measure referred to the Committee shall be referred by the Chairman to the appropriate subcommittee within two weeks of receipt by the Committee for consideration in accordance with its jurisdiction. Where the subject matter of the referral involves the jurisdiction of more than one subcommittee or does not fall within any previously assigned jurisdiction, the Chairman will refer the matter as he or she deems advisable. Bills, resolutions, and other matters referred to subcommittees may be reassigned or discharged by the Chairman when, in

his or her sole judgment, the subcommittee is not able to complete its work or cannot reach agreement on the matter in a timely manner.

(E) *Recommendation of Conferees.*—Whenever the Speaker of the House is to appoint a conference committee on a matter within the jurisdiction of the Committee, the Chairman shall recommend to the Speaker of the House conferees from the Committee. In making recommendations of minority Members as conferees, the Chairman shall do so with the concurrence of the Ranking Minority Member of the Committee.

(F) *Motions To Disagree.*—The Chairman is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

RULE II.—MEETINGS AND HEARINGS

(A) *Regular Meeting Date.*—The regular meeting date and time for the transaction of business of the Committee shall be at 10:00 a.m. on the first Wednesday that the House is in Session each month, unless otherwise directed by the Chairman.

(B) *Additional Meetings.*—The Chairman may call and convene, as he or she considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purposes pursuant to the call of the Chairman.

(C) *Consideration.*—Except in the case of a special meeting held under clause 2(c)(2) of House Rule XI, the determination of the business to be considered at each meeting of the Committee shall be made by the Chairman.

(D) *Notice.*—

(1)*Hearings.*—The date, time, place and subject matter of any hearing of the Committee shall, except as provided in the Committee rules, be announced by notice at least one week in advance of the commencement of such hearing. The names of all witnesses scheduled to appear at such hearing shall be provided to Members no later than 48 hours prior to the commencement of such hearing. These notice requirements may be abridged or waived in extraordinary circumstances, as determined by the Chairman with the concurrence of the Ranking Minority Member.

(2) *Meetings.*—The date, time, place and subject matter of any meeting, other than a hearing or a regularly scheduled meeting, shall be announced at least 36 hours in advance for a meeting taking place on a day the House is in session, and 72 hours in advance of a meeting taking place on a day the House is not in session, except in the case of a special meeting called under clause 2(c)(2) of House Rule XI. These notice requirements may be abridged or waived in extraordinary circumstances, as determined by the Chairman in consultation with the Ranking Minority Member.

(3) *Publication.*—The meeting announcement shall be published in the Daily Digest portion of the Congressional Record.

(E) *Open Meetings.*—All meetings of the Committee shall be open to the public except when the Committee, in open session and with

a majority present, determines by recorded vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or rule of the House, in accordance with clause 2(g) or 2(k) of House Rule XI.

(F) *Quorum Requirements.*—Two Members shall constitute a quorum for the purposes of receiving testimony and evidence at a duly noticed hearing or meeting. One-third of the Members of the Committee shall constitute a quorum for the transaction of business, except that a majority of the Committee shall constitute a quorum for ordering a report, entering executive session, releasing executive session material, issuing a subpoena, immunizing a witness, reporting contempt, or where otherwise required under the rules of the House.

(G) *Opening Statements.*—At any meeting of the full Committee, the Chairman and Ranking Minority Member shall be entitled to present oral opening statements of five minutes each. Other Members may submit written opening statements for the record. In the case of a meeting of any subcommittee, the Chairmen and Ranking Minority Members of the subcommittee and the full Committee shall be entitled to present oral opening statements of five minutes each, and other Members may submit written opening statements for the record. At any hearing of the full Committee, the Chairman of the full Committee, and at any hearing of a subcommittee, the Chairman of that subcommittee, in his or her discretion and with the concurrence of the Ranking Minority Member of the full Committee or of that subcommittee, respectively, may permit additional opening statements by other Members of the full Committee or of that subcommittee at the hearing in question.

(H) *Questioning of Witnesses.*—Committee questioning of witnesses shall be conducted by any Member of the Committee, as well as by such Committee staff as may be authorized by the Chairman or presiding Member to question such witnesses. Committee Members or authorized staff may question witnesses only when recognized by the Chairman for that purpose.

(1) *Time Limitation.*—In the course of any hearing, Members shall be limited to five minutes on the initial round of questioning. No Member shall be recognized for a second opportunity to question a witness until each Member of the Committee who is present has been recognized for that purpose.

(2) *Order of Recognition.*—In questioning witnesses, the Chairman and the Ranking Minority Member shall be recognized first, after which Members who are in attendance when the Chairman gavels the hearing to order will be recognized in the order of their seniority on the Committee, alternating between majority and minority Members. Members arriving after the commencement of a hearing shall be recognized after all Members present at the beginning of the hearing have been recognized, in the order of their appearance, alternating between majority and minority Members.

(3) *Alternative Questioning Procedure.*—The Chairman, or the Committee by motion, may permit an equal number of majority and minority Members to question a witness for a speci-

fied, total period that is equal for each side and not longer than 30 minutes for each side. The Chairman, or the Committee by motion, may permit Committee staff of the majority and minority to question a witness for a specified, total period that is equal for each side and not longer than 30 minutes for each side.

(I) *Oath or Affirmation.*—Whenever the full Committee or the Subcommittee on Management, Integration, and Oversight holds a hearing or meeting that the Chairman has designated as an investigatory hearing or meeting in order to take testimony or consider other evidence, the testimony of any person before such Committee or Subcommittee shall be given under oath or affirmation administered by the Chairman or his designee.

(J) *Statements by Witnesses.*—

(1) Witnesses shall submit a prepared or written statement for the record of the proceedings (including, where practicable an electronic copy) with the Clerk of the Committee, and insofar as practicable and consistent with the notice given, shall do so no less than 48 hours in advance of the witness' appearance before the Committee, unless such requirement is waived or otherwise modified by the Chairman in consultation with the Ranking Minority Member.

(2) To the greatest extent practicable, the written testimony of each witness appearing in a non-governmental capacity shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years by the witness or by an entity represented by the witness.

(K) *Objections and Ruling.*—Except as otherwise provided by the rules of the House, any objection raised by a witness shall be ruled upon by the Chairman or other presiding Member, and such ruling shall be the ruling of the Committee unless a Member of the Committee appeals the ruling of the chair and a majority of the Committee present fails to sustain the ruling of the chair.

(L) *Transcripts.*—A transcript shall be made of the testimony of each witness appearing before the Committee during a Committee hearing. All hearings of the Committee which are open to the public shall be printed and made available.

(M) *Minority Witnesses.*—Whenever a hearing is conducted by the Committee upon any measure or matter, the minority party Members on the Committee shall be entitled, upon request to the Chairman by a majority of those minority Members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(N) *Contempt Procedures.*—No recommendation that a person be cited for contempt of Congress shall be forwarded to the House unless and until the Committee has, upon notice to all its Members, met and considered the alleged contempt. The person to be cited for contempt shall be afforded, upon notice of at least 72 hours, an opportunity to state why he or she should not be held in contempt, prior to a vote of all the Committee, a quorum being present, on

the question whether to forward such recommendation to the House. Such statement shall be, in the discretion of the Chairman, either in writing or in person before the Committee.

(O) *The Five-Minute Rule.*—The time any one Member may address the Committee on any bill, motion, or other matter under consideration by the Committee shall not exceed five minutes, and then only when the Member has been recognized by the Chairman, except that this time limit may be exceeded when permitted by unanimous consent.

(P) *Postponement of Vote.*—The Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman may resume proceedings on a postponed vote at any time, provided that all reasonable steps have been taken to notify Members of the resumption of such proceedings. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(Q) *Breaches of Decorum.*—The Chairman may punish breaches of order and decorum, by censure and exclusion from the hearing; and the Committee may cite the offender to the House for contempt.

(R) *Access to Dais.*—Access to the dais during and before a hearing, mark-up or other meeting of the Committee shall be limited to Members and staff of the Committee, and staff of Members of the Committee.

(S) *Cellular Telephones.*—The ringing or conversational use of cellular telephones is prohibited on the Committee dais or in the Committee hearing room during a hearing, mark-up, or other meeting of the Committee.

(T) *Broadcasting.*—Whenever any hearing or meeting conducted by the Committee is open to the public, the Committee shall permit that hearing or meeting to be covered by television broadcast, internet broadcast, print media, and still photography, or by any of such methods of coverage, subject to the provisions of the Legislative Reorganization Act of 1970 (Section 116(b) and House Rule XI. Priority shall be given by the Committee to members of the Press Galleries.

RULE III.—SUBPOENAS

(A) *Authorization.*—The Committee, or any subcommittee, may authorize and issue a subpoena under clause 2(m)(2)(A) of Rule XI of the House, if authorized by a majority of the members of the Committee or subcommittee (as the case may be) voting, a quorum being present. The power to authorize and issue subpoenas is also delegated to the Chairman of the full Committee, in consultation with the Ranking Minority Member, as provided for under clause 2(m)(3)(A)(i) of Rule XI of the House of Representatives. Subpoenas shall be issued under the seal of the House and attested by the Clerk of the House, and may be served by any person designated by the Chairman. Subpoenas shall be issued under the Chairman's signature or that of a Member designated by the Committee.

(B) *Disclosure.*—Provisions may be included in a subpoena, by concurrence of the Chairman and Ranking Minority Member, or by the Committee, to prevent the disclosure of Committee demands for information when deemed necessary for the security of information or the progress of an investigation, including but not limited to prohibiting the revelation by witnesses and their counsel of Committee inquiries.

(C) *Subpoena duces tecum.*—A subpoena duces tecum may be issued whose return shall occur at a time and place other than that of a regularly scheduled meeting.

(D) *Requests for Investigations.*—Requests for investigations, reports, and other assistance from any agency of the executive, legislative, and judicial branches of the federal government shall be made by the Chairman, upon consultation with the Ranking Minority Member, or by the Committee.

(E) *Affidavits and Depositions.*—The Chairman, in consultation with the Ranking Member, or the Committee may authorize the taking of an affidavit or deposition with respect to any person who is subpoenaed under these rules but who is unable to appear in person to testify as a witness at any hearing or meeting.

RULE IV.—SUBCOMMITTEES

(A) *Generally.*—The Committee shall be organized to consist of five standing subcommittees with the following jurisdiction:

(1) *Subcommittee on Prevention of Nuclear and Biological Attack.*—Prevention of terrorist attacks on the United States involving nuclear and biological weapons, including the Department of Homeland Security's role in nuclear and biological counter-proliferation and detection of fissile materials, biological weapons, precursors, and production equipment; the Department of Homeland Security's role in detecting and interdicting commerce in and transit of nuclear and biological weapons, components, precursors, delivery systems, and production equipment; development and deployment of sensors to detect nuclear and biological weapons, components, precursors, and production equipment; inspections conducted domestically and abroad to detect and interdict nuclear and biological weapons, components, precursors, delivery systems, and production equipment; nuclear and biological threat certification and characterization; preventative use of technology, including forensic analytic techniques, to attribute nuclear and biological weapons-related samples to their sources; border, port, and transportation security designed to prevent nuclear and biological attacks on the United States; integration of federal, state, and local efforts to prevent nuclear and biological attacks, including coordination of border security initiatives for this purpose; conducting relevant oversight; and other matters referred to the Subcommittee by the Chairman.

(2) *Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment.*—Intelligence and information sharing for the purpose of preventing, preparing for, and responding to potential terrorist attacks on the United States; the responsibility of the Department of Homeland Security for comprehensive, nationwide, terrorism-related threat, vulner-

ability, and risk analyses; the integration, analysis, and dissemination of homeland security information, including the Department of Homeland Security's participation in, and interaction with, other public and private sector entities for any of those purposes; communications of terrorism-related information by the federal government to State, local, and private sector entities; issuance of terrorism threat advisories and warnings (including administration of the Homeland Security Advisory System); liaison of the Department of Homeland Security with U.S. intelligence and law enforcement agencies; information gathering, analysis, and sharing by Department of Homeland Security entities; the role of intelligence in terrorism threat prioritization; conducting relevant oversight; and other matters referred to the Subcommittee by the Chairman.

(3) *Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity.*—Development of strategies to protect against terrorist attack against the United States; prioritizing risks through analytical tools and cost/benefit analyses; prioritizing investment in critical infrastructure protection across all sectors, including transportation (air, land, sea, and intermodal, both domestic and international); defeating terrorist efforts to inflict economic costs through threats and violence; mitigation of potential consequences of terrorist attacks on critical infrastructure, and related target hardening strategies; border, port, and transportation security; in the wake of an attack on one sector, ensuring the continuity of other sectors including critical government, business, health, financial, commercial, and social service functions; security of computer, telecommunications, information technology, industrial control systems, electronic infrastructure, and data systems; protecting government and private networks and computer systems from domestic and foreign attack; preventing potential injury to civilian populations and physical infrastructure resulting, directly or indirectly, from cyber attacks; with respect to each of the foregoing, assessing the impact of potential protective measures on the free flow of commerce and the promotion of economic growth; conducting relevant oversight; and other matters referred to the Subcommittee by the Chairman.

(4) *Subcommittee on Management, Integration, and Oversight.*—Oversight of Department of Homeland Security progress in implementing the management and organizational directives of the Homeland Security Act and other homeland security-related mandates; Department of Homeland Security offices responsible for the provision of department-wide services, including the Under Secretary for Management, the Chief Information Officer, and the Chief Financial Officer; cross-directorate, Department-wide standardization and programmatic initiatives; investigations and reports by the Inspector General of the Department of Homeland Security; standardization and security of Department of Homeland Security communications systems and information technology infrastructure; harmonization and effectiveness of Department of Homeland Security budgeting, acquisition, procurement, personnel, and financial

management systems; incentives and barriers to hiring that affect Department components; Department of Homeland Security-initiated internal reorganizations; conducting relevant oversight; and other matters referred to the Subcommittee by the Chairman.

(5) *Subcommittee on Emergency Preparedness, Science, and Technology.*—Preparedness for and collective response to terrorism, including federal support to first responders; terrorism-related incident management and response; consequence mitigation; Department of Homeland Security-administered homeland security grants to first responders; conduct and coordination of exercises and training relating to mitigating the effects of and responding to terrorist attacks (including nuclear, biological, radiological, and chemical attacks on civilian populations); federal government coordination of terrorism-related emergency preparedness and response with and among state and local governments, the private sector, and the public; research, development and deployment of technology for combating terrorism; adaptation of existing technologies to homeland security prevention priorities; coordination and enhancement of Department of Homeland Security interaction on science and technology matters with the private sector, federally funded research and development centers, educational institutions, the National Laboratories, and other scientific resources; Department of Homeland Security-based science and technology entities and initiatives; conducting relevant oversight; and other matters referred to the Subcommittee by the Chairman.

(B) *Powers and Duties of Subcommittees.*—Except as otherwise directed by the Chairman of the full Committee, each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Committee on all matters within its jurisdiction. Subcommittee chairmen shall set hearing and meeting dates only with the approval of the Chairman of the Committee.

(C) *Selection and Ratio of Subcommittee Members.*—The Chairman and Ranking Member shall select their respective Members of each Subcommittee. The ratio of majority to minority Members shall be comparable to the ratio of majority to minority Members on the full Committee, except that each subcommittee shall have at least two more majority Members than minority Members.

(D) *Ex Officio Members.*—The Chairman and the Ranking Minority Member of the Committee shall be ex officio members of all subcommittees, with full rights as a member of each subcommittee. They are authorized to vote on all matters that arise before any subcommittee, and may be counted for purposes of establishing a quorum in such subcommittees.

(E) *Special Voting Provision.*—If a tie vote occurs in a subcommittee on the question of reporting any measure to the full Committee, the measure shall be placed on the agenda for full Committee consideration as if it had been ordered reported by the subcommittee without recommendation.

RULE V.—COMMITTEE STAFF

(A) *Generally.*—Members of the Committee staff shall work collegially, with discretion, and always with the best interests of the Nation's security foremost in mind. Committee business shall, whenever possible, take precedence over other official and personal business. For the purpose of these rules, Committee staff means the employees of the Committee, consultants engaged by the Committee, and any other person engaged by contract, or otherwise, to perform services for, or at the request of, the Committee, including detailees and fellows. All such persons shall be subject to the same requirements as employees of the Committee under this rule. To be employed or otherwise engaged by the Committee, an individual must be eligible to be considered for routine (non-limited) access to classified information.

(B) *Staff Assignments.*—All Committee staff shall be staff of, and engaged by, the full Committee. Committee staff shall be either majority, minority, or joint. Majority staff shall be designated by and assigned to the Chairman. Minority staff shall be designated by and assigned to the Ranking Minority Member. Joint Committee staff shall be designated by the Chairman, in consultation with the Ranking Minority Member, and assigned to service of the full Committee. The Chairman shall certify Committee staff appointments, including appointments by the Ranking Minority Member and joint staff appointments, to the Clerk of the House in writing.

(C) *Joint Committee Staff.*—The Chairman and Ranking Minority Member may agree to employ joint Committee staff, with duties as mutually agreed. Such joint Committee staff works for the Committee as a whole, under the supervision and direction of the Staff Director of the Committee.

(D) *Notification of Testimony.*—No member of the Committee staff shall be employed by the Committee unless and until such person agrees in writing, as a condition of employment, to notify the Committee of any request for testimony, either while a member of the Committee staff or at any time thereafter, with respect to classified information which came into the staff member's possession by virtue of his or her position as a member of the Committee staff. Such classified information shall not be disclosed in response to such requests except as authorized by the Committee.

(E) *Divulgence of Information.*—Prior to the public acknowledgement by the Chairman or the Committee of a decision to initiate an investigation of a particular person, entity, or subject, no member of the Committee staff shall divulge to any person any information, including non-classified information, which comes into his or her possession by virtue of his or her status as a member of the Committee staff, if such information may alert the subject of a Committee investigation to the existence, nature, or substance of such investigation, unless authorized to do so by the Chairman or the Committee.

RULE VI.—MEMBER AND STAFF TRAVEL

(A) *Approval of Travel.*—Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, travel to be reimbursed from funds set aside for the

Committee for any Member or any Committee staff shall be paid only upon the prior authorization of the Chairman. Travel may be authorized by the Chairman for any Member and any Committee staff only in connection with official Committee business, such as the attendance of hearings conducted by the Committee and meetings, conferences, site visits, and investigations that involve activities or subject matter under the general jurisdiction of the Committee.

(1) *Proposed Travel by Majority Party Members and Staff.*—In the case of proposed travel by majority party Members or Committee staff, before such authorization is given, there shall be submitted to the Chairman in writing the following: (a) the purpose of the travel; (b) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made; (c) the location of the event for which the travel is to be made; and (d) the names of Members and staff seeking authorization. On the basis of that information, the Chairman shall determine whether the proposed travel is for official Committee business, concerns subject matter within the jurisdiction of the Committee, and is not excessively costly in view of the Committee business proposed to be conducted.

(2) *Proposed Travel by Minority Party Members and Staff.*—In the case of proposed travel by minority party Members or Committee staff, the Ranking Minority Member shall provide to the Chairman a written representation setting forth the information specified in items (a), (b), (c), and (d) of subparagraph (1) and his or her determination that such travel complies with the other requirements of subparagraph (1).

(3) *Foreign Travel.*—All Committee Member and staff requests for Committee-funded foreign travel must be submitted to the Chairman, through the Chief Financial Officer of the Committee, not less than seven business days prior to the start of the travel. Within 60 days of the conclusion of any such foreign travel authorized under this rule, there shall be submitted to the Chairman a written report summarizing the information gained as a result of the travel in question, or other Committee objectives served by such travel.

RULE VII.—COMMITTEE RECORDS

(A) *Legislative Calendar.*—The Clerk of the Committee shall maintain a printed calendar for the information of each Committee Member showing any procedural or legislative measures considered or scheduled to be considered by the Committee, and the status of such measures and such other matters as the Committee determines shall be included. The calendar shall be revised from time to time to show pertinent changes. A copy of such revisions shall be made available to each Member of the Committee upon request.

(B) *Members Right To Access.*—Members of the Committee and of the House shall have access to all official Committee records. Access to Committee files shall be limited to examination within the Committee offices at reasonable times. Access to Committee records that contain classified information shall be provided in a manner consistent with section VIII of these rules.

(C) *Removal of Records.*—Files and records of the Committee are not to be removed from the Committee offices. No Committee files or records that are not made publicly available shall be photocopied by any Member.

(D) *Executive Session Records.*—Evidence or testimony received by the Committee in executive session shall not be released or made available to the public unless agreed to by the Committee. Members may examine the Committee's executive session records, but may not make copies of, or take personal notes from, such records.

(E) *Public Inspection.*—The Committee shall keep a complete record of all Committee action including recorded votes. Information so available for public inspection shall include a description of each amendment, motion, order or other proposition and the name of each Member voting for and each Member voting against each such amendment, motion, order, or proposition, as well as the names of those Members present but not voting. Such record shall be made available to the public at reasonable times within the Committee offices.

(F) *Separate and Distinct.*—All Committee records and files must be kept separate and distinct from the office records of the Members serving as Chairman and Ranking Minority Member. Records and files of Members' personal offices shall not be considered records or files of the Committee.

(G) *Disposition of Committee Records.*—At the conclusion of the 109th Congress, the records of the Committee shall be delivered to the Archivist of the United States in accordance with Rule VII of the Rules of the House.

(H) *Archived Records.*—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the Rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee. The Chairman shall consult with the Ranking Minority Member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the Rule.

RULE VIII.—CLASSIFIED AND OTHER CONFIDENTIAL INFORMATION

(A) *Security Precautions.*—Committee staff offices, including majority and minority offices, shall operate under strict security precautions administered by the Security Officer of the Committee. A security officer shall be on duty at all times during normal office hours. Sensitive or classified documents may be examined only in an appropriately secure manner. Removal from the secure area of the Committee's offices of such documents and other materials is prohibited except with leave of the Chairman for use in furtherance of Committee business, in accordance with applicable security procedures.

(B) *Temporary Custody of Executive Branch Material.*—Executive branch documents or other materials containing classified informa-

tion in any form that were not made part of the record of a Committee hearing, did not originate in the Committee or the House, and are not otherwise records of the Committee shall, while in the custody of the Committee, be segregated and maintained by the Committee in the same manner as Committee records that are classified. Such documents and other materials shall be returned to the Executive branch agency from which they were obtained at the earliest practicable time.

(C) *Access by Committee Staff.*—Access to classified information supplied to the Committee shall be limited to Committee staff members with appropriate security clearance and a need-to-know, as determined by the Committee, and under the Committee's direction, the Majority and Minority Staff Directors.

(D) *Maintaining Confidentiality.*—No Member of the Committee or Committee staff shall disclose, in whole or in part or by way of summary, to any person who is not a Member of the Committee or an authorized member of Committee staff for any purpose or in connection with any proceeding, judicial or otherwise, any testimony given before the Committee in executive session. Classified information shall be handled in accordance with all applicable provisions of law and consistent with the provisions of these rules.

(E) *Oath.*—Before a Member or Committee staff member may have access to classified information, the following oath (or affirmation) shall be executed:

> I do solemnly swear (or affirm) that I will not disclose any classified information received in the course of my service on the Committee on Homeland Security, except as authorized by the Committee or the House of Representatives or in accordance with the Rules of such Committee or the Rules of the House.

Copies of the executed oath (or affirmation) shall be retained by the Clerk as part of the records of the Committee.

(F) *Disciplinary Action.*—The Chairman shall immediately consider disciplinary action in the event any member of the Committee staff fails to conform to the provisions of these rules governing the disclosure of classified or unclassified information. Such disciplinary action may include, but shall not be limited to, immediate dismissal from the Committee staff, criminal referral to the Justice Department, and notification of the Speaker of the House. With respect to minority party staff, the Chairman shall consider such disciplinary action in consultation with the Ranking Minority Member.

RULE IX.—CHANGES TO COMMITTEE RULES

These rules may be modified, amended, or repealed by the Committee provided that a notice in writing of the proposed change has been given to each Member at least 48 hours prior to the meeting at which action thereon is to be taken.

Committee on House Administration

ROBERT W. NEY, Ohio, *Chairman*

ROBERT W. NEY, Ohio
VERNON J. EHLERS, Michigan
JOHN L. MICA, Florida
JOHN T. DOOLITTLE, California
THOMAS M. REYNOLDS, New York
CANDICE S. MILLER, Michigan

JUANITA MILLENDER-MCDONALD, California
ROBERT A. BRADY, Pennsylvania
ZOE LOFGREN, California

(Adopted February 9, 2005)

RULE 1.—GENERAL PROVISIONS

(a) The Rules of the House are the rules of the Committee so far as applicable, except that a motion to recess from day to day is a privileged motion in the Committee.

(b) The Committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under House Rule X and, subject to the adoption of expense resolutions as required by House Rule X, clause 6, to incur expenses (including travel expenses) in connection therewith.

(c) The Committee is authorized to have printed and bound testimony and other data presented at hearings held by the Committee, and to distribute such information by electronic means. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee shall be paid from the appropriate House account.

(d) The Committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the committee under House Rules X and XI during the Congress ending at noon on January 3 of such year.

(e) The Committee's rules shall be published in the Congressional Record not later than 30 days after the Committee is elected in each odd-numbered year.

RULE 2.—REGULAR AND SPECIAL MEETINGS

(a) The regular meeting date of the Committee on House Administration shall be the second Wednesday of every month when the House is in session in accordance with clause 2(b) of House Rule XI. Additional meetings may be called by the Chairman of the Committee (hereinafter in these rules referred to as the "Chairman") as he may deem necessary or at the request of a majority of the members of the Committee in accordance with clause 2(c) of House Rule XI. The determination of the business to be considered at each meeting shall be made by the Chairman subject to clause 2(c) of House Rule XI. A regularly scheduled meeting may be dis-

pensed with if, in the judgment of the Chairman, there is no need for the meeting.

(b) If the Chairman is not present at any meeting of the Committee, or at the discretion of the Chairman, the Vice Chairman of the Committee shall preside at the meeting. If the Chairman and Vice Chairman of the Committee are not present at any meeting of the Committee, the ranking member of the majority party who is present shall preside at the meeting.

RULE 3.—OPEN MEETINGS

As required by clause 2(g), of House Rule XI, each meeting for the transaction of business, including the markup of legislation, of the Committee, shall be open to the public except when the Committee, in open session and with a quorum present, determines by record vote that all or part of the remainder of the meeting on that day shall be closed to the public because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person, or otherwise would violate any law or rule of the House: Provided, however, that no person other than members of the Committee, and such congressional staff and such departmental representatives as they may authorize, shall be present in any business or markup session which has been closed to the public.

RULE 4.—RECORDS AND ROLLCALLS

(a) The result of each record vote in any meeting of the Committee shall be transmitted for publication in the Congressional Record as soon as possible, but in no case later than two legislative days following such record vote, and shall be made available for inspection by the public at reasonable times at the Committee offices, including a description of the amendment, motion, order or other proposition; the name of each member voting for and against; and the members present but not voting.

(b)(1) Subject to subparagraph (2), the Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman may resume proceedings on a postponed request at any time.

(2) In exercising postponement authority under subparagraph (1), the Chairman shall take all reasonable steps necessary to notify members on the resumption of proceedings on any postponed record vote.

(3) When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(c) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as Chairman; and such records shall be the property of the House and all members of the House shall have access thereto.

(d) House records of the Committee which are at the National Archives shall be made available pursuant to House Rule VII. The Chairman shall notify the ranking minority member of any decision to withhold a record pursuant to the rule, and shall present the matter to the Committee upon written request of any Committee member.

(e) To the maximum extent feasible, the Committee shall make its publications available in electronic form.

(f) All Committee resolutions and Committee motions (other than procedural motions) adopted by the Committee during a Congress shall be numbered consecutively.

RULE 5.—PROXIES

No vote by any member in the Committee may be cast by proxy.

RULE 6.—POWER TO SIT AND ACT; SUBPOENA POWER

(a) For the purpose of carrying out any of its functions and duties under House Rules X and XI, the Committee is authorized (subject to subparagraph (b)(1) of this paragraph—

(1) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings; and

(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. The Chairman, or any member designated by the Chairman, may administer oaths to any witness.

(b)(1) A subpoena 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. The power to authorize and issue subpoenas under subparagraph (a)(2) may be delegated to the Chairman pursuant to such rules and under such limitations as the Committee may prescribe. Authorized subpoenas shall be signed by the Chairman or by any member designated by the Committee, and may be served by any person designated by the Chairman or such member.

(2) Compliance with any subpoena issued by the Committee may be enforced only as authorized or directed by the House.

RULE 7.—QUORUMS

No measure or recommendation shall be reported to the House unless a majority of the Committee is actually present. For the purposes of taking any action other than reporting any measure, issuance of a subpoena, closing meetings, promulgating Committee orders, or changing the rules of the Committee, one-third of the members of the Committee shall constitute a quorum. For purposes of taking testimony and receiving evidence, two members shall constitute a quorum.

RULE 8.—AMENDMENTS

Any amendment offered to any pending legislation before the Committee must be made available in written form when requested by any member of the Committee. If such amendment is not available in written form when requested, the Chair will allow an appropriate period of time for the provision thereof.

RULE 9.—HEARING PROCEDURES

(a) The Chairman, in the case of hearings to be conducted by the Committee, shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one (1) week before the commencement of that hearing. If the Chairman, with the concurrence of the ranking minority member, determines that there is good cause to begin the hearing sooner, or if the Committee so determines by majority vote, a quorum being present for the transaction of business, the Chairman shall make the announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record as soon as possible after such public announcement is made.

(b) Unless excused by the Chairman, each witness who is to appear before the Committee shall file with the clerk of the Committee, at least 48 hours in advance of his or her appearance, a written statement of his or her proposed testimony and shall limit his or her oral presentation to a summary of his or her statement.

(c) When any hearing is conducted by the Committee upon any measure or matter, the minority party members on the Committee shall be entitled, upon request to the Chairman by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearings thereon.

(d) Committee members may question witnesses only when they have been recognized by the Chairman for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one member can be extended as provided by House Rules. The questioning of a witness in Committee hearings shall be initiated by the Chairman, followed by the ranking minority member and all other members alternating between the majority and minority. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority. The Chairman may accomplish this by recognizing two majority members for each minority member recognized.

(e) The following additional rules shall apply to hearings:

(1) The Chairman at a hearing shall announce in an opening statement the subject of the investigation.

(2) A copy of the Committee rules and this clause shall be made available to each witness.

(3) Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The Chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the Committee may cite the offender to the House for contempt.

(5) If the Committee determines that evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, it shall—

(A) afford such person an opportunity voluntarily to appear as a witness;

(B) receive such evidence or testimony in executive session; and

(C) receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (e)(5), the Chairman shall receive and the Committee shall dispose of requests to subpoena additional witnesses.

(7) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Committee.

(8) In the discretion of the Committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Committee is the sole judge of the pertinence of testimony and evidence adduced at its hearing.

(9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Committee.

RULE 10.—PROCEDURES FOR REPORTING MEASURES OR MATTERS

(a)(1) It shall be the duty of the Chairman to report or cause to be reported promptly to the House any measure approved by the Committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(2) In any event, the report of the Committee on a measure which has been approved by the Committee shall be filed within 7 calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the Committee a written request, signed by a majority of the members of the Committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the Committee shall transmit immediately to the Chairman notice of the filing of that request.

(b)(1) No measure or recommendation shall be reported to the House unless a majority of the Committee is actually present.

(2) With respect to each record vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the Committee report on the measure or matter.

(c) The report of the Committee on a measure or matter which has been approved by the Committee shall include the matters required by clause 3(c) of Rule XIII of the Rules of the House.

(d) Each report of the Committee on each bill or joint resolution of a public character reported by the Committee shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

(e) If, at the time of approval of any measure or matter by the Committee, any member of the Committee gives notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than two additional calendar days after the day of such notice, commencing on the day on which the measure or matter(s) was approved, excluding Saturdays, Sundays, and legal holidays, in which to file such views, in writing and signed by that member, with the clerk of the Committee. All such views so filed by one or more members of the Committee shall be included within, and shall be a part of, the report filed by the Committee with respect to that measure or matter. The report of the Committee upon that measure or matter shall be printed in a single volume which—

(1) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and

(2) shall bear upon its cover a recital that any such supplemental, minority, or additional views (and any material submitted under subparagraph (c) are included as part of the report. This subparagraph does not preclude—

(A) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by paragraph (c); or

(B) the filing of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by the Committee upon that measure or matter.

(3) shall, when appropriate, contain the documents required by clause 3(e) of Rule XIII of the Rules of the House.

(f) The Chairman is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

(g) If hearings have been held on any such measure or matter so reported, the Committee shall make every reasonable effort to have such hearings published and available to the members of the House prior to the consideration of such measure or matter in the House.

(h) The Chairman may designate any member of the Committee to act as "floor manager" of a bill or resolution during its consideration in the House.

RULE 11.—COMMITTEE OVERSIGHT

The Committee shall conduct oversight of matters within the jurisdiction of the Committee in accordance with House Rule X, clause 2 and clause 4. Not later than February 15 of the first session of a Congress, the Committee shall, in a meeting that is open

to the public and with a quorum present, adopt its oversight plans for that Congress in accordance with House Rule X, clause 2(d).

RULE 12.—REVIEW OF CONTINUING PROGRAMS; BUDGET ACT PROVISIONS

(a) The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriation for continuing programs and activities of the Federal Government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirement, and objectives of the programs and activities involved. For the purposes of this paragraph a Government agency includes the organizational units of government listed in Clause 4(e) of Rule X of House Rules.

(b) The Committee shall review, from time to time, each continuing program within its jurisdictions for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefore would be made annually.

(c) The Committee shall, on or before February 25 of each year, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions, and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting there from, to be provided or authorized in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year.

(d) As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, the Committee (after consulting with the appropriate committee or committees of the Senate) shall subdivide any allocation made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 302 of the Congressional Budget Act of 1974.

(e) Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

RULE 13.—BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

Whenever any hearing or meeting conducted by the Committee is open to the public, those proceedings shall be open to coverage by television, radio, and still photography, as provided in Clause 4 of House Rule XI, subject to the limitations therein. Operation and use of any Committee Internet broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of Rule XI and all other applicable rules of the Committee and the House.

RULE 14.—COMMITTEE STAFF

The staff of the Committee on House Administration shall be appointed as follows:

(A) The Committee staff shall be appointed, except as provided in paragraph (b), and may be removed by the Chairman and shall work under the general supervision and direction of the Chairman;

(B) All staff provided to the minority party members of the Committee shall be appointed, and may be removed, by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member;

(C) The Chairman shall fix the compensation of all staff of the Committee, after consultation with the ranking minority member regarding any minority party staff, within the budget approved for such purposes for the Committee.

RULE 15.—TRAVEL OF MEMBERS AND STAFF

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of Committee members and staff. Travel for any member or any staff member shall be paid only upon the prior authorization of the Chairman. Travel may be authorized by the Chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the Chairman in writing the following:

(1) The purpose of the travel;

(2) The dates during which the travel will occur;

(3) The locations to be visited and the length of time to be spent in each; and

(4) The names of members and staff seeking authorization.

(b)(1) In the case of travel outside the United States of members and staff of the Committee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the committee, prior authorization must be obtained from the Chairman. Before such authorization is given, there shall be submitted to the Chairman, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

(A) the purpose of the travel;

(B) the dates during which the travel will occur;

(C) the names of the countries to be visited and the length of time to be spent in each;

(D) an agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of committee jurisdiction involved; and

(E) the names of members and staff for whom authorization is sought.

(2) At the conclusion of any hearing, investigation, study, meeting or conference for which travel outside the United States has been authorized pursuant to this rule, members and staff attending meetings or conferences shall submit a written report to the Chairman covering the activities and other pertinent observations or information gained as a result of such travel.

(c) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and of the Committee on House Administration pertaining to such travel.

RULE 16.—POWERS AND DUTIES OF SUBUNITS OF THE COMMITTEE

The Chairman is authorized to establish appropriately named subunits, such as task forces, composed of members of the Committee, for any purpose, measure or matter; one member of each such subunit shall be designated chairman of the subunit by the Chairman. All such subunits shall be considered ad hoc subcommittees of the Committee. The rules of the Committee shall be the rules of any subunit of the Committee, so far as applicable, or as otherwise directed by the Chairman. Each subunit of the Committee is authorized to meet, hold hearings, receive evidence, and 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, and to report to the full Committee on all measures or matters for which it was created. Chairmen of subunits of the Committee shall set meeting dates with the approval of the Chairman of the full Committee, with a view toward avoiding simultaneous scheduling of Committee and subunit meetings or hearings wherever possible. It shall be the practice of the Committee that meetings of subunits not be scheduled to occur simultaneously with meetings of the full Committee. In order to ensure orderly and fair assignment of hearing and meeting rooms, hearings and meetings should be arranged in advance with the Chairman through the clerk of the Committee.

RULE 17.—OTHER PROCEDURES AND REGULATIONS

The Chairman may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the committee.

RULE 18.—DESIGNATION OF CLERK OF THE COMMITTEE

For the purposes of these rules and the Rules of the House of Representatives, the staff director of the Committee shall act as the clerk of the Committee.

Committee on International Relations

HENRY J. HYDE, Illinois, *Chairman*

JAMES A. LEACH, Iowa
CHRISTOPHER H. SMITH, New Jersey, *Vice Chairman*
DAN BURTON, Indiana
ELTON GALLEGLY, California
ILEANA ROS-LEHTINEN, Florida
DANA ROHRABACHER, California
EDWARD R. ROYCE, California
PETER T. KING, New York
STEVE CHABOT, Ohio
THOMAS G. TANCREDO, Colorado
RON PAUL, Texas
DARRELL E. ISSA, California
JEFF FLAKE, Arizona
JO ANN DAVIS, Virginia
MARK GREEN, Wisconsin
JERRY WELLER, Illinois
MIKE PENCE, Indiana
THADDEUS G. McCOTTER, Michigan
KATHERINE HARRIS, Florida
JOE WILSON, South Carolina
JOHN BOOZMAN, Arkansas
J. GRESHAM BARRETT, South Carolina
CONNIE MACK, Florida
JEFF FORTENBERRY, Nebraska
MICHAEL T. McCAUL, Texas
TED POE, Texas

TOM LANTOS, California
HOWARD L. BERMAN, California
GARY L. ACKERMAN, New York
ENI F. H. FALEOMAVAEGA, American Samoa
DONALD M. PAYNE, New Jersey
ROBERT MENENDEZ, New Jersey
SHERROD BROWN, Ohio
BRAD SHERMAN, California
ROBERT WEXLER, Florida
ELIOT L. ENGEL, New York
WILLIAM D. DELAHUNT, Massachusetts
GREGORY W. MEEKS, New York
BARBARA LEE, California
JOSEPH CROWLEY, New York
EARL BLUMENAUER, Oregon
SHELLEY BERKLEY, Nevada
GRACE F. NAPOLITANO, California
ADAM B. SCHIFF, California
DIANE E. WATSON, California
ADAM SMITH, Washington
BETTY McCOLLUM, Minnesota
BEN CHANDLER, Kentucky
DENNIS A. CARDOZA, California

(Adopted February 9, 2005)

RULE 1.—GENERAL PROVISIONS

The Rules of the House of Representatives, and in particular, the committee rules enumerated in clause 2 of Rule XI, are the rules of the Committee on International Relations (hereafter referred to as the "Committee"), to the extent applicable. A motion to recess and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are privileged non-debatable motions in Committee.

The Chairman of the Committee on International Relations (hereinafter referred to as the "Chairman") shall consult the Ranking Minority Member to the extent possible with respect to the business of the Committee. Each subcommittee of the Committee is a part of the Committee and is subject to the authority and direction of the Committee and to its rules, to the extent applicable.

RULE 2.—DATE OF MEETING

The regular meeting date of the Committee shall be the first Tuesday of every month when the House of Representatives is in session pursuant to clause 2(b) of Rule XI of the House of Rep-

resentatives. Additional meetings may be called by the Chairman as he may deem necessary or at the request of a majority of the Members of the Committee in accordance with clause 2(c) of Rule XI of the House of Representatives.

The determination of the business to be considered at each meeting shall be made by the Chairman subject to clause 2(c) of Rule XI of the House of Representatives.

A regularly scheduled meeting need not be held if, in the judgment of the Chairman, there is no business to be considered.

RULE 3.—QUORUM

For purposes of taking testimony and receiving evidence, two Members shall constitute a quorum.

One-third of the Members of the Committee shall constitute a quorum for taking any action, except: (1) Reporting a measure or recommendation; (2) closing Committee meetings and hearings to the public; (3) authorizing the issuance of subpoenas; and (4) any other action for which an actual majority quorum is required by any rule of the House of Representatives or by law.

No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee is actually present.

A record vote may be demanded by one-fifth of the Members present or, in the apparent absence of a quorum, by any one Member.

RULE 4.—MEETINGS AND HEARINGS OPEN TO THE PUBLIC

(a) *Meetings.*—(1) Each meeting for the transaction of business, including the markup of legislation, of the Committee or a subcommittee shall be open to the public except when the Committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of the meeting on that day shall be closed to the public, because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise violate any law or rule of the House of Representatives. No person other than Members of the Committee and such congressional staff and departmental representatives as they may authorize shall be present at any business or markup session which has been closed to the public. This subsection does not apply to open Committee hearings which are provided for by subsection (b) of this rule.

(2) The Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter, or adopting an amendment. The Chairman may resume proceedings on a postponed request at any time. When exercising postponement authority, the Chairman shall take all reasonable steps necessary to notify Members on the resumption of proceedings on any postponed record vote. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(b) *Hearings.*—(1) Each hearing conducted by the Committee or a subcommittee shall be open to the public except when the Committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of that hearing on that day should be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security, would compromise sensitive law enforcement information, or otherwise would violate any law or rule of the House of Representatives. Notwithstanding the preceding sentence, a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony—

(A) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or violate paragraph (2) of this subsection; or

(B) may vote to close the hearing, as provided in paragraph (2) of this subsection.

(2) Whenever it is asserted by a member of the Committee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness

(A) such testimony or evidence shall be presented in executive session, notwithstanding the provisions of paragraph (1) of this subsection, if by a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony, the Committee or subcommittee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the Committee or subcommittee shall proceed to receive such testimony in open session only if the Committee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

(3) No Member of the House of Representatives may be excluded from nonparticipatory attendance at any hearing of the Committee or a subcommittee unless the House of Representatives has by majority vote authorized the Committee or subcommittee, for purposes of a particular series of hearings, on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subsection for closing hearings to the public.

(4) The Committee or a subcommittee may by the procedure designated in this subsection vote to close one (1) subsequent day of hearing.

(5) No congressional staff shall be present at any meeting or hearing of the Committee or a subcommittee that has been closed to the public, and at which classified information will be involved, unless such person is authorized access to such classified information in accordance with Rule 20.

RULE 5.—ANNOUNCEMENT OF HEARINGS AND MARKUPS

Public announcement shall be made of the date, place, and subject matter of any hearing or markup to be conducted by the Committee or a subcommittee at the earliest possible date, and in any event at least one (1) week before the commencement of that hearing or markup unless the Committee or subcommittee determines that there is good cause to begin that meeting at an earlier date, in consultation with the Ranking Minority Member of the Committee or subcommittee, as the case may be. Such determination may be made with respect to any markup by the Chairman or subcommittee chairman, as appropriate. Such determination may be made with respect to any hearing of the Committee or of a subcommittee by its Chairman, with the concurrence of its Ranking Minority Member, or by the Committee or subcommittee by majority vote, a quorum being present for the transaction of business.

Public announcement of all hearings and markups shall be published in the Daily Digest portion of the Congressional Record. Members shall be notified by the Chief of Staff of all meetings (including markups and hearings) and briefings of subcommittees and of the full Committee.

The agenda for each Committee and subcommittee meeting, setting out all items of business to be considered, including whenever possible a copy of any bill or other document scheduled for markup, shall be furnished to each Committee or subcommittee Member by delivery to the Member's office at least 24 hours (excluding Saturdays, Sundays, and legal holidays) before the meeting. Bills or subjects not listed on such agenda shall be subject to a point of order unless their consideration is agreed to by a two-thirds vote of the Committee or subcommittee or by the Chairman and Ranking Minority Member of the Committee or subcommittee.

RULE 6.—WITNESSES

(a) *Interrogation of Witnesses.*—(1) Insofar as practicable, witnesses shall be permitted to present their oral statements without interruption subject to reasonable time constraints imposed by the Chairman, with questioning by the Committee Members taking place afterward. Members should refrain from questions until such statements are completed.

(2) In recognizing Members, the Chairman shall, to the extent practicable, give preference to the Members on the basis of their arrival at the hearing, taking into consideration the majority and minority ratio of the Members actually present. A Member desiring to speak or ask a question shall address the Chairman and not the witness.

(3) Subject to paragraph (4), each Member may interrogate the witness for 5 minutes, the reply of the witness being included in the 5-minute period. After all Members have had an opportunity to ask questions, the round shall begin again under the 5-minute rule.

(4) Notwithstanding paragraph (3), the Chairman, with the concurrence of the Ranking Minority Member, may permit one (1) or more majority members of the Committee designated by the Chairman to question a witness for a specified period of not longer than 30 minutes. On such occasions, an equal number of minority Mem-

bers of the Committee designated by the Ranking Minority Member shall be permitted to question the same witness for the same period of time. Committee staff may be permitted to question a witness for equal specified periods either with the concurrence of the Chairman and Ranking Minority Member or by motion. However, in no case may questioning by Committee staff proceed before each Member of the Committee who wishes to speak under the 5-minute rule has had one opportunity to do so.

(b) *Statements of Witnesses.*—Each witness who is to appear before the Committee or a subcommittee is required to file with the clerk of the Committee, at least two (2) working days in advance of his or her appearance, sufficient copies, as determined by the Chairman of the Committee or subcommittee, of his or her proposed testimony to provide to Members and staff of the Committee or subcommittee, the news media, and the general public. The witness shall limit his or her oral presentation to a brief summary of his or her testimony. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall, to the extent practicable, include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness, to the extent that such information is relevant to the subject matter of, and the witness' representational capacity at, the hearing.

To the extent practicable, each witness should provide the text of his or her proposed testimony in machine-readable form, along with any attachments and appendix materials.

The Committee or subcommittee shall notify Members at least two working days in advance of a hearing of the availability of testimony submitted by witnesses.

The requirements of this subsection or any part thereof may be waived by the Chairman or Ranking Minority Member of the Committee or subcommittee, or the presiding Member, provided that the witness or the Chairman or Ranking Minority Member has submitted, prior to the witness's appearance, a written explanation as to the reasons testimony has not been made available to the Committee or subcommittee. In the event a witness submits neither his nor her testimony at least two working days in advance of his or her appearance nor has a written explanation been submitted as to prior availability, the witness shall be released from testifying unless a majority of the Committee or subcommittee votes to accept his or her testimony.

(c) *Oaths.*—The Chairman, or any Member of the Committee designated by the Chairman, may administer oaths to witnesses before the Committee.

RULE 7.—PREPARATION AND MAINTENANCE OF COMMITTEE RECORDS

An accurate stenographic record shall be made of all hearings and markup sessions. Members of the Committee and any witness may examine the transcript of his or her own remarks and may make any grammatical or technical changes that do not substantively alter the record. Any such Member or witness shall re-

turn the transcript to the Committee offices within five (5) calendar days (not including Saturdays, Sundays, and legal holidays) after receipt of the transcript, or as soon thereafter as is practicable.

Any information supplied for the record at the request of a Member of the Committee shall be provided to the Member when received by the Committee.

Transcripts of hearings and markup sessions (except for the record of a meeting or hearing which is closed to the public) shall be printed as soon as is practicable after receipt of the corrected versions, except that the Chairman may order the transcript of a hearing to be printed without the corrections of a Member or witness if the Chairman determines that such Member or witness has been afforded a reasonable time to correct such transcript and such transcript has not been returned within such time.

The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee.

The Committee shall, to the maximum extent feasible, make its publications available in electronic form.

RULE 8.—EXTRANEOUS MATERIAL IN COMMITTEE HEARINGS

No extraneous material shall be printed in either the body or appendices of any Committee or subcommittee hearing, except matter which has been accepted for inclusion in the record during the hearing or by agreement of the Chairman and Ranking Minority Member of the Committee or subcommittee within five calendar days of the hearing. Copies of bills and other legislation under consideration and responses to written questions submitted by Members shall not be considered extraneous material.

Extraneous material in either the body or appendices of any hearing to be printed which would be in excess of eight (8) printed pages (for any one submission) shall be accompanied by a written request to the Chairman, such written request to contain an estimate in writing from the Public Printer of the probable cost of publishing such material.

RULE 9.—PUBLIC AVAILABILITY OF COMMITTEE VOTES

The result of each record vote in any meeting of the Committee shall be made available for inspection by the public at reasonable times at the Committee offices. Such result shall include a description of the amendment, motion, order, or other proposition, the name of each Member voting for and against, and the Members present but not voting.

RULE 10.—PROXIES

Proxy voting is not permitted in the Committee or in subcommittees.

RULE 11.—REPORTS

(a) *Reports on Bills and Resolutions.*—To the extent practicable, not later than 24 hours before a report is to be filed with the Clerk of the House on a measure that has been ordered reported by the Committee, the Chairman shall make available for inspection by all Members of the Committee a copy of the draft committee report in order to afford Members adequate information and the opportunity to draft and file any supplemental, minority or additional views which they may deem appropriate.

With respect to each record vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those Members voting for and against, shall be included in any Committee report on the measure or matter.

(b) *Prior Approval of Certain Reports.*—No Committee, subcommittee, or staff report, study, or other document which purports to express publicly the views, findings, conclusions, or recommendations of the Committee or a subcommittee may be released to the public or filed with the Clerk of the House unless approved by a majority of the Committee or subcommittee, as appropriate. A proposed investigative or oversight report shall be considered as read if it has been available to Members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day). In any case in which clause 2(l) of Rule XI and clause 3(a)(1) of Rule XIII of the House of Representatives does not apply, each Member of the Committee or subcommittee shall be given an opportunity to have views or a disclaimer included as part of the material filed or released, as the case may be.

(c) *Foreign Travel Reports.*—At the same time that the report required by clause 8(b)(3) of Rule X of the House of Representatives, regarding foreign travel reports, is submitted to the Chairman, Members and employees of the committee shall provide a report to the Chairman listing all official meetings, interviews, inspection tours and other official functions in which the individual participated, by country and date. Under extraordinary circumstances, the Chairman may waive the listing in such report of an official meeting, interview, inspection tour, or other official function. The report shall be maintained in the full committee offices and shall be available for public inspection during normal business hours.

RULE 12.—REPORTING BILLS AND RESOLUTIONS

Except in unusual circumstances, bills and resolutions will not be considered by the Committee unless and until the appropriate subcommittee has recommended the bill or resolution for Committee action, and will not be taken to the House of Representatives for action unless and until the Committee has ordered reported such bill or resolution, a quorum being present.

Except in unusual circumstances, a bill or resolution originating in the House of Representatives that contains exclusively findings and policy declarations or expressions of the sense of the House of Representatives or the sense of the Congress shall not be consid-

ered by the Committee or a subcommittee unless such bill or resolution has at least 25 House co-sponsors, at least ten of whom are Members of the Committee.

For purposes of this Rule, unusual circumstances will be determined by the Chairman, after consultation with the Ranking Minority Member and such other Members of the Committee as the Chairman deems appropriate.

The Chairman is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

RULE 13.—STAFF SERVICES

(a) The Committee staff shall be selected and organized so that it can provide a comprehensive range of professional services in the field of foreign affairs to the Committee, the subcommittees, and all its Members. The staff shall include persons with training and experience in international relations, making available to the Committee individuals with knowledge of major countries, areas, and U.S. overseas programs and operations.

(b) Subject to clause 9 of Rule X of the House of Representatives, the staff of the Committee, except as provided in paragraph (c), shall be appointed, and may be removed, by the Chairman with the approval of the majority of the majority Members of the Committee. Their remuneration shall be fixed by the Chairman, and they shall work under the general supervision and direction of the Chairman. Staff assignments are to be authorized by the Chairman or by the Chief of Staff under the direction of the Chairman.

(c) Subject to clause 9 of Rule X of the House of Representatives, the staff of the Committee assigned to the minority shall be appointed, their remuneration determined, and may be removed, by the Ranking Minority Member with the approval of the majority of the minority party Members of the Committee. No minority staff person shall be compensated at a rate which exceeds that paid his or her majority staff counterpart. Such staff shall work under the general supervision and direction of the Ranking Minority Member with the approval or consultation of the minority Members of the committee.

(d) The Chairman shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee. The Chairman shall ensure that the minority party is fairly treated in the appointment of such staff.

RULE 14.—NUMBER AND JURISDICTION OF SUBCOMMITTEES

(a) *Full Committee.*—The Full Committee will be responsible for oversight and legislation relating to: foreign assistance (including development assistance, Millennium Challenge Corporation, the Millennium Challenge Account, HIV/AIDS in foreign countries, security assistance, and Public Law 480 programs abroad); the Peace Corps; national security developments affecting foreign policy; strategic planning and agreements; war powers, treaties, executive agreements, and the deployment and use of United States Armed Forces; peacekeeping, peace enforcement, and enforcement of United Nations or other international sanctions; arms control and

disarmament issues; the Agency for International Development; activities and policies of the State, Commerce, and Defense Departments and other agencies related to the Arms Export Control Act, the Export Administration Act, and the Foreign Assistance Act including export and licensing policy for munitions items and technology and dual-use equipment and technology, and other matters related to international economic policy and trade; international law; promotion of democracy; international law enforcement issues, including narcotics control programs and activities; Broadcasting Board of Governors, Overseas Private Investment Corporation, Trade and Development Agency, and related agency operations; embassy security; the United Nations, its affiliated agencies and other international organizations, including assessed and voluntary contributions to such organizations; international broadcasting; public diplomacy, including international communication, information policy, international education, and cultural programs; and all other matters not specifically assigned to a subcommittee. The Full Committee may conduct oversight with respect to any matter within the jurisdiction of the Committee as defined in the Rules of the House of Representatives.

(b) *Subcommittees.*—There shall be seven (7) standing subcommittees. The names and jurisdiction of those subcommittees shall be as follows:

1. FUNCTIONAL SUBCOMMITTEES

There shall be two subcommittees with functional jurisdiction:

Subcommittee on International Terrorism and Nonproliferation.—(Oversight and legislative responsibilities over the United States (efforts to manage and coordinate international programs to combat terrorism as coordinated by the Department of State and other agencies, including diplomatic, economic, and military assistance programs in areas designed to prevent terrorism, and efforts intended to identify, arrest, and bring international terrorists to justice. Oversight of, and (to the degree applicable to matters outside the Foreign Assistance Act, the Arms Export Control Act, the Export Administration Act, sanctions laws pertaining to individual countries and the provision of foreign assistance) legislation pertaining to: nonproliferation including matters relating to arms transfer policy; export control policy including the transfer of dual use equipment and technology; matters involving nuclear, chemical, biological and other weapons of mass destruction; legislation aimed at the promotion of sanctions and other nonproliferation matters generally.

Subcommittee on Oversight and Investigations.—With the concurrence of the full Committee Chairman, oversight and investigations of all matters within the jurisdiction of the Committee.

2. REGIONAL SUBCOMMITTEES

There shall be five subcommittees with regional jurisdiction: the Subcommittee on Europe and Emerging Threats; the Subcommittee on the Middle East and Central Asia; the Subcommittee on the Western Hemisphere; the Subcommittee on Africa, Global Human Rights and International Operations; and the Subcommittee on Asia and the Pacific. Two of the regional subcommittees, the Sub-

committee on Europe and Emerging Threats and the Subcommittee on Africa, Global Human Rights and International Operations, shall also have functional jurisdiction.

The regional subcommittees shall have jurisdiction over the following within their respective regions:

(1) Matters affecting the political relations between the United States and other countries and regions, including resolutions or other legislative measures directed to such relations.

(2) Legislation with respect to disaster assistance outside the Foreign Assistance Act, boundary issues, and international claims.

(3) Legislation with respect to region- or country-specific loans or other financial relations outside the Foreign Assistance Act.

(4) Resolutions of disapproval under section 36(b) of the Arms Export Control Act, with respect to foreign military sales.

(5) Legislation and oversight regarding human rights practices in particular countries.

(6) Oversight of regional lending institutions.

(7) Oversight of matters related to the regional activities of the United Nations, of its affiliated agencies, and of other multilateral institutions.

(8) Identification and development of options for meeting future problems and issues relating to U.S. interests in the region.

(9) Base rights and other facilities access agreements and regional security pacts.

(10) Oversight of matters relating to parliamentary conferences and exchanges involving the region.

(11) Concurrent oversight jurisdiction with respect to matters assigned to the functional subcommittees insofar as they may affect the region.

(12) Oversight of all foreign assistance activities affecting the region.

(13) Such other matters as the Chairman of the Full Committee may determine.

The Subcommittee on Europe and Emerging Threats.—In addition to its regional jurisdiction, responsibility for legislation and oversight over emerging threats.

The Subcommittee on Africa, Global Human Rights and International Operations.—In addition to its regional jurisdiction, responsibility for oversight of, and (to the degree applicable to matters outside the Foreign Assistance Act, the Arms Export Control Act, the Export Administration Act, and the provision of foreign assistance) legislation pertaining to implementation of the Universal Declaration of Human Rights, and other matters relating to internationally-recognized human rights, including sanctions legislation aimed at the promotion of human rights and democracy generally; the Department of State and related agency operations; the diplomatic service; foreign buildings; parliamentary conferences and exchanges; and, the American Red Cross; oversight of international population planning and child survival activities; the United Nations, its affiliated agencies and other international organizations,

including assessed and voluntary contributions to such organizations; international broadcasting; and, public diplomacy, including international communication, information policy, international education, and cultural programs.

RULE 15.—POWERS AND DUTIES OF SUBCOMMITTEES

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it. Subcommittee chairmen shall set meeting dates after consultation with the Chairman, other subcommittee chairmen, and other appropriate Members, with a view towards minimizing scheduling conflicts. It shall be the practice of the Committee that meetings of subcommittees not be scheduled to occur simultaneously with meetings of the Full Committee.

In order to ensure orderly administration and fair assignment of hearing and meeting rooms, the subject, time, and location of hearings and meetings shall be arranged in advance with the Chairman through the Chief of Staff of the Committee.

The Chairman of the Full Committee shall designate a Member of the majority party on each subcommittee as its Vice Chairman.

The Chairman and the Ranking Minority Member may attend the meetings and participate in the activities of all subcommittees of which they are not members, except that they may not vote or be counted for a quorum in such subcommittees.

RULE 16.—REFERRAL OF BILLS BY CHAIRMAN

In accordance with Rule 14 of the Committee and to the extent practicable, all legislation and other matters referred to the Committee shall be referred by the Chairman to a subcommittee of primary jurisdiction within two (2) weeks. In accordance with Rule 14 of the Committee, legislation may also be referred to additional subcommittees for consideration. Unless otherwise directed by the Chairman, such subcommittees shall act on or be discharged from consideration of legislation that has been approved by the subcommittee of primary jurisdiction within two (2) weeks of such action. In referring any legislation to a subcommittee, the Chairman may specify a date by which the subcommittee shall report thereon to the Full Committee.

The Subcommittee on Africa, Global Human Rights and International Operations and the subcommittees with regional jurisdiction shall have joint jurisdiction over legislation regarding human rights practices in particular countries within the region.

The Chairman may designate a subcommittee chairman or other Member to take responsibility as manager of a bill or resolution during its consideration in the House of Representatives.

RULE 17.—PARTY RATIOS ON SUBCOMMITTEES AND CONFERENCE COMMITTEES

The majority party caucus of the Committee shall determine an appropriate ratio of majority to minority party Members for each subcommittee. Party representation on each subcommittee or conference committee shall be no less favorable to the majority party than the ratio for the Full Committee. The Chairman and the

Ranking Minority Member are authorized to negotiate matters affecting such ratios including the size of subcommittees and conference committees.

RULE 18.—SUBCOMMITTEE FUNDING AND RECORDS

(a) Each subcommittee shall have adequate funds to discharge its responsibility for legislation and oversight.

(b) In order to facilitate Committee compliance with clause 2(e)(1) of Rule XI of the House of Representatives, each subcommittee shall keep a complete record of all subcommittee actions which shall include a record of the votes on any question on which a record vote is demanded. The result of each record vote shall be promptly made available to the Full Committee for inspection by the public in accordance with Rule 9 of the Committee.

(c) All subcommittee hearings, records, data, charts, and files shall be kept distinct from the congressional office records of the Member serving as chairman of the subcommittee. Subcommittee records shall be coordinated with the records of the Full Committee, shall be the property of the House, and all Members of the House shall have access thereto.

RULE 19.—MEETINGS OF SUBCOMMITTEE CHAIRMEN

The Chairman shall call a meeting of the subcommittee chairmen on a regular basis not less frequently than once a month. Such a meeting need not be held if there is no business to conduct. It shall be the practice at such meetings to review the current agenda and activities of each of the subcommittees.

RULE 20.—ACCESS TO CLASSIFIED INFORMATION

Authorized Persons.—In accordance with the stipulations of the Rules of the House of Representatives, all Members of the House who have executed the oath required by clause 13 of Rule XXIII of the House of Representatives shall be authorized to have access to classified information within the possession of the Committee.

Members of the Committee staff shall be considered authorized to have access to classified information within the possession of the Committee when they have the proper security clearances, when they have executed the oath required by clause 13 of Rule XXIII of the House of Representatives, and when they have a demonstrable need to know. The decision on whether a given staff member has a need to know will be made on the following basis:

(a) In the case of the Full Committee majority staff, by the Chairman, acting through the Chief of Staff;

(b) In the case of the Full Committee minority staff, by the Ranking Minority Member of the committee, acting through the Minority Chief of Staff;

(c) In the case of subcommittee majority staff, by the Chairman of the subcommittee;

(d) In the case of the subcommittee minority staff, by the Ranking Minority Member of the subcommittee.

No other individuals shall be considered authorized persons, unless so designated by the Chairman.

Designated Persons.—Each Committee Member is permitted to designate one member of his or her staff as having the right of access to information classified confidential. Such designated persons must have the proper security clearance, have executed the oath required by clause 13 of Rule XXIII of the House of Representatives, and have a need to know as determined by his or her principal. Upon request of a Committee Member in specific instances, a designated person also shall be permitted access to information classified secret which has been furnished to the Committee pursuant to section 36 of the Arms Export Control Act, as amended. Upon the written request of a Committee Member and with the approval of the Chairman in specific instances, a designated person may be permitted access to other classified materials. Designation of a staff person shall be by letter from the Committee Member to the Chairman.

Location.—Classified information will be stored in secure safes in the Committee rooms. All materials classified top secret must be stored in a Secure Compartmentalized Information Facility (SCIF).

Handling.—Materials classified confidential or secret may be taken from Committee offices to other Committee offices and hearing rooms by Members of the Committee and authorized Committee staff in connection with hearings and briefings of the Committee or its Subcommittees for which such information is deemed to be essential. Removal of such information from the Committee offices shall be only with the permission of the Chairman under procedures designed to ensure the safe handling and storage of such information at all times. Except as provided in this paragraph, top secret materials may not be taken from the SCIF for any purpose, except that such materials may be taken to hearings and other meetings that are being conducted at the top secret level when necessary. Top secret materials may otherwise be used under conditions approved by the Chairman after consultation with the Ranking Minority Member.

Notice.—Appropriate notice of the receipt of classified documents received by the Committee from the Executive Branch will be sent promptly to Committee Members through the Survey of Activities or by other means.

Access.—Except as provided for above, access to materials classified top secret or otherwise restricted held by the Committee will be in the SCIF. The following procedures will be observed:

(a) Authorized or designated persons will be admitted to the SCIF after inquiring of the Chief of Staff or an assigned staff member. Access to the SCIF will be afforded during regular Committee hours.

(b) Authorized or designated persons will be required to identify themselves, to identify the documents or information they wish to view, and to sign the Classified Materials Log, which is kept with the classified information.

(c) The assigned staff member will be responsible for maintaining a log which identifies (1) authorized and designated persons seeking access, (2) the classified information requested, and (3) the time of arrival and departure of such persons. The assigned staff member will also assure that the classified materials are returned to the proper location.

(d) The Classified Materials log will contain a statement acknowledged by the signature of the authorized or designated person that he or she has read the Committee rules and will abide by them.

Divulgence.—Classified information provided to the Committee by the Executive Branch shall be handled in accordance with the procedures that apply within the Executive Branch for the protection of such information. Any classified information to which access has been gained through the Committee may not be divulged to any unauthorized person. Classified material shall not be photocopied or otherwise reproduced without the authorization of the Chief of Staff. In no event shall classified information be discussed over a non-secure telephone. Apparent violations of this rule should be reported as promptly as possible to the Chairman for appropriate action.

Other regulations.—The Chairman, after consultation with the Ranking Minority Member, may establish such additional regulations and procedures as in his judgment may be necessary to safeguard classified information under the control of the Committee. Members of the Committee will be given notice of any such regulations and procedures promptly. They may be modified or waived in any or all particulars by a majority vote of the Full Committee.

RULE 21. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

All Committee and subcommittee meetings or hearings which are open to the public may be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any such methods of coverage in accordance with the provisions of clause 3 of House rule XI.

The Chairman or subcommittee chairman shall determine, in his or her discretion, the number of television and still cameras permitted in a hearing or meeting room, but shall not limit the number of television or still cameras to fewer than two (2) representatives from each medium.

Such coverage shall be in accordance with the following requirements contained in Section 116(b) of the Legislative Reorganization Act of 1970, and clause 4 of Rule XI of the Rules of the House of Representatives:

(a) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(b) No witness served with a subpoena by the Committee shall be required against his will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off. This subparagraph is supplementary to clause 2(k)(5) of Rule XI of the Rules of the House of Representatives relating to the protection of the rights of witnesses.

(c) The allocation among cameras permitted by the Chairman or subcommittee chairman in a hearing room shall be in accordance

with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(d) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and Member of the Committee or its subcommittees or the visibility of that witness and that Member to each other.

(e) Television cameras shall operate from fixed positions but shall not be placed in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(f) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the Committee or subcommittee is in session.

(g) Floodlights, spotlights, strobe lights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing room, without cost to the Government, in order to raise the ambient lighting level in the hearing room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the current state-of-the-art level of television coverage.

(h) In the allocation of the number of still photographers permitted by the Chairman or subcommittee chairman in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos, United Press International News pictures, and Reuters. If requests are made by more of the media than will be permitted by the Chairman or subcommittee chairman for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(i) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the Members of the Committee or its subcommittees.

(j) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(k) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(l) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery Committee of Press Photographers.

(m) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

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 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, 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 Rules of the House of the 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 Chairman or by any Member designated by the Committee.

RULE 23.—RECOMMENDATION FOR APPOINTMENT OF CONFEREES

Whenever the Speaker is to appoint a conference committee, the Chairman shall recommend to the Speaker as conferees those Members of the Committee who are primarily responsible for the legislation (including to the full extent practicable the principal proponents of the major provisions of the bill as it passed the House), who have actively participated in the Committee or subcommittee consideration of the legislation, and who agree to attend the meetings of the conference. With regard to the appointment of minority Members, the Chairman shall consult with the Ranking Minority Member.

RULE 24.—GENERAL OVERSIGHT

Not later than February 15th of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Oversight and the Committee on Government Reform and Oversight, in accordance with the provisions of clause 2(d) of Rule X of the Rules of the House of Representatives.

RULE 25.—OTHER PROCEDURES AND REGULATIONS

The Chairman, in consultation with the Ranking Minority Member, may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the Committee. Any additional procedures or regulations may be modified or rescinded in any or all particulars by a majority vote of the Full Committee.

Committee on the Judiciary

F. JAMES SENSENBRENNER, JR., Wisconsin, *Chairman*

HENRY J. HYDE, Illinois
HOWARD COBLE, North Carolina
LAMAR S. SMITH, Texas
ELTON GALLEGLY, California
BOB GOODLATTE, Virginia
STEVE CHABOT, Ohio
DANIEL E. LUNGREN, California
WILLIAM L. JENKINS, Tennessee
CHRIS CANNON, Utah
SPENCER BACHUS, Alabama
BOB INGLIS, South Carolina
JOHN N. HOSTETTLER, Indiana
MARK GREEN, Wisconsin
RIC KELLER, Florida
DARRELL E. ISSA, California
JEFF FLAKE, Arizona
MIKE PENCE, Indiana
J. RANDY FORBES, Virginia
STEVE KING, Iowa
TOM FEENEY, Florida
TRENT FRANKS, Arizona
LOUIE GOHMERT, Texas

JOHN CONYERS, JR., Michigan
HOWARD L. BERMAN, California
RICK BOUCHER, Virginia
JERROLD NADLER, New York
ROBERT C. SCOTT, Virginia
MELVIN L. WATT, North Carolina
ZOE LOFGREN, California
SHEILA JACKSON-LEE, Texas
MAXINE WATERS, California
MARTIN T. MEEHAN, Massachusetts
WILLIAM D. DELAHUNT, Massachusetts
ROBERT WEXLER, Florida
ANTHONY D. WEINER, New York
ADAM B. SCHIFF, California
LINDA T. SANCHEZ, California
ADAM SMITH, Washington
CHRIS VAN HOLLEN, Maryland

(Adopted January 26, 2005)

RULE I

The Rules of the House of Representatives are the rules of the Committee on the Judiciary and its Subcommittees with the following specific additions thereto.

RULE II.—COMMITTEE MEETINGS

(a) The regular meeting day of the Committee on the Judiciary for the conduct of its business shall be on Tuesday of each week while the House is in session.

(b) Additional meetings may be called by the Chairman and a regular meeting of the Committee may be dispensed with when, in the judgment of the Chairman, there is no need therefor.

(c) At least 24 hours (excluding Saturdays, Sundays and legal holidays when the House is not in session) before each scheduled Committee or Subcommittee meeting, each Member of the Committee or Subcommittee shall be furnished a list of the bill(s) and subject(s) to be considered and/or acted upon at the meeting. Bills or subjects not listed shall be subject to a point of order unless their consideration is agreed to by a two-thirds vote of the Committee or Subcommittee.

(d) The Chairman, with such notice to the Ranking Minority Member as is practicable, may call and convene, as he considers necessary, additional meetings of the Committee for the consider-

ation of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to that call of the Chairman.

(e) Committee and Subcommittee meetings for the transaction of business, i.e. meetings other than those held for the purpose of taking testimony, shall be open to the public except when the Committee or Subcommittee determines by majority vote to close the meeting because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House.

(f) Every motion made to the Committee and entertained by the Chairman shall be reduced to writing upon demand of any Member, and a copy made available to each Member present.

(g) For purposes of taking any action at a meeting of the full Committee or any Subcommittee thereof, a quorum shall be constituted by the presence of not less than one-third of the Members of the Committee or subcommittee, except that a full majority of the Members of the Committee or Subcommittee shall constitute a quorum for purposes of reporting a measure or recommendation from the Committee or Subcommittee, closing a meeting to the public, or authorizing the issuance of a subpoena.

(h)(1) Subject to subparagraph (2), the Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman may resume proceedings on a postponed request at any time.

(2) In exercising postponement authority under subparagraph (1), the Chairman shall take all reasonable steps necessary to notify Members on the resumption of proceedings on any postponed record vote.

(3) When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(i) Transcripts of markups shall be recorded and may be published in the same manner as hearings before the Committee and shall be included as part of the legislative report unless waived by the Chairman.

(j) Without further action of the Committee, the Chairman is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House of Representatives whenever the Chairman considers it appropriate.

RULE III.—HEARINGS

(a) The Committee Chairman or any Subcommittee chairman shall make public announcement of the date, place, and subject matter of any hearing to be conducted by it on any measure or matter at least one week before the commencement of that hearing. If the Chairman of the Committee, or Subcommittee, with the concurrence of the Ranking Minority Member, determines there is good cause to begin the hearing sooner, or if the Committee or Subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman or Subcommittee

chairman shall make the announcement at the earliest possible date.

(b) Committee and Subcommittee hearings shall be open to the public except when the Committee or Subcommittee determines by majority vote to close the meeting because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House.

(c) For purposes of taking testimony and receiving evidence before the Committee or any Subcommittee, a quorum shall be constituted by the presence of two Members.

(d) In the course of any hearing each Member shall be allowed five minutes for the interrogation of a witness until such time as each Member who so desires has had an opportunity to question the witness.

(e) The transcripts of those hearings conducted by the Committee which are decided to be printed shall be published in verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate. Individuals, including Members of Congress, whose comments are to be published as part of a Committee document shall be given the opportunity to verify the accuracy of the transcription in advance of publication. Any requests by those Members, staff or witnesses to correct any errors other than errors in the transcription, or disputed errors in transcription, shall be appended to the record, and the appropriate place where the change is requested will be footnoted. Prior to approval by the Chairman of hearings conducted jointly with another congressional Committee, a memorandum of understanding shall be prepared which incorporates an agreement for the publication of the verbatim transcript.

RULE IV.—BROADCASTING

Whenever a hearing or meeting conducted by the Committee or any Subcommittee is open to the public, those proceedings shall be open to coverage by television, radio and still photography except when the hearing or meeting is closed pursuant to the Committee Rules of Procedure.

RULE V.—STANDING SUBCOMMITTEES

(a) The full Committee shall have jurisdiction over the following subject matters: antitrust law, tort liability, including medical malpractice and product liability, legal reform generally, and such other matters as determined by the Chairman.

(b) There shall be five standing Subcommittees of the Committee on the Judiciary, with jurisdictions as follows:

(1) *Subcommittee on Courts, the Internet, and Intellectual Property.*—Copyright, patent and trademark law, information technology, administration of U.S. courts, Federal Rules of Evidence, Civil and Appellate Procedure, judicial ethics, other appropriate matters as referred by the Chairman, and relevant oversight.

(2) *Subcommittee on the Constitution.*—Constitutional amendments, constitutional rights, federal civil rights laws, ethics in government, other appropriate matters as referred by the Chairman, and relevant oversight.

(3) *Subcommittee on Commercial and Administrative Law.*—Bankruptcy and commercial law, bankruptcy judgeships, administrative law, independent counsel, state taxation affecting interstate commerce, interstate compacts, other appropriate matters as referred by the Chairman, and relevant oversight.

(4) *Subcommittee on Crime, Terrorism, and Homeland Security.*—Federal Criminal Code, drug enforcement, sentencing, parole and pardons, terrorism, internal and homeland security, Federal Rules of Criminal Procedure, prisons, criminal law enforcement, other appropriate matters as referred by the Chairman, and relevant oversight.

(5) *Subcommittee on Immigration, Border Security, and Claims.*—Immigration and naturalization, border security, admission of refugees, treaties, conventions and international agreements, claims against the United States, federal charters of incorporation, private immigration and claims bills, non-border enforcement, other appropriate matters as referred by the Chairman, and relevant oversight.

(c) The Chairman of the Committee and Ranking Minority Member thereof shall be ex officio Members, but not voting Members, of each Subcommittee to which such Chairman or Ranking Minority Member has not been assigned by resolution of the Committee. Ex officio Members shall not be counted as present for purposes of constituting a quorum at any hearing or meeting of such Subcommittee.

RULE VI.—POWERS AND DUTIES OF SUBCOMMITTEES

Each Subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective Subcommittees after consultation with the Chairman and other Subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and Subcommittee meetings or hearings whenever possible.

RULE VII.—NON-LEGISLATIVE REPORTS

No report of the Committee or Subcommittee which does not accompany a measure or matter for consideration by the House shall be published unless all Members of the Committee or Subcommittee issuing the report shall have been apprised of such report and given the opportunity to give notice of intention to file supplemental, additional, or dissenting views as part of the report. In no case shall the time in which to file such views be less than three calendar days (excluding Saturdays, Sundays and legal holidays when the House is not in session).

RULE VIII.—COMMITTEE RECORDS

The records of the Committee at the National Archives and Records Administration shall be made available for public use according to the Rules of the House. The Chairman shall notify the Ranking Minority Member of any decision to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee.

Committee on Resources

RICHARD W. POMBO, California, *Chairman*

DON YOUNG, Alaska
JIM SAXTON, New Jersey
ELTON GALLEGLY, California
JOHN J. DUNCAN, JR., Tennessee
WAYNE T. GILCHREST, Maryland
KEN CALVERT, California
BARBARA CUBIN, Wyoming
GEORGE RADANOVICH, California
WALTER B. JONES, North Carolina
CHRIS CANNON, Utah
JOHN E. PETERSON, Pennsylvania
JIM GIBBONS, Nevada
GREG WALDEN, Oregon
THOMAS G. TANCREDO, Colorado
J.D. HAYWORTH, Arizona
JEFF FLAKE, Arizona
RICK RENZI, Arizona
STEVAN PEARCE, New Mexico
HENRY E. BROWN, JR., South Carolina
THELMA D. DRAKE, Virginia
LUIS G. FORTUÑO, Puerto Rico
CATHY MCMORRIS, Washington
BOBBY JINDAL, Louisiana
LOUIE GOHMERT, Texas
MARILYN N. MUSGRAVE, Colorado

NICK J. RAHALL II, West Virginia
DALE E. KILDEE, Michigan
ENI F.H. FALEOMAVAEGA, American Samoa
NEIL ABERCROMBIE, Hawaii
SOLOMON P. ORTIZ, Texas
FRANK PALLONE, JR., New Jersey
DONNA M. CHRISTENSEN, Virgin Islands
RON KIND, Wisconsin
GRACE F. NAPOLITANO, California
TOM UDALL, New Mexico
RAÚL M. GRIJALVA, Arizona
MADELEINE Z. BORDALLO, Guam
JIM COSTA, California
CHARLIE MELANCON, Louisiana
DAN BOREN, Oklahoma
GEORGE MILLER, California
EDWARD J. MARKEY, Massachusetts
PETER A. DEFAZIO, Oregon
JAY INSLEE, Washington
MARK UDALL, Colorado
DENNIS A. CARDOZA, California
STEPHANIE HERSETH, South Dakota

(Adopted February 2, 2005)

RULE 1.—RULES OF THE HOUSE; VICE CHAIRMEN

(a) *Applicability of House Rules.*—

(1) The Rules of the House of Representatives, so far as they are applicable, are the rules of the Committee and its Subcommittees.

(2) Each Subcommittee is part of the Committee and is subject to the authority, direction and rules of the Committee. References in these rules to "Committee" and "Chairman" shall apply to each Subcommittee and its Chairman wherever applicable.

(3) House Rule XI is incorporated and made a part of the rules of the Committee to the extent applicable.

(b) *Vice Chairmen.*—Unless inconsistent with other rules, the Chairman shall appoint a Vice Chairman of the Committee and the Subcommittee Chairmen will appoint Vice Chairmen of each of the Subcommittees. If the Chairman of the Committee or Subcommittee is not present at any meeting of the Committee or Subcommittee, as the case may be, the Vice Chairman shall preside. If the Vice Chairman is not present, the ranking Member of the Majority party on the Committee or Subcommittee who is present shall preside at that meeting.

RULE 2.—MEETINGS IN GENERAL

(a) *Scheduled Meetings.*—The Committee shall meet at 10 a.m. every Wednesday when the House is in session, unless canceled by the Chairman. The Committee shall also meet at the call of the Chairman subject to advance notice to all Members of the Committee. Special meetings shall be called and convened by the Chairman as provided in clause 2(c)(1) of House Rule XI. Any Committee meeting or hearing that conflicts with a party caucus, conference, or similar party meeting shall be rescheduled at the discretion of the Chairman, in consultation with the Ranking Minority Member. The Committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

(b) *Open Meetings.*—Each meeting for the transaction of business, including the markup of legislation, and each hearing of the Committee or a Subcommittee shall be open to the public, except as provided by clause 2(g) and clause 2(k) of House Rule XI.

(c) *Broadcasting.*—Whenever a meeting for the transaction of business, including the markup of legislation, or a hearing is open to the public, that meeting or hearing shall be open to coverage by television, radio, and still photography in accordance with clause 4 of House Rule XI. The provisions of clause 4(f) of House Rule XI are specifically made part of these rules by reference. Operation and use of any Committee Internet broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of House Rule XI and all other applicable rules of the Committee and the House.

(d) *Oversight Plan.*—No later than February 15 of the first session of each Congress, the Committee shall adopt its oversight plans for that Congress in accordance with clause 2(d)(1) of House Rule X.

RULE 3.—PROCEDURES IN GENERAL

(a) *Agenda of Meetings; Information for Members.*—An agenda of the business to be considered at meetings shall be delivered to the office of each Member of the Committee no later than 48 hours before the meeting. This requirement may be waived by a majority vote of the Committee at the time of the consideration of the measure or matter. To the extent practicable, a summary of the major provisions of any bill being considered by the Committee, including the need for the bill and its effect on current law, will be available for the Members of the Committee no later than 48 hours before the meeting.

(b) *Meetings and Hearings To Begin Promptly.*—Each meeting or hearing of the Committee shall begin promptly at the time stipulated in the public announcement of the meeting or hearing.

(c) *Addressing the Committee.*—A Committee Member may address the Committee or a Subcommittee on any bill, motion, or other matter under consideration or may question a witness at a hearing only when recognized by the Chairman for that purpose. The time a Member may address the Committee or Subcommittee for any purpose or to question a witness shall be limited to five minutes, except as provided in Committee rule 4(g). A Member

shall limit his remarks to the subject matter under consideration. The Chairman shall enforce the preceding provision.

(d) *Quorums.*—

(1) A majority of the Members shall constitute a quorum for the reporting of any measure or recommendation, the authorizing of a subpoena, the closing of any meeting or hearing to the public under clause 2(g)(1), clause 2(g)(2)(A) and clause 2(k)(5)(B) of House Rule XI, and the releasing of executive session materials under clause 2(k)(7) of House Rule X. Testimony and evidence may be received at any hearing at which there are at least two Members of the Committee present. For the purpose of transacting all other business of the Committee, one third of the Members shall constitute a quorum.

(2) When a call of the roll is required to ascertain the presence of a quorum, the offices of all Members shall be notified and the Members shall have not less than 15 minutes to prove their attendance. The Chairman shall have the discretion to waive this requirement when a quorum is actually present or whenever a quorum is secured and may direct the Chief Clerk to note the names of all Members present within the 15-minute period.

(e) *Participation of Members in Committee and Subcommittees.*—All Members of the Committee may sit with any Subcommittee during any hearing, and by unanimous consent of the Members of the Subcommittee may participate in any meeting or hearing. However, a Member who is not a Member of the Subcommittee may not vote on any matter before the Subcommittee, be counted for purposes of establishing a quorum or raise points of order.

(f) *Proxies.*—No vote in the Committee or its Subcommittees may be cast by proxy.

(g) *Record Votes.*—Record votes shall be ordered on the demand of one-fifth of the Members present, or by any Member in the apparent absence of a quorum.

(h) *Postponed Record Votes.*—

(1) Subject to paragraph (2), the Chairman may, after consultation with the Ranking Minority Member, postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman shall resume proceedings on a postponed request at any time after reasonable notice, but no later than the next meeting day.

(2) Notwithstanding any intervening order for the previous question, when proceedings resume on a postponed question under paragraph (1), an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(3) This rule shall apply to Subcommittee proceedings.

(i) *Privileged Motions.*—A motion to recess from day to day, a motion to recess subject to the call of the Chairman (within 24 hours), and a motion to dispense with the first reading (in full) of a bill or resolution if printed copies are available, are nondebatable motions of high privilege.

(j) *Layover and Copy of Bill.*—No measure or recommendation reported by a Subcommittee shall be considered by the Committee

until two calendar days from the time of Subcommittee action. No bill shall be considered by the Committee unless a copy has been delivered to the office of each Member of the Committee requesting a copy. These requirements may be waived by a majority vote of the Committee at the time of consideration of the measure or recommendation.

(k) *Access to Dais and Conference Room.*—Access to the hearing rooms' daises [and to the conference rooms adjacent to the Committee hearing rooms] shall be limited to Members of Congress and employees of the Committee during a meeting of the Committee, except that Committee Members' personal staff may be present on the daises if their employing Member is the author of a bill or amendment under consideration by the Committee, but only during the time that the bill or amendment is under active consideration by the Committee. Access to the conference rooms adjacent to the Committee hearing rooms shall be limited to Members of Congress and employees of Congress during a meeting of the Committee.

(l) *Cellular Telephones.*—The use of cellular telephones is prohibited on the Committee dais or in the Committee hearing rooms during a meeting of the Committee.

(m) *Motion To Go To Conference With the Senate.*—The Chairman may offer a motion under clause 1 of Rule XXII whenever the Chairman considers it appropriate.

RULE 4.—HEARING PROCEDURES

(a) *Announcement.*—The Chairman shall publicly announce the date, place, and subject matter of any hearing at least one week before the hearing unless the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the hearing sooner, or if the Committee so determines by majority vote. In these cases, the Chairman shall publicly announce the hearing at the earliest possible date. The Chief Clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record and shall promptly enter the appropriate information on the Committee's web site as soon as possible after the public announcement is made.

(b) *Written Statement; Oral Testimony.*—Each witness who is to appear before the Committee or a Subcommittee shall file with the Chief Clerk of the Committee or Subcommittee Clerk, at least two working days before the day of his or her appearance, a written statement of proposed testimony. Failure to comply with this requirement may result in the exclusion of the written testimony from the hearing record and/or the barring of an oral presentation of the testimony. Each witness shall limit his or her oral presentation to a five-minute summary of the written statement, unless the Chairman, in consultation with the Ranking Minority Member, extends this time period. In addition, all witnesses shall be required to submit with their testimony a resume or other statement describing their education, employment, professional affiliations and other background information pertinent to their testimony.

(c) *Minority Witnesses.*—When any hearing is conducted by the Committee or any Subcommittee upon any measure or matter, the Minority party Members on the Committee or Subcommittee shall be entitled, upon request to the Chairman by a majority of those

Minority Members before the completion of the hearing, to call witnesses selected by the Minority to testify with respect to that measure or matter during at least one day of hearings thereon.

(d) *Information for Members.*—After announcement of a hearing, the Committee shall make available as soon as practicable to all Members of the Committee a tentative witness list and to the extent practicable a memorandum explaining the subject matter of the hearing (including relevant legislative reports and other necessary material). In addition, the Chairman shall make available to the Members of the Committee any official reports from departments and agencies on the subject matter as they are received.

(e) *Subpoenas.*—The Committee or a Subcommittee may authorize and issue a subpoena under clause 2(m) of House Rule XI if authorized by a majority of the Members voting. In addition, the Chairman of the Committee may authorize and issue subpoenas during any period of time in which the House of Representatives has adjourned for more than three days. Subpoenas shall be signed only by the Chairman of the Committee, or any Member of the Committee authorized by the Committee, and may be served by any person designated by the Chairman or Member.

(f) *Oaths.*—The Chairman of the Committee or any Member designated by the Chairman may administer oaths to any witness before the Committee. All witnesses appearing in hearings may be administered the following oath by the Chairman or his designee prior to receiving the testimony: "Do you solemnly swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?".

(g) *Opening Statements; Questioning of Witnesses.*—

(1) Opening statements by Members may not be presented orally, unless the Chairman or his designee makes a statement, in which case the Ranking Minority Member or his designee may also make a statement. If a witness scheduled to testify at any hearing of the Committee is a constituent of a Member of the Committee, that Member shall be entitled to introduce the witness at the hearing.

(2) The questioning of witnesses in Committee and Subcommittee hearings shall be initiated by the Chairman, followed by the Ranking Minority Member and all other Members alternating between the Majority and Minority parties. In recognizing Members to question witnesses, the Chairman shall take into consideration the ratio of the Majority to Minority Members present and shall establish the order of recognition for questioning in a manner so as not to disadvantage the Members of the Majority or the Members of the Minority. A motion is in order to allow designated Majority and Minority party Members to question a witness for a specified period to be equally divided between the Majority and Minority parties. This period shall not exceed one hour in the aggregate.

(h) *Materials for Hearing Record.*—Any materials submitted specifically for inclusion in the hearing record must address the announced subject matter of the hearing and be submitted to the relevant Subcommittee Clerk or Chief Clerk no later than 10 business days following the last day of the hearing.

(i) *Claims of Privilege.*—Claims of common-law privileges made by witnesses in hearings, or by interviewees or deponents in investigations or inquiries, are applicable only at the discretion of the Chairman, subject to appeal to the Committee.

RULE 5.—FILING OF COMMITTEE REPORTS

(a) *Duty of Chairman.*—Whenever the Committee authorizes the favorable reporting of a measure from the Committee, the Chairman or his designee shall report the same to the House of Representatives and shall take all steps necessary to secure its passage without any additional authority needing to be set forth in the motion to report each individual measure. In appropriate cases, the authority set forth in this rule shall extend to moving in accordance with the Rules of the House of Representatives that the House be resolved into the Committee of the Whole House on the State of the Union for the consideration of the measure; and to moving in accordance with the Rules of the House of Representatives for the disposition of a Senate measure that is substantially the same as the House measure as reported.

(b) *Filing.*—A report on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House of Representatives is not in session) after the day on which there has been filed with the Committee Chief Clerk a written request, signed by a majority of the Members of the Committee, for the reporting of that measure. Upon the filing with the Committee Chief Clerk of this request, the Chief Clerk shall transmit immediately to the Chairman notice of the filing of that request.

(c) *Supplemental, Additional or Minority Views.*—Any Member may, if notice is given at the time a bill or resolution is approved by the Committee, file supplemental, additional, or minority views. These views must be in writing and signed by each Member joining therein and be filed with the Committee Chief Clerk not less than two additional calendar days (excluding Saturdays, Sundays and legal holidays except when the House is in session on those days) of the time the bill or resolution is approved by the Committee. This paragraph shall not preclude the filing of any supplemental report on any bill or resolution that may be required for the correction of any technical error in a previous report made by the Committee on that bill or resolution.

(d) *Review by Members.*—Each Member of the Committee shall be given an opportunity to review each proposed Committee report before it is filed with the Clerk of the House of Representatives. Nothing in this paragraph extends the time allowed for filing supplemental, additional or minority views under paragraph (c).

(e) *Disclaimer.*—All Committee or Subcommittee reports printed and not approved by a majority vote of the Committee or Subcommittee, as appropriate, shall contain the following disclaimer on the cover of the report:

> This report has not been officially adopted by the {Committee on Resources} {Subcommittee} and may not therefore necessarily reflect the views of its Members.

RULE 6.—ESTABLISHMENT OF SUBCOMMITTEES; FULL COMMITTEE JURISDICTION; BILL REFERRALS

(a) *Subcommittees.*—There shall be five standing Subcommittees of the Committee:

(1) Subcommittee on Energy and Mineral Resources;
(2) Subcommittee on Fisheries and Oceans;
(3) Subcommittee on Forests and Forest Health;
(4) Subcommittee on National Parks; and
(5) Subcommittee on Water and Power.

(b) *Full Committee.*—The Full Committee shall have the following jurisdiction and responsibilities:

(1) Environmental and habitat measures and matters of general applicability.

(2) Measures relating to the welfare of Native Americans, including management of Indian lands in general and special measures relating to claims which are paid out of Indian funds.

(3) All matters regarding the relations of the United States with Native Americans and Native American tribes, including special oversight functions under Rule X of the Rules of the House of Representatives.

(4) All matters regarding Native Alaskans and Native Hawaiians.

(5) All matters related to the Federal trust responsibility to Native Americans and the sovereignty of Native Americans.

(6) All matters regarding insular areas of the United States.

(7) All measures or matters regarding the Freely Associated States and Antarctica.

(8) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Full Committee under this paragraph.

(9) All measures and matters retained by the Full Committee under Committee rule 6(e).

(10) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Committee under House Rule X.

(c) *Ex-Officio Members.*—The Chairman and Ranking Minority Member of the Committee may serve as ex-officio Members of each standing Subcommittee to which the Chairman or the Ranking Minority Member have not been assigned. Ex-officio Members shall have the right to fully participate in Subcommittee activities but may not vote and may not be counted in establishing a quorum.

(d) *Powers and Duties of Subcommittees.*—Each Subcommittee is authorized to meet, hold hearings, receive evidence and report to the Committee on all matters within its jurisdiction. Each Subcommittee shall review and study, on a continuing basis, the application, administration, execution and effectiveness of those statutes, or parts of statutes, the subject matter of which is within that Subcommittee's jurisdiction; and the organization, operation, and regulations of any Federal agency or entity having responsibilities in or for the administration of such statutes, to determine whether these statutes are being implemented and carried out in accordance

with the intent of Congress. Each Subcommittee shall review and study any conditions or circumstances indicating the need of enacting new or supplemental legislation within the jurisdiction of the Subcommittee. Each Subcommittee shall have general and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

(e) *Referral to Subcommittees; Recall.*—

(1) Except as provided in paragraph (2) and for those matters within the jurisdiction of the Full Committee, every legislative measure or other matter referred to the Committee shall be referred to the Subcommittee of jurisdiction within two weeks of the date of its referral to the Committee. If any measure or matter is within or affects the jurisdiction of one or more Subcommittees, the Chairman may refer that measure or matter simultaneously to two or more Subcommittees for concurrent consideration or for consideration in sequence subject to appropriate time limits, or divide the matter into two or more parts and refer each part to a Subcommittee.

(2) The Chairman, with the approval of a majority of the Majority Members of the Committee, may refer a legislative measure or other matter to a select or special Subcommittee. A legislative measure or other matter referred by the Chairman to a Subcommittee may be recalled from the Subcommittee for direct consideration by the Full Committee, or for referral to another Subcommittee, provided Members of the Committee receive one week written notice of the recall and a majority of the Members of the Committee do not object. In addition, a legislative measure or other matter referred by the Chairman to a Subcommittee may be recalled from the Subcommittee at any time by majority vote of the Committee for direct consideration by the Full Committee or for referral to another Subcommittee.

(f) *Consultation.*—Each Subcommittee Chairman shall consult with the Chairman of the Full Committee prior to setting dates for Subcommittee meetings with a view towards avoiding whenever possible conflicting Committee and Subcommittee meetings.

(g) *Vacancy.*—A vacancy in the membership of a Subcommittee shall not affect the power of the remaining Members to execute the functions of the Subcommittee.

RULE 7.—TASK FORCES, SPECIAL OR SELECT SUBCOMMITTEES

(a) *Appointment.*—The Chairman of the Committee is authorized, after consultation with the Ranking Minority Member, to appoint Task Forces, or special or select Subcommittees, to carry out the duties and functions of the Committee.

(b) *Ex-Officio Members.*—The Chairman and Ranking Minority Member of the Committee may serve as ex-officio Members of each Task Force, or special or select Subcommittee if they are not otherwise members. Ex-officio Members shall have the right to fully participate in activities but may not vote and may not be counted in establishing a quorum.

(c) *Party Ratios.*—The ratio of Majority Members to Minority Members, excluding ex-officio Members, on each Task Force, special or select Subcommittee shall be as close as practicable to the ratio on the Full Committee.

(d) *Temporary Resignation.*—A Member can temporarily resign his or her position on a Subcommittee to serve on a Task Force, special or select Subcommittee without prejudice to the Member's seniority on the Subcommittee.

(e) *Chairman and Ranking Minority Member.*—The Chairman of any Task Force, or special or select Subcommittee shall be appointed by the Chairman of the Committee. The Ranking Minority Members shall select a Ranking Minority Member for each Task Force, or standing, special or select Subcommittee.

RULE 8.—RECOMMENDATION OF CONFEREES

Whenever it becomes necessary to appoint conferees on a particular measure, the Chairman shall recommend to the Speaker as conferees those Majority Members, as well as those Minority Members recommended to the Chairman by the Ranking Minority Member, primarily responsible for the measure. The ratio of Majority Members to Minority Members recommended for conferences shall be no greater than the ratio on the Committee.

RULE 9.—COMMITTEE RECORDS

(a) *Segregation of Records.*—All Committee records shall be kept separate and distinct from the office records of individual Committee Members serving as Chairmen or Ranking Minority Members. These records shall be the property of the House and all Members shall have access to them in accordance with clause 2(e)(2) of House Rule XI.

(b) *Availability.*—The Committee shall make available to the public for review at reasonable times in the Committee office the following records:

(1) transcripts of public meetings and hearings, except those that are unrevised or unedited and intended solely for the use of the Committee; and

(2) the result of each rollcall vote taken in the Committee, including a description of the amendment, motion, order or other proposition voted on, the name of each Committee Member voting for or against a proposition, and the name of each Member present but not voting.

(c) *Archived Records.*—Records of the Committee which are deposited with the National Archives shall be made available for public use pursuant to House Rule VII. The Chairman of the Committee shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of House Rule VII, to withhold, or to provide a time, schedule or condition for availability of any record otherwise available. At the written request of any Member of the Committee, the matter shall be presented to the Committee for a determination and shall be subject to the same notice and quorum requirements for the conduct of business under Committee Rule 3.

(d) *Records of Closed Meetings.*—Notwithstanding the other provisions of this rule, no records of Committee meetings or hearings which were closed to the public pursuant to the Rules of the House of Representatives shall be released to the public unless the Com-

mittee votes to release those records in accordance with the procedure used to close the Committee meeting.

(e) *Classified Materials.*—All classified materials shall be maintained in an appropriately secured location and shall be released only to authorized persons for review, who shall not remove the material from the Committee offices without the written permission of the Chairman.

RULE 10.—COMMITTEE BUDGET AND EXPENSES

(a) *Budget.*—At the beginning of each Congress, after consultation with the Chairman of each Subcommittee and the Ranking Minority Member, the Chairman shall present to the Committee for its approval a budget covering the funding required for staff, travel, and miscellaneous expenses.

(b) *Expense Resolution.*—Upon approval by the Committee of each budget, the Chairman, acting pursuant to clause 6 of House Rule X, shall prepare and introduce in the House a supporting expense resolution, and take all action necessary to bring about its approval by the Committee on House Administration and by the House of Representatives.

(c) *Amendments.*—The Chairman shall report to the Committee any amendments to each expense resolution and any related changes in the budget.

(d) *Additional Expenses.*—Authorization for the payment of additional or unforeseen Committee expenses may be procured by one or more additional expense resolutions processed in the same manner as set out under this rule.

(e) *Monthly Reports.*—Copies of each monthly report, prepared by the Chairman for the Committee on House Administration, which shows expenditures made during the reporting period and cumulative for the year, anticipated expenditures for the projected Committee program, and detailed information on travel, shall be available to each Member.

RULE 11.—COMMITTEE STAFF

(a) *Rules and Policies.*—Committee staff members are subject to the provisions of clause 9 of House Rule X, as well as any written personnel policies the Committee may from time to time adopt.

(b) *Majority and Nonpartisan Staff.*—The Chairman shall appoint, determine the remuneration of, and may remove, the legislative and administrative employees of the Committee not assigned to the Minority. The legislative and administrative staff of the Committee not assigned to the Minority shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of these staff members and delegate any authority he determines appropriate.

(c) *Minority Staff.*—The Ranking Minority Member of the Committee shall appoint, determine the remuneration of, and may remove, the legislative and administrative staff assigned to the Minority within the budget approved for those purposes. The legislative and administrative staff assigned to the Minority shall be under the general supervision and direction of the Ranking Minor-

ity Member of the Committee who may delegate any authority he determines appropriate.

(d) *Availability.*—The skills and services of all Committee staff shall be available to all Members of the Committee.

RULE 12.—COMMITTEE TRAVEL

In addition to any written travel policies the Committee may from time to time adopt, all travel of Members and staff of the Committee or its Subcommittees, to hearings, meetings, conferences and investigations, including all foreign travel, must be authorized by the Full Committee Chairman prior to any public notice of the travel and prior to the actual travel. In the case of Minority staff, all travel shall first be approved by the Ranking Minority Member. Funds authorized for the Committee under clauses 6 and 7 of House Rule X are for expenses incurred in the Committee's activities within the United States.

RULE 13.—CHANGES TO COMMITTEE RULES

The rules of the Committee may be modified, amended, or repealed, by a majority vote of the Committee, provided that 48 hours written notice of the proposed change has been provided each Member of the Committee prior to the meeting date on which the changes are to be discussed and voted on. A change to the rules of the Committee shall be published in the Congressional Record no later than 30 days after its approval.

RULE 14.—OTHER PROCEDURES

The Chairman may establish procedures and take actions as may be necessary to carry out the rules of the Committee or to facilitate the effective administration of the Committee, in accordance with the rules of the Committee and the Rules of the House of Representatives.

Committee on Rules

DAVID DREIER, California, *Chairman*

DAVID DREIER, California, Chairman
LINCOLN DIAZ-BALART, Florida
DOC HASTINGS, Washington
PETE SESSIONS, Texas
ADAM H. PUTNAM, Florida
SHELLEY MOORE CAPITO, West Virginia
TOM COLE, Oklahoma
ROB BISHOP, Utah
PHIL GINGREY, Georgia

LOUISE McINTOSH SLAUGHTER, New York
JAMES P. MCGOVERN, Massachusetts
ALCEE L. HASTINGS, Florida
DORIS O. MATSUI, California

(Adopted January 25, 2005)

RULE 1.—GENERAL PROVISIONS

(a) The Rules of the House are the rules of the Committee and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the Committee. A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day).

(b) Each subcommittee is a part of the Committee, and is subject to the authority and direction of the Committee and to its rules so far as applicable.

(c) The provisions of clause 2 of Rule XI of the Rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

(d) The Committee's rules shall be published in the Congressional Record not later than 30 days after the Committee is elected in each odd-numbered year.

RULE 2.—REGULAR, ADDITIONAL, AND SPECIAL MEETINGS

(a) *Regular Meetings*.—(1) The Committee shall regularly meet at 5:00 p.m. on Tuesday of each week when the House is in session.

(2) A regular meeting of the Committee may be dispensed with if, in the judgment of the Chairman of the Committee (hereafter in these rules referred to as the "Chair"), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair.

(b) *Notice for Regular Meetings*.—The Chair shall notify each member of the Committee of the agenda of each regular meeting of the Committee at least 48 hours before the time of the meeting

and shall provide to each member of the Committee at least 24 hours before the time of each regular meeting—

(1) for each bill or resolution scheduled on the agenda for consideration of a rule, a copy of—

(A) the bill or resolution;

(B) any committee reports thereon; and

(C) any letter requesting a rule for the bill or resolution; and

(2) for each other bill, resolution, report, or other matter on the agenda a copy of—

(A) the bill, resolution, report, or materials relating to the other matter in question; and

(B) any report on the bill, resolution, report, or any other matter made by any subcommittee of the Committee.

(c) *Emergency Meetings.*—(1) The Chair may call an emergency meeting of the Committee at any time on any measure or matter which the Chair determines to be of an emergency nature; provided, however, that the Chair has made an effort to consult the ranking minority member, or, in such member's absence, the next ranking minority party member of the Committee.

(2) As soon as possible after calling an emergency meeting of the Committee, the Chair shall notify each member of the Committee of the time and location of the meeting.

(3) To the extent feasible, the notice provided under paragraph (2) shall include the agenda for the emergency meeting and copies of available materials which would otherwise have been provided under subsection (b) if the emergency meeting was a regular meeting.

(d) *Special Meetings.*—Special meetings shall be called and convened as provided in clause 2(c)(2) of Rule XI of the Rules of the House.

RULE 3.—MEETING AND HEARING PROCEDURES

(a) *In General.*—(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the member designated by the Chair as the Vice Chair of the Committee, or by the ranking majority member of the Committee present as Acting Chair.

(2) Meetings and hearings of the committee shall be open to the public unless closed in accordance with clause 2(g) of Rule XI of the Rules of the House of Representatives.

(3) Any meeting or hearing of the Committee that is open to the public shall be open to coverage by television, radio, and still photography in accordance with the provisions of clause 4 of Rule XI of the Rules of the House (which are incorporated by reference as part of these rules).

(4) When a recommendation is made as to the kind of rule which should be granted for consideration of a bill or resolution, a copy of the language recommended shall be furnished to each member of the Committee at the beginning of the Committee meeting at which the rule is to be considered or as soon thereafter as the proposed language becomes available.

(b) *Quorum.*—(1) For the purpose of hearing testimony on requests for rules, five members of the Committee shall constitute a quorum.

(2) For the purpose of taking testimony and receiving evidence on measures or matters of original jurisdiction before the Committee, three members of the Committee shall constitute a quorum.

(3) A majority of the members of the Committee shall constitute a quorum for the purposes of reporting any measure or matter, of authorizing a subpoena, of closing a meeting or hearing pursuant to clause 2(g) of Rule XI of the Rules of the House (except as provided in clause 2(g)(2)(A) and (B), or of taking any other action.

(c) *Voting.*—(1) No vote may be conducted on any measure or motion pending before the Committee unless a majority of the members of the Committee is actually present for such purpose.

(2) A record vote of the Committee shall be provided on any question before the Committee upon the request of any member.

(3) No vote by any member of the Committee on any measure or matter may be cast by proxy.

(4) A record of the vote of each Member of the Committee on each record vote on any matter before the Committee shall be available for public inspection at the offices of the Committee, and with respect to any record vote on any motion to amend or report, shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those members voting for and against.

(d) *Hearing Procedures.*—(1) With regard to hearings on matters of original jurisdiction, to the greatest extent practicable:

(A) each witness who is to appear before the Committee shall file with the committee at least 24 hours in advance of the appearance a statement of proposed testimony in written and electronic form and shall limit the oral presentation to the Committee to a brief summary thereof; and

(B) each witness appearing in a non-governmental capacity shall include with the statement of proposed testimony provided in written and electronic form a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(2) The five-minute rule shall be observed in the interrogation of each witness before the Committee until each member of the Committee has had an opportunity to question the witness.

(3) The provisions of clause 2(k) of Rule XI of the Rules of the House shall apply to any hearing conducted by the committee.

(e) *Subpoenas and Oaths.*—(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.

(4) The Chair, or any member of the Committee designated by the Chair, may administer oaths to witnesses before the Committee.

RULE 4.—GENERAL OVERSIGHT RESPONSIBILITIES

(a) The Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its jurisdiction.

(b) Not later than February 15 of the first session of a Congress, the committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Government Reform, in accordance with the provisions of clause 2(d) of House Rule X.

RULE 5.—SUBCOMMITTEES

(a) *Establishment and Responsibilities of Subcommittees.*—(1) There shall be two subcommittees of the Committee as follows:

(A) Subcommittee on Legislative and Budget Process, which shall have general responsibility for measures or matters related to relations between the Congress and the Executive Branch.

(B) Subcommittee on Rules and Organization of the House, which shall have general responsibility for measures or matters related to process and procedures of the House, relations between the two Houses of Congress, relations between the Congress and the Judiciary, and internal operations of the House.

(2) In addition, each such subcommittee shall have specific responsibility for such other measures or matters as the Chair refers to it.

(3) Each subcommittee of the Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its general responsibility.

(b) *Referral of Measures and Matters to Subcommittees.*—(1) In view of the unique procedural responsibilities of the Committee, no special order providing for the consideration of any bill or resolution shall be referred to a subcommittee of the Committee.

(2) The Chair shall refer to a subcommittee such measures or matters of original jurisdiction as the Chair deems appropriate given its jurisdiction and responsibilities.

(3) All other measures or matters of original jurisdiction shall be subject to consideration by the full Committee.

(4) In referring any measure or matter of original jurisdiction to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(5) The Committee by motion may discharge a subcommittee from consideration of any measure or matter referred to a subcommittee of the Committee.

(c) *Composition of Subcommittees.*—The size and ratio of each subcommittee shall be determined by the Committee and members shall be elected to each subcommittee, and to the positions of chairman and ranking minority member thereof, in accordance with the rules of the respective party caucuses. The Chair of the full committee shall designate a member of the majority party on each subcommittee as its vice chairman.

(d) *Subcommittee Meetings and Hearings.*—(1) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it.

(2) No subcommittee of the Committee may meet or hold a hearing at the same time as a meeting or hearing of the full Committee is being held.

(3) The chairman of each subcommittee shall schedule meetings and hearings of the subcommittee only after consultation with the Chair.

(e) *Quorum.*—(1) For the purpose of taking testimony, two members of the subcommittee shall constitute a quorum.

(2) For all other purposes, a quorum shall consist of a majority of the members of a subcommittee.

(f) *Effect of a Vacancy.*—Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of the subcommittee.

(g) *Records.*—Each subcommittee of the Committee shall provide the full Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee necessary for the Committee to comply with all rules and regulations of the House.

RULE 6.—STAFF

(a) *In General.*—(1) Except as provided in paragraphs (2) and (3), the professional and other staff of the Committee shall be appointed, by the Chair, and shall work under the general supervision and direction of the Chair.

(2) All professional, and other staff provided to the minority party members of the Committee shall be appointed, by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member.

(3) The appointment of all professional staff shall be subject to the approval of the Committee as provided by, and subject to the provisions of, clause 9 of Rule X of the Rules of the House.

(b) *Associate Staff.*—Associate staff for members of the Committee may be appointed only at the discretion of the Chair (in consultation with the ranking minority member regarding any minority party associate staff), after taking into account any staff ceilings and budgetary constraints in effect at the time, and any terms, limits, or conditions established by the Committee on House Administration under clause 9 of Rule X of the Rules of the House.

(c) *Subcommittee Staff.*—From funds made available for the appointment of staff, the Chair of the Committee shall, pursuant to

clause 6(d) of Rule X of the Rules of the House, ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee, and, after consultation with the ranking minority member of the Committee, that the minority party of the Committee is treated fairly in the appointment of such staff.

(d) *Compensation of Staff.*—The Chair shall fix the compensation of all professional and other staff of the Committee, after consultation with the ranking minority member regarding any minority party staff.

(e) *Certification of Staff.*—(1) To the extent any staff member of the Committee or any of its subcommittees does not work under the direct supervision and direction of the Chair, the Member of the Committee who supervises and directs the staff member's work shall file with the Chief of Staff of the Committee (not later than the tenth day of each month) a certification regarding the staff member's work for that member for the preceding calendar month.

(2) The certification required by paragraph (1) shall be in such form as the Chair may prescribe, shall identify each staff member by name, and shall state that the work engaged in by the staff member and the duties assigned to the staff member for the member of the Committee with respect to the month in question met the requirements of clause 9 of rule X of the rules of the House.

(3) Any certification of staff of the Committee, or any of its subcommittees, made by the Chair in compliance with any provision of law or regulation shall be made—

(A) on the basis of the certifications filed under paragraph (1) to the extent the staff is not under the Chair's supervision and direction, and

(B) on his own responsibility to the extent the staff is under the Chair's direct supervision and direction.

RULE 7.—BUDGET, TRAVEL, PAY OF WITNESSES

(a) *Budget.*—The Chair, in consultation with other members of the Committee, shall prepare for each Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

(b) *Travel.*—(1) The Chair may authorize travel for any member and any staff member of the Committee in connection with activities or subject matters under the general jurisdiction of the Committee. Before such authorization is granted, there shall be submitted to the Chair in writing the following:

(A) The purpose of the travel.

(B) The dates during which the travel is to occur.

(C) The names of the States or countries to be visited and the length of time to be spent in each.

(D) The names of members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

(c) *Pay of Witnesses.*—Witnesses may be paid from funds made available to the Committee in its expense resolution subject to the provisions of clause 5 of Rule XI of the Rules of the House.

RULE 8.—COMMITTEE ADMINISTRATION

(a) *Reporting.*—Whenever the Committee authorizes the favorable reporting of a bill or resolution from the Committee—

(1) the Chair or acting Chair shall report it to the House or designate a member of the Committee to do so, and

(2) in the case of a bill or resolution in which the Committee has original jurisdiction, the Chair shall allow, to the extent that the anticipated floor schedule permits, any member of the Committee a reasonable amount of time to submit views for inclusion in the Committee report on the bill or resolution.

Any such report shall contain all matters required by the rules of the House of Representatives (or by any provision of law enacted as an exercise of the rulemaking power of the House) and such other information as the Chair deems appropriate.

(b) *Records.*—(1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the Members of the Committee requests such printing. Any such transcripts shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks. Nothing in this paragraph shall be construed to require that all such transcripts be subject to correction and publication.

(2) The Committee shall keep a record of all actions of the Committee and of its subcommittees. The record shall contain all information required by clause 2(e)(1) of Rule XI of the Rules of the House of Representatives and shall be available for public inspection at reasonable times in the offices of the Committee.

(3) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Chair, shall be the property of the House, and all Members of the House shall have access thereto as provided in clause 2(e)(2) of Rule XI of the Rules of the House.

(4) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The Chair shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

(c) *Committee Publications on the Internet.*—To the maximum extent feasible, the Committee shall makes its publications available in electronic form.

(d) *Calendars.*—(1) The Committee shall maintain a Committee Calendar, which shall include all bills, resolutions, and other matters referred to or reported by the Committee and all bills, resolutions, and other matters reported by any other committee on which a rule has been granted or formally requested, and such other matters as the Chair shall direct. The Calendar shall be published periodically, but in no case less often than once in each session of Congress.

(2) The staff of the Committee shall furnish each member of the Committee with a list of all bills or resolutions (A) reported from the Committee but not yet considered by the House, and (B) on which a rule has been formally requested but not yet granted. The list shall be updated each week when the House is in session.

(3) For purposes of paragraphs (1) and (2), a rule is considered as formally requested when the Chairman of a committee which has reported a bill or resolution (or a member of such committee authorized to act on the Chairman's behalf):

(A) has requested, in writing to the Chair, that a hearing be scheduled on a rule for the consideration of the bill or resolution, and

(B) has supplied the Committee with an adequate number of copies of the bill or resolution, as reported, together with the final printed committee report thereon.

(e) *Other Procedures.*—The Chair may establish such other Committee procedures and take such actions as may be necessary to carry out these rules or to facilitate the effective operation of the Committee and its subcommittees in a manner consistent with these rules.

RULE 9.—AMENDMENTS TO COMMITTEE RULES

The rules of the Committee may be modified, amended or repealed, in the same manner and method as prescribed for the adoption of committee rules in clause 2 of Rule XI of the Rules of the House, but only if written notice of the proposed change has been provided to each such Member at least 48 hours before the time of the meeting at which the vote on the change occurs. Any such change in the rules of the Committee shall be published in the Congressional Record within 30 calendar days after their approval.

Committee on Science

SHERWOOD BOEHLERT, New York, *Chairman*

RALPH M. HALL, Texas
LAMAR S. SMITH, Texas
CURT WELDON, Pennsylvania
DANA ROHRABACHER, California
KEN CALVERT, California
ROSCOE G. BARTLETT, Maryland
VERNON J. EHLERS, Michigan
GIL GUTKNECHT, Minnesota
FRANK D. LUCAS, Oklahoma
JUDY BIGGERT, Illinois
WAYNE T. GILCHREST, Maryland
W. TODD AKIN, Missouri
TIMOTHY V. JOHNSON, Illinois
J. RANDY FORBES, Virginia
JO BONNER, Alabama
TOM FEENEY, Florida
BOB INGLIS, South Carolina
DAVID G. REICHERT, Washington
MICHAEL E. SODREL, Indiana
JOHN J. H. "JOE" SCHWARZ, Michigan
MICHAEL T. McCAUL, Texas
VACANCY
VACANCY

BART GORDON, Tennessee
JERRY F. COSTELLO, Illinois
EDDIE BERNICE JOHNSON, Texas
LYNN C. WOOLSEY, California
DARLENE HOOLEY, Oregon
MARK UDALL, Colorado
DAVID WU, Oregon
MICHAEL M. HONDA, California
BRAD MILLER, North Carolina
LINCOLN DAVIS, Tennessee
RUSS CARNAHAN, Missouri
DANIEL LIPINSKI, Illinois
SHEILA JACKSON-LEE, Texas
BRAD SHERMAN, California
BRIAN BAIRD, Washington
JIM MATHESON, Utah
JIM COSTA, California
AL GREEN, Texas
CHARLIE MELANCON, Louisiana
VACANCY

(Adopted February 10, 2005)

RULE 1.—GENERAL PROVISIONS

(a) *General Statement*.—The Rules of the House of Representatives, as applicable, shall govern the Committee and its Subcommittees, except that a motion to recess from day to day and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the Committee and its Subcommittees and shall be decided without debate. The rules of the Committee, as applicable, shall be the rules of its Subcommittees. The rules of germaneness shall be enforced by the Chairman. [XI 1(a)]

(b) *Membership*.—A majority of the Majority Members of the Committee shall determine an appropriate ratio of majority to minority Members of each Subcommittee and shall authorize the Chairman to negotiate that ratio with the minority party; Provided, however, that party representation on each Subcommittee (including any ex-officio Members) shall be no less favorable to the majority party than the ratio for the Full Committee. Provided, further, that recommendations of conferees to the Speaker shall provide a ratio of majority party Members to minority party Members which shall be no less favorable to the majority party than the ratio for the Full Committee.

(c) *Power To Sit and Act; Subpoena Power*.—(1) Notwithstanding subparagraph (2), a subpoena may be authorized and issued by the

Committee 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 as deemed necessary, only when authorized by a majority of the members voting, a majority of the Committee being present. Authorized subpoenas shall be signed only by the Chairman, or by any member designated by the Chairman. [XI 2(m)]

(2) The Chairman of the Full Committee, with the concurrence of the Ranking Minority Member of the Full Committee, may authorize and issue such subpoenas as described in paragraph (1), during any period in which the House has adjourned for a period longer than 3 days. [XI 2(m)(3)(A)(i)]

(3) A subpoena duces tecum may specify terms of return other than at a meeting or a hearing of the Committee.

(d) *Sensitive or Confidential Information Received Pursuant to Subpoena.*—Unless otherwise determined by the Committee or Subcommittee, certain information received by the Committee or Subcommittee pursuant to a subpoena not made part of the record at an open hearing shall be deemed to have been received in Executive Session when the Chairman of the Full Committee, in his judgment and after consultation with the Ranking Minority Member, deems that in view of all the circumstances, such as the sensitivity of the information or the confidential nature of the information, such action is appropriate.

(e) *National Security Information.*—All national security information bearing a classification of secret or higher which has been received by the Committee or a Subcommittee shall be deemed to have been received in Executive Session and shall be given appropriate safekeeping. The Chairman of the Full Committee may establish such regulations and procedures as in his judgment are necessary to safeguard classified information under the control of the Committee. Such procedures shall, however, ensure access to this information by any Member of the Committee, or any other Member of the House of Representatives who has requested the opportunity to review such material.

(f) *Oversight.*—Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Oversight and the Committee on Government Reform and Oversight, in accordance with the provisions of clause 2(d) of Rule X of the House of Representatives.

(g) The Chairman of the Full Committee, or of any Subcommittee, shall not undertake any investigation in the name of the Committee without formal approval by the Chairman of the Full Committee after consultation with the Ranking Minority Member of the Full Committee.

(h) *Order of Business.*—The order of business and procedure of the Committee and the subjects of inquiries or investigations will be decided by the Chairman, subject always to an appeal to the Committee.

(i) *Suspended Proceeding.*—During the consideration of any measure or matter, the Chairman of the Full Committee, or of any

Subcommittee, or any Member acting as such, shall suspend further proceedings after a question has been put to the Committee at any time when there is a vote by electronic device occurring in the House of Representatives.

(j) *Other Procedures.*—The Chairman of the Full Committee, after consultation with the Ranking Minority Member, may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the Committee.

(k) *Use of Hearing Rooms.*—In consultation with the Ranking Minority Member, the Chairman of the full Committee shall establish guidelines for use of Committee hearing rooms.

RULE 2.—COMMITTEE MEETINGS [AND PROCEDURES]

(a) *Quorum [XI 2(h)].*—(1) One-third of the Members of the Committee shall constitute a quorum for all purposes except as provided in paragraphs (2) and (3) of this Rule.

(2) A majority of the Members of the Committee shall constitute a quorum in order to: (A) report or table any legislation, measure, or matter; (B) close Committee meetings or hearings pursuant to Rules 2(c) and 2(d); and, (C) authorize the issuance of subpoenas pursuant to Rule 1(c).

(3) Two Members of the Committee shall constitute a quorum for taking testimony and receiving evidence, which, unless waived by the Chairman of the Full Committee after consultation with the Ranking Minority Member of the Full Committee, shall include at least one Member from each of the majority and minority parties.

(b) *Time and Place.*—(1) Unless dispensed with by the Chairman, the meetings of the Committee shall be held on the 2nd and 4th Wednesday of each month the House is in session at 10:00 a.m. and at such other times and in such places as the Chairman may designate. [XI 2(b)]

(2) The Chairman of the Committee may convene as necessary additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business subject to such rules as the Committee may adopt. The Committee shall meet for such purpose under that call of the Chairman. [XI 2(c)]

(3) The Chairman shall make public announcement of the date, time, place and subject matter of any of its hearings, and to the extent practicable, a list of witnesses at least one week before the commencement of the hearing. If the Chairman, with the concurrence of the Ranking Minority Member, determines there is good cause to begin the hearing sooner, or if the Committee so determines by majority vote, a quorum being present for the transaction of business, the Chairman shall make the announcement at the earliest possible date. Any announcement made under this Rule shall be promptly published in the Daily Digest, and promptly made available by electronic form including the Committee website. [XI 2(g)(3)]

(c) *Open Meetings [XI 2(g)].*—Each meeting for the transaction of business, including the markup of legislation, of the Committee shall be open to the public, including to radio, television, and still photography coverage, except when the Committee, in open session

and with a majority present, determines by record vote that all or part of the remainder of the meeting on that day shall be in executive session because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House. Persons other than Members of the Committee and such non-Committee Members, Delegates, Resident Commissioner, congressional staff, or departmental representatives as the Committee may authorize, may not be present at a business or markup session that is held in executive session. This Rule does not apply to open Committee hearings which are provided for by Rule 2(d).

(d)(1) Each hearing conducted by the Committee shall be open to the public including radio, television, and still photography coverage except when the Committee, in open session and with a majority present, determines by record vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would violate a law or rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, and Rule 2(q) a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony:

(A) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information or would violate Rule XI 2(k)(5) of the Rules of the House of Representatives; or

(B) may vote to close the hearing, as provided in Rule XI 2(k)(5) of the Rules of the House of Representatives. No Member, Delegate, or Resident Commissioner may be excluded from non-participatory attendance at any hearing of any Committee or Subcommittee, unless the House of Representatives shall by majority vote authorize a particular Committee or Subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members, Delegate and the Resident Commissioner by the same procedures designated in this Rule for closing hearings to the public: Provided, however, that the Committee or Subcommittee may by the same procedure vote to close one subsequent day of the hearing.

(e) *Audio and Visual Coverage [XI, clause 4].*—(A) Whenever a hearing or meeting conducted by the Committee is open to the public, these proceedings shall be open to coverage by television, radio, and still photography, except as provided in Rule XI 4(f)(2) of the House of Representatives. The Chairman shall not be able to limit the number of television, or still cameras to fewer than two representatives from each medium (except for legitimate space or safety considerations in which case pool coverage shall be authorized).

(B)(1) Radio and television tapes, television film, and internet recordings of any Committee hearings or meetings that are open to the public may not be used, or made available for use, as partisan

political campaign material to promote or oppose the candidacy of any person for elective public office.

(2) It is, further, the intent of this rule that the general conduct of each meeting or hearing covered under authority of this rule by audio or visual means, and the personal behavior of the Committee Members and staff, other government officials and personnel, witnesses, television, radio, and press media personnel, and the general public at the meeting or hearing, shall be in strict conformity with and observance of the acceptable standards of dignity, propriety, courtesy, and decorum traditionally observed by the House in its operations, and may not be such as to:

(i) distort the objects and purposes of the meeting or hearing or the activities of Committee Members in connection with that meeting or hearing or in connection with the general work of the Committee or of the House; or

(ii) cast discredit or dishonor on the House, the Committee, or a Member, Delegate, or Resident Commissioner or bring the House, the Committee, or a Member, Delegate, or Resident Commissioner into disrepute.

(3) The coverage of Committee meetings and hearings by audio and visual means shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of this rule.

(f) The following shall apply to coverage of Committee meetings or hearings by audio or visual means:

(1) If audio or visual coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(2) The allocation among the television media of the positions or the number of television cameras permitted by a Committee or Subcommittee Chairman in a hearing or meeting room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(3) Television cameras shall be placed so as not to obstruct in any way the space between a witness giving evidence or testimony and any member of the Committee or the visibility of that witness and that member to each other.

(4) Television cameras shall operate from fixed positions but may not be placed in positions that obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(5) Equipment necessary for coverage by the television and radio media may not be installed in, or removed from, the hearing or meeting room while the Committee is in session.

(6)(A) Except as provided in subdivision (B), floodlights, spotlights, strobelights, and flashguns may not be used in providing any method of coverage of the hearing or meeting.

(B) The television media may install additional lighting in a hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in a hearing or meeting room to the lowest level necessary to provide adequate television coverage of a hearing or meeting at the current state of the art of television coverage.

(7) In the allocation of the number of still photographers permitted by a Committee or Subcommittee Chairman in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If requests are made by more of the media than will be permitted by a Committee or Subcommittee Chairman for coverage of a hearing or meeting by still photography, that coverage shall be permitted on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(8) Photographers may not position themselves between the witness table and the members of the Committee at any time during the course of a hearing or meeting.

(9) Photographers may not place themselves in positions that obstruct unnecessarily the coverage of the hearing by the other media.

(10) Personnel providing coverage by the television and radio media shall be currently accredited to the Radio and Television Correspondents' Galleries.

(11) Personnel providing coverage by still photography shall be currently accredited to the Press Photographers' Gallery.

(12) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

(g) *Special Meetings.*—Rule XI 2(c) of the Rules of the House of Representatives is hereby incorporated by reference (Special Meetings).

(h) *Vice Chairman To Preside in Absence of Chairman.*—Meetings and hearings of the Committee shall be called to order and presided over by the Chairman or, in the Chairman's absence, by the member designated by the Chairman as the Vice Chairman of the Committee, or by the ranking majority member of the Committee present as Acting Chairman. [XI 2(d)]

(i) *Opening Statements; 5-Minute Rule.*—Insofar as is practicable, the Chairman, after consultation with the Ranking Minority Member, shall limit the total time of opening statements by Members to no more than 10 minutes, the time to be divided equally between the Chairman and Ranking Minority Member. The time any one Member may address the Committee on any bill, motion or other matter under consideration by the Committee or the time allowed for the questioning of a witness at hearings before the Committee will be limited to five minutes, and then only when the Member has been recognized by the Chairman, except that this time limit may be waived by the Chairman or acting. [XI 2(j)]

(j) Notwithstanding Rule 2(i), upon a motion the Chairman, in consultation with the Ranking Minority Member, may designate an equal number of members from each party to question a witness for a period not to exceed one hour in the aggregate or, upon a motion, may designate staff from each party to question a witness for equal specific periods that do not exceed one hour in the aggregate. [XI 2(j)]

(k) *Proxies.*—No Member may authorize a vote by proxy with respect to any measure or matter before the Committee. [XI 2(f)]

(l)(1) *Witnesses.*—Insofar as is practicable, each witness who is to appear before the Committee shall file no later than twenty-four (24) hours in advance of his or her appearance, a written statement of the proposed testimony and curriculum vitae. Each witness shall limit his or her presentation to a 5-minute summary, provided that additional time may be granted by the Chairman when appropriate. [XI 2(g)(4)]

(2) To the greatest extent practicable, each witness appearing in a non-governmental capacity shall include with the written statement of proposed testimony a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) which is relevant to the subject of his or her testimony and was received during the current fiscal year or either of the 2 preceding fiscal years by the witness or by an entity represented by the witness. [XI 2(g)(4)]

(m) Whenever any hearing is conducted by the Committee on any measure or matter, the minority Members of the Committee shall be entitled, upon request to the Chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon. [XI 2(j)(1)]

(n) *Hearing Procedures.*—Rule XI 2(k) of the Rules of the House of Representatives is hereby incorporated by reference.

(o) *Bill and Subject Matter Consideration.*—Bills and other substantive matters may be taken up for consideration only when called by the Chairman of the Committee or by a majority vote of a quorum of the Committee, except those matters which are the subject of special-call meetings outlined in Rule 2(g). [XI 2(c)]

(p) *Private Bills.*—No private bill will be reported by the Committee if there are two or more dissenting votes. Private bills so rejected by the Committee will not be reconsidered during the same Congress unless new evidence sufficient to justify a new hearing has been presented to the Committee.

(q) *Consideration of Measure or Matter.*—(1) It shall not be in order for the Committee to consider any new or original measure or matter unless written notice of the date, place and subject matter of consideration and to the maximum extent practicable, a written copy of the measure or matter to be considered, and to the maximum extent practicable the original text for purposes of markup of the measure to be considered have been available to each Member of the Committee for at least 48 hours in advance of consideration, excluding Saturdays, Sundays and legal holidays. To the maximum extent practicable, amendments to the measure or matter to be considered, shall be submitted in writing to the Clerk of the Committee at least 24 hours prior to the consideration of the measure or matter. [XIII 4(a)]

(2) Notwithstanding paragraph (1) of this rule, consideration of any legislative measure or matter by the Committee shall be in order by vote of two-thirds of the Members present, provided that a majority of the Committee is present.

(r) *Requests for Written Motions.*—Any legislative or non-procedural motion made at a regular or special meeting of the Committee and which is entertained by the Chairman shall be pre-

sented in writing upon the demand of any Member present and a copy made available to each Member present.

(s) *Requests for Record Votes at Full Committee.*—A record vote of the Members may be had at the request of three or more Members or, in the apparent absence of a quorum, by any one Member.

(t) *Report Language on Use of Federal Resources.*—No legislative report filed by the Committee on any measure or matter reported by the Committee shall contain language which has the effect of specifying the use of federal resources more explicitly (inclusively or exclusively) than that specified in the measure or matter as ordered reported, unless such language has been approved by the Committee during a meeting or otherwise in writing by a majority of the Members.

(u) *Committee Records.*—(1) The Committee shall keep a complete record of all Committee action which shall include a record of the votes on any question on which a record vote is demanded. The result of each record vote shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each Member voting for and each Member voting against such amendment, motion, order, or proposition, and the names of those Members present but not voting. [XI 2(e)]

(2) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the Rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee. [XI 2(e)(3)]

(3) To the maximum extent feasible, the Committee shall make its publications available in electronic form, including the Committee website. [XI 2(e)(4)]

(4)(A) Except as provided for in subdivision (B), all Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as its Chairman. Such records shall be the property of the House, and each Member, Delegate, and the Resident Commissioner, shall have access thereto.

(B) A Member, Delegate, or Resident Commissioner, other than members of the Committee on Standards of Official Conduct, may not have access to the records of the Committee respecting the conduct of a Member, Delegate, Resident Commissioner, officer, or employee of the House without the specific prior permission of the Committee.

(v) *Publication of Committee Hearings and Markups.*—The transcripts of those hearings conducted by the Committee which are decided to be printed shall be published in verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate. Individuals, including Members of Congress, whose comments are to be published as part of a Committee document shall be given the opportunity to verify

the accuracy of the transcription in advance of publication. Any requests by those Members, staff or witnesses to correct any errors other than errors in transcription, or disputed errors in transcription, shall be appended to the record, and the appropriate place where the change is requested will be footnoted. Prior to approval by the Chairman of hearings conducted jointly with another congressional Committee, a memorandum of understanding shall be prepared which incorporates an agreement for the publication of the verbatim transcript. Transcripts of markups shall be recorded and published in the same manner as hearings before the Committee and shall be included as part of the legislative report unless waived by the Chairman.

RULE 3.—SUBCOMMITTEES

(a) *Structure and Jurisdiction.*—The Committee shall have the following standing Subcommittees with the jurisdiction indicated.

(1) *Subcommittee on Energy*.—Legislative jurisdiction and general and special oversight and investigative authority on all matters relating to energy research, development, and demonstration and projects therefor, and commercial application of energy technology including: Department of Energy research, development, and demonstration programs; Department of Energy laboratories; Department of Energy science activities; energy supply activities; nuclear, solar and renewable energy, and other advanced energy technologies; uranium supply and enrichment, and Department of Energy waste management and environment, safety, and health activities as appropriate; fossil energy research and development; clean coal technology; energy conservation research and development; energy aspects of climate change; pipeline research, development, and demonstration projects; energy standards; and energy conservation including building performance, alternate fuels for and improved efficiency of vehicles, distributed power systems, and industrial process improvements.

(2) *Subcommittee on Environment, Technology, and Standards.*—Legislative jurisdiction and general and special oversight and investigative authority on all matters relating to competitiveness, technology, and environmental research, development, and demonstration including: technical standards and standardization of measurement; the Technology Administration of the Department of Commerce; the National Institute of Standards and Technology; the National Technical Information Service; competitiveness, including small business competitiveness; tax, antitrust, regulatory and other legal and governmental policies as they relate to technological development and commercialization; technology transfer including civilian use of defense technologies; patent and intellectual property policy; international technology trade; research, development, and demonstration activities of the Department of Transportation; surface and water transportation research, development, and demonstration programs; Environmental Protection Agency research and development programs; biotechnology policy; National Oceanic and Atmospheric Administration, including all activities related to weather, weather services, climate,

and the atmosphere, and marine fisheries, and oceanic research; risk assessment activities; scientific issues related to environmental policy, including climate change; Small Business Innovation Research and Technology Transfer; and voting technologies and standards.

(3) *Subcommittee on Research.*—Legislative jurisdiction and general and special oversight and investigative authority on all matters relating to science policy including: Office of Science and Technology Policy; all scientific research, and scientific and engineering resources (including human resources), math, science and engineering education; intergovernmental mechanisms for research, development, and demonstration and crosscutting programs; international scientific cooperation; National Science Foundation; university research policy, including infrastructure and overhead; university research partnerships, including those with industry; science scholarships; issues relating to computers, communications, and information technology; earthquake and fire research programs including those related to wildfire proliferation research and prevention; research and development relating to health, biomedical, and nutritional programs; to the extent appropriate, agricultural, geological, biological and life sciences research; and materials research, development, and demonstration and policy.

(4) *Subcommittee on Space and Aeronautics.*—Legislative jurisdiction and general and special oversight and investigative authority on all matters relating to astronautical and aeronautical research and development including: national space policy, including access to space; sub-orbital access and applications; National Aeronautics and Space Administration and its contractor and government-operated laboratories; space commercialization including the commercial space activities relating to the Department of Transportation and the Department of Commerce; exploration and use of outer space; international space cooperation; National Space Council; space applications, space communications and related matters; earth remote sensing policy; civil aviation research, development, and demonstration; and research, development, and demonstration programs of the Federal Aviation Administration; and space law.

(b) *Referral of Legislation.*—The Chairman shall refer all legislation and other matters referred to the Committee to the Subcommittee or Subcommittees of appropriate jurisdiction within two weeks unless, the Chairman deems consideration is to be by the Full Committee. Subcommittee Chairmen may make requests for referral of specific matters to their Subcommittee within the two week period if they believe Subcommittee jurisdictions so warrant.

(c) *Ex-Officio Members.*—The Chairman and Ranking Minority Member shall serve as ex-officio Members of all Subcommittees and shall have the right to vote and be counted as part of the quorum and ratios on all matters before the Subcommittee.

(d) *Procedures.*—No Subcommittee shall meet for markup or approval when any other Subcommittee of the Committee or the Full Committee is meeting to consider any measure or matter for markup or approval.

(e) Each Subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee on all matters referred to it. For matters within its jurisdiction, each Subcommittee is authorized to conduct legislative, investigative, forecasting, and general oversight hearings; to conduct inquiries into the future; and to undertake budget impact studies. Subcommittee Chairmen shall set meeting dates after consultation with the Chairman and other Subcommittee Chairmen with a view toward avoiding simultaneous scheduling of Committee and Subcommittee meetings or hearings wherever possible.

(f) Any Member of the Committee may have the privilege of sitting with any Subcommittee during its hearings or deliberations and may participate in such hearings or deliberations, but no such Member who is not a Member of the Subcommittee shall vote on any matter before such Subcommittee, except as provided in Rule 3(c).

(g) During any Subcommittee proceeding for markup or approval, a record vote may be had at the request of one or more Members of that Subcommittee.

RULE 4.—REPORTS

(a) *Substance of Legislative Reports.*—The report of the Committee on a measure which has been approved by the Committee shall include the following, to be provided by the Committee:

(1) the oversight findings and recommendations required pursuant to Rule X 2(b)(1) of the Rules of the House of Representatives, separately set out and identified [XIII, 3(c)];

(2) the statement required by section 308(a) of the Congressional Budget Act of 1974, separately set out and identified, if the measure provides new budget authority or new or increased tax expenditures as specified in [XIII, 3(c)(2)];

(3) With respect to reports on a bill or joint resolution of a public character, a "Constitutional Authority Statement" citing the specific powers granted to Congress by the Constitution pursuant to which the bill or joint resolution is proposed to be enacted.

(4) with respect to each record vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those Members voting for and against, shall be included in the Committee report on the measure or matter;

(5) the estimate and comparison prepared by the Committee under Rule XIII, clause 3(d)(2) of the Rules of the House of Representatives, unless the estimate and comparison prepared by the Director of the Congressional Budget Office prepared under subparagraph 2 of this Rule has been timely submitted prior to the filing of the report and included in the report [XIII, 3(d)(3)(D)];

(6) in the case of a bill or joint resolution which repeals or amends any statute or part thereof, the text of the statute or part thereof which is proposed to be repealed, and a comparative print of that part of the bill or joint resolution making the

amendment and of the statute or part thereof proposed to be amended [Rule XIII, clause 3]; and

(7) a transcript of the markup of the measure or matter unless waived under Rule 2(v).

(8) a statement of general performance goals and objectives, including outcome-related goals and objectives, for which the measure authorizes funding. [XIII, 3(c)]

(b) The report of the Committee on a measure which has been approved by the Committee shall further include the following, to be provided by sources other than the Committee:

(1) the estimate and comparison prepared by the Director of the Congressional Budget Office required under section 403 of the Congressional Budget Act of 1974, separately set out and identified, whenever the Director (if timely, and submitted prior to the filing of the report) has submitted such estimate and comparison of the Committee [XIII, clauses 2–4];

(2) if the Committee has not received prior to the filing of the report the material required under paragraph (1) of this Rule, then it shall include a statement to that effect in the report on the measure.

(c) *Minority and Additional Views [XI 2(l)].*—If, at the time of approval of any measure or matter by the Committee, any Member of the Committee gives notice of intention to file supplemental, minority, or additional views, that Member shall be entitled to not less than two subsequent calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays) in which to file such views, in writing and signed by that Member, with the clerk of the Committee. All such views so filed by one or more Members of the Committee shall be included within, and shall be a part of, the report filed by the Committee with respect to that measure or matter. The report of the Committee upon that measure or matter shall be printed in a single volume which shall include all supplemental, minority, or additional views, which have been submitted by the time of the filing of the report, and shall bear upon its cover a recital that any such supplemental, minority, or additional views (and any material submitted under Rule 4(b)(1)) are included as part of the report. However, this rule does not preclude (1) the immediate filing or printing of a Committee report unless timely requested for the opportunity to file supplemental, minority, or additional views has been made as provided by this Rule or (2) the filing by the Committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by that Committee upon that measure or matter.

(d) The Chairman of the Committee or Subcommittee, as appropriate, shall advise Members of the day and hour when the time for submitting views relative to any given report elapses. No supplemental, minority, or additional views shall be accepted for inclusion in the report if submitted after the announced time has elapsed unless the Chairman of the Committee or Subcommittee, as appropriate, decides to extend the time for submission of views the 2 subsequent calendar days after the day of notice, in which case he shall communicate such fact to Members, including the revised day and hour for submissions to be received, without delay.

(e) *Consideration of Subcommittee Reports.*—Reports and recommendations of a Subcommittee shall not be considered by the Full Committee until after the intervention of 48 hours, excluding Saturdays, Sundays and legal holidays, from the time the report is submitted and made available to full Committee membership and printed hearings thereon shall be made available, if feasible, to the Members, except that this rule may be waived at the discretion of the Chairman after consultation with the Ranking Minority Member.

(f) *Timing and Filing of Committee Reports [XIII].*—It shall be the duty of the Chairman to report or cause to be reported promptly to the House any measure approved by the Committee and to take or cause to be taken the necessary steps to bring the matter to a vote. To the maximum extent practicable, the written report of the Committee on such measures shall be made available to the Committee membership for review at least 24 hours in advance of filing.

(g) The report of the Committee on a measure which has been approved by the Committee shall be filed within 7 calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the Committee a written request, signed by the majority of the Members of the Committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the Committee shall transmit immediately to the Chairman of the Committee notice of the filing of that request.

(h)(1) Any document published by the Committee as a House Report, other than a report of the Committee on a measure which has been approved by the Committee, shall be approved by the Committee at a meeting, and Members shall have the same opportunity to submit views as provided for in Rule 4(c).

(2) Subject to paragraphs (3) and (4), the Chairman may approve the publication of any document as a Committee print which in his discretion he determines to be useful for the information of the Committee.

(3) Any document to be published as a Committee print which purports to express the views, findings, conclusions, or recommendations of the Committee or any of its Subcommittees must be approved by the Full Committee or its Subcommittees, as applicable, in a meeting or otherwise in writing by a majority of the Members, and such Members shall have the right to submit supplemental, minority, or additional views for inclusion in the print within at least 48 hours after such approval.

(4) Any document to be published as a Committee print other than a document described in paragraph (3) of this Rule: (A) shall include on its cover the following statement: "This document has been printed for informational purposes only and does not represent either findings or recommendations adopted by this Committee;" and (B) shall not be published following the sine die adjournment of a Congress, unless approved by the Chairman of the Full Committee after consultation with the Ranking Minority Member of the Full Committee.

(i) A report of an investigation or study conducted jointly by this Committee and one or more other Committee(s) may be filed joint-

ly, provided that each of the Committees complies independently with all requirements for approval and filing of the report.

(j) After an adjournment of the last regular session of a Congress sine die, an investigative or oversight report approved by the Committee may be filed with the Clerk at any time, provided that if a member gives notice at the time of approval of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than 7 calendar days in which to submit such views for inclusion with the report.

(k) After an adjournment sine die of the last regular session of a Congress, the Chairman may file the Committee's Activity Report for that Congress under clause 1(d)(1) of Rule XI of the Rules of the House with the Clerk of the House at any time and without the approval of the Committee, provided that a copy of the report has been available to each member of the Committee for at least 7 calendar days and that the report includes any supplemental, minority, or additional views submitted by a member of the Committee. [XI 1(d), XI 1(d)(4)]

(l) *Oversight Reports.*—A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day). [XI 1(b)(2)]

LEGISLATIVE AND OVERSIGHT JURISDICTION OF THE COMMITTEE ON SCIENCE

RULE X.—ORGANIZATION OF COMMITTEES

Committees and their legislative jurisdictions.

1. There shall be in the House the following standing Committees, each of which shall have the jurisdiction and related functions assigned to it by this clause and clauses 2, 3, and 4. All bills, resolutions, and other matters relating to subjects within the jurisdiction of the standing Committees listed in this clause shall be referred to those Committees, in accordance with clause 2 of Rule XII, as follows:

(n) Committee on Science.

(1) All energy research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.

(2) Astronautical research and development, including resources, personnel, equipment, and facilities.

(3) Civil aviation research and development.

(4) Environmental research and development.

(5) Marine research.

(6) Commercial application of energy technology.

(7) National Institute of Standards and Technology, standardization of weights and measures and the metric system.

(8) National Aeronautics and Space Administration.

(9) National Space Council.

(10) National Science Foundation.

(11) National Weather Service.

(12) Outer space, including exploration and control thereof.

(13) Science Scholarships.

(14) Scientific research, development, and demonstration, and projects therefor.

SPECIAL OVERSIGHT FUNCTIONS

3. (j) The Committee on Science shall review and study on a continuing basis laws, programs, and Government activities relating to nonmilitary research and development.

Committee on Small Business

DONALD A. MANZULLO, Illinois, *Chairman*

ROSCOE G. BARTLETT, Maryland
SUE W. KELLY, New York
STEVE CHABOT, Ohio
SAM GRAVES, Missouri
W. TODD AKIN, Missouri
BILL SHUSTER, Pennsylvania
MARILYN N. MUSGRAVE, Colorado
JEB BRADLEY, New Hampshire
STEVE KING, Iowa
THADDEUS G. McCOTTER, Michigan
RIC KELLER, Florida
TED POE, Texas
MICHAEL E. SODREL, Indiana
JEFF FORTENBERRY, Nebraska
MICHAEL G. FITZPATRICK, Pennsylvania
LYNN A. WESTMORELAND, Georgia
LOUIE GOHMERT, Texas

NYDIA M. VELÁZQUEZ, New York
JUANITA MILLENDER-McDONALD, California
TOM UDALL, New Mexico
DANIEL LIPINSKI, Illinois
ENI F. H. FALEOMAVAEGA, American Samoa
DONNA M. CHRISTENSEN, Virgin Islands
DANNY K. DAVIS, Illinois
ED CASE, Hawaii
MADELEINE Z. BORDALLO, Guam
RAÚL M. GRIJALVA, Arizona
MICHAEL H. MICHAUD, Maine
LINDA T. SÁNCHEZ, California
JOHN BARROW, Georgia
MELISSA L. BEAN, Illinois
GWEN MOORE, Wisconsin

(Adopted February 10, 2005)

RULE 1.—GENERAL PROVISIONS

The Rules of the House of Representatives, and in particular the committee rules enumerated in Rule XI, are the rules of the Committee on Small Business to the extent applicable and by this reference are incorporated. Each subcommittee of the Committee on Small Business (hereinafter referred to as the "committee") is a part of the committee and is subject to the authority and direction of the committee, and to its rules to the extent applicable.

RULE 2.—REFERRAL OF BILLS BY CHAIRMAN

Unless retained for consideration by the full committee, all legislation and other matters referred to the committee shall be referred by the Chairman to the subcommittee of appropriate jurisdiction within 2 weeks. Where the subject matter of the referral involves the jurisdiction of more than one subcommittee or does not fall within any previously assigned jurisdictions, the Chairman shall refer the matter, as he may deem advisable.

RULE 3.—DATE OF MEETING

The regular meeting date of the committee shall be the second Thursday of every month when the House is in session. A regular meeting of the committee may be dispensed with if, in the judgment of the Chairman, there is no need for the meeting. Additional meetings may be called by the Chairman as he may deem necessary or at the request of a majority of the members of the committee in accordance with clause 2(c) of Rule XI of the House.

At least 3 days' notice of such an additional meeting shall be given unless the Chairman determines that there is good cause to call the meeting on less notice.

The determination of the business to be considered at each meeting shall be made by the Chairman subject to clause 2(c) of rule XI of the House.

A regularly scheduled meeting need not be held if there is no business to be considered or, upon at least 3 days' notice, it may be set for a different date.

RULE 4.—ANNOUNCEMENT OF HEARINGS

Unless the Chairman, with the concurrence of the ranking minority member, or the committee by majority vote, determines that there is good cause to begin a hearing at an earlier date, public announcement shall be made of the date, place and subject matter of any hearing to be conducted by the committee at least 1 week before the commencement of that hearing.

After announcement of a hearing, the committee shall make available as soon as practicable to all Members of the Committee a tentative witness list and to the extent practicable a memorandum explaining the subject matter of the hearing (including relevant legislative reports and other necessary material). In addition, the Chairman shall make available as soon as practicable to the Members of the Committee any official reports from departments and agencies on the subject matter as they are received.

RULE 5.—MEETINGS AND HEARINGS OPEN TO THE PUBLIC

(A) *Meetings.*—Each meeting of the committee or its subcommittees for the transaction of business, including the markup of legislation, shall be open to the public, including to radio, television and still photography coverage, except as provided by clause 4 of Rule XI of the House, except when the committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of the meeting on that day shall be closed to the public because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House; Provided, however, that no person other than members of the committee, and such congressional staff and such executive branch representatives as they may authorize, shall be present in any business meeting or markup session which has been closed to the public.

(B) *Hearings.*—Each hearing conducted by the committee or its subcommittees shall be open to the public, including radio, television and still photography coverage, except when the committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of the hearing on that day shall be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security, would compromise sensitive law enforcement information, or would violate any law or rule of the House; Provided, however, that the committee or subcommittee

may by the same procedure vote to close one subsequent day of hearings. Notwithstanding the requirements of the preceding sentence, a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony, (i) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or violate clause 2(k)(5) of rule XI of the House; or (ii) may vote to close the hearing, as provided in clause 2(k)(5) of Rule XI of the House.

No member of the House may be excluded from non-participatory attendance at any hearing of the committee or any subcommittee, unless the House of Representatives shall by majority vote authorize the committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearing to members by the same procedures designated for closing hearings to the public.

RULE 6.—WITNESSES

(A) *Statement of Witnesses.*—Each witness who is to appear before the committee or subcommittee shall file with the committee at least two business days before the day of his or her appearance, 100 copies of his or her written statement of proposed testimony. At least one copy of the statement of each witness shall be furnished directly to the ranking minority member. In addition, all witnesses shall be required to submit with their testimony a resume or other statement describing their education, employment, professional affiliations and other background information pertinent to their testimony unless waived by the Chairman.

Each witness shall also submit to the committee a copy of his or her final prepared statement in an electronic format no later than the day of the hearing unless waived by the Chairman.

The committee will provide public access to its printed materials, including the proposed testimony of witnesses, in electronic form.

(B) *Interrogation of Witnesses.*—Whenever any hearing is conducted by the committee or any subcommittee upon any measure or matter, the minority party members on the committee shall be entitled, upon request to the Chairman by a majority of those minority members, to call one witness selected by the minority to testify with respect to that measure or matter. The witness requested by the minority shall furnish at least one copy of his or her statement and any supplementary materials directly to the Chairman within two business days before the day of his or her appearance unless waived by the Chairman.

Except when the committee adopts a motion pursuant to subdivisions (B) and (C) of clause 2(j)(2) of Rule XI of the Rules of the House, committee members may question witnesses only when they have been recognized by the Chairman for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one member can be extended only with the unanimous consent of all members present. The Chairman, followed by the ranking minority member and all other members alternating

between the majority and minority, shall initiate the questioning of witnesses in both the full and subcommittee hearings.

In recognizing members to question witnesses, the Chairman may take into consideration the ratio of majority and minority members present in such a manner as not to disadvantage the Members of either party. The Chairman, in consultation with the ranking minority member, may decrease the 5-minute time period in order to accommodate the needs of all the Members present and the schedule of the witnesses.

RULE 7.—SUBPOENAS

A subpoena may be authorized and issued by the Chairman of the committee in the conduct of any investigation or series of investigations or activities to require the attendance and testimony of such witness and the production of such books, records, correspondence, memoranda, papers and documents, as he deems necessary. The ranking minority member shall be promptly notified of the issuance of such a subpoena.

Such a subpoena may be authorized and issued by the chairman of a subcommittee with the approval of a majority of the members of the subcommittee and the approval of the Chairman of the committee.

RULE 8.—QUORUM

No measure or recommendation shall be reported unless a majority of the committee was actually present. For purposes of taking testimony or receiving evidence, two members shall constitute a quorum. For all other purposes, one-third of the members (or 11 Members) shall constitute a quorum.

RULE 9.—AMENDMENTS DURING MARK-UP

Any amendment offered to any pending legislation before the committee must be made available in written form when requested by any member of the committee. If such amendment is not available in written form when requested, the Chairman shall allow an appropriate period for the provision thereof.

RULE 10.—PROXIES

No vote by any member of the committee or any of its subcommittees with respect to any measure or matter may be cast by proxy.

RULE 11.—POSTPONEMENT OF PROCEEDINGS

The Chairman in consultation with the Ranking Minority Member may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman may resume proceedings on a postponed request at any time. In exercising postponement authority, the Chairman shall take all reasonable steps necessary to notify members on the resumption of proceedings on any postponed recorded vote. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous

question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE 12.—NUMBER AND JURISDICTION OF SUBCOMMITTEES

There will be four subcommittees as follows:

Workforce, Empowerment and Government Programs (seven Republicans and six Democrats) Regulatory Reform and Oversight (seven Republicans and six Democrats) Rural Enterprises, Agriculture and Technology (six Republicans and five Democrats) Tax, Finance and Exports (eight Republicans and seven Democrats)

During the 109th Congress, the Chairman and ranking minority member shall be ex officio members of all subcommittees, without vote, and the full committee shall have the authority to conduct oversight of all areas of the committee's jurisdiction.

In addition to conducting oversight in the area of their respective jurisdiction, each subcommittee shall have the following jurisdiction:

WORKFORCE, EMPOWERMENT AND GOVERNMENT PROGRAMS

Oversight and investigative authority over problems faced by small businesses in attracting and retaining a high quality workforce, including but not limited to wages and benefits such as health care.

Promotion of business growth and opportunities in economically depressed areas.

Oversight and investigative authority over regulations and other government policies that impact small businesses located in high risk communities.

Opportunities for minority, women, veteran and disabled-owned small businesses, including the SBA's 8(a) program.

General oversight of programs targeted toward urban relief.

Small Business Act, Small Business Investment Act, and related legislation.

Federal Government programs that are designed to assist small business generally.

Participation of small business in Federal procurement and Government contracts.

REGULATORY REFORM AND OVERSIGHT

Oversight and investigative authority over the regulatory and paperwork policies of all Federal departments and agencies.

Regulatory Flexibility Act.

Paperwork Reduction Act.

Competition policy generally.

Oversight and investigative authority generally, including novel issues of special concern to small business.

RURAL ENTERPRISES, AGRICULTURE AND TECHNOLOGY

Promotion of business growth and opportunities in rural areas.

Oversight and investigative authority over agricultural issues that impact small businesses.

General oversight of programs targeted toward farm relief.

Oversight and investigative authority for small business technology issues.

TAX, FINANCE AND EXPORTS

Tax policy and its impact on small business.

Access to capital and finance issues generally.

Export opportunities and oversight over Federal trade policy and promotion programs.

RULE 13.—COMMITTEE STAFF

(A) *Majority Staff.*—The employees of the committee, except those assigned to the minority as provided below, shall be appointed and assigned, and may be removed by the Chairman. The Chairman shall fix their remuneration, and they shall be under the general supervision and direction of the Chairman.

(B) *Minority Staff.*—The employees of the committee assigned to the minority shall be appointed and assigned, and their remuneration determined, as the ranking minority member of the committee shall determine.

(C) *Subcommittee Staff.*—The Chairman and ranking minority member of the full committee shall endeavor to ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the committee.

RULE 14.—POWERS AND DUTIES OF SUBCOMMITTEES

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full committee on all matters referred to it. Subcommittee chairmen shall set meeting and hearing dates after consultation with the Chairman of the full committee. Meetings and hearings of subcommittees shall not be scheduled to occur simultaneously with meetings or hearings of the full committee.

RULE 15.—SUBCOMMITTEE REPORTS

(A) *Investigative Hearings.*—The report of any subcommittee on a matter which was the topic of a study or investigation shall include a statement concerning the subject of the study or investigation, the findings and conclusions, and recommendations for corrective action, if any, together with such other material as the subcommittee deems appropriate.

Such proposed reports shall first be approved by a majority of the subcommittee members. After such approval has been secured, the proposed report shall be sent to each member of the full committee for his or her supplemental, minority, or additional views.

Any such views shall be in writing and signed by the member and filed with the clerk of the full committee within 5 calendar days (excluding Saturdays, Sundays, and legal holidays) from the date of the transmittal of the proposed report to the members. Transmittal of the proposed report to members shall be by hand delivery to the members' offices.

After the expiration of such 5 calendar days, the report may be filed as a House report.

(B) *End of Congress.*—Each subcommittee shall submit to the full committee, not later than November 15 of each even-numbered year, a report on the activities of the subcommittee during the Congress.

RULE 16.—RECORDS

The committee shall keep a complete record of all actions, which shall include a record of the votes on any question on which a record vote is demanded. The result of each subcommittee record vote, together with a description of the matter voted upon, shall promptly be made available to the full committee. A record of such votes shall be made available for inspection by the public at reasonable times in the offices of the committee.

The committee shall keep a complete record of all committee and subcommittee activity which, in the case of any meeting or hearing transcript, shall include a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved.

The records of the committee at the National Archives and Records Administration shall be made available in accordance with rule VII of the Rules of the House. The Chairman of the full committee shall notify the ranking minority member of the full committee of any decision, pursuant to clause 3(b)(3) or clause 4(b) of rule VII of the House, to withhold a record otherwise available, and the matter shall be presented to the committee for a determination of the written request of any member of the committee.

RULE 17.—ACCESS TO CLASSIFIED OR SENSITIVE INFORMATION

Access to classified or sensitive information supplied to the committee and attendance at closed sessions of the committee or its subcommittees shall be limited to members and necessary committee staff and stenographic reporters who have appropriate security clearance when the Chairman determines that such access or attendance is essential to the functioning of the committee.

The procedures to be followed in granting access to those hearings, records, data, charts, and files of the committee which involve classified information or information deemed to be sensitive shall be as follows:

(a) Only Members of the House of Representatives and specifically designated committee staff of the Committee on Small Business may have access to such information.

(b) Members who desire to read materials that are in the possession of the committee should notify the clerk of the committee.

(c) The clerk will maintain an accurate access log, which identifies the circumstances surrounding access to the information, without revealing the material examined.

(d) If the material desired to be reviewed is material which the committee or subcommittee deems to be sensitive enough to require special handling, before receiving access to such information, individuals will be required to sign an access information sheet ac-

knowledging such access and that the individual has read and understands the procedures under which access is being granted.

(e) Material provided for review under this rule shall not be removed from a specified room within the committee offices.

(f) Individuals reviewing materials under this rule shall make certain that the materials are returned to the proper custodian.

(g) No reproductions or recordings may be made of any portion of such materials.

(h) The contents of such information shall not be divulged to any person in any way, form, shape, or manner, and shall not be discussed with any person who has not received the information in an authorized manner.

(i) When not being examined in the manner described herein, such information will be kept in secure safes or locked file cabinets in the committee offices.

(j) These procedures only address access to information the committee or a subcommittee deems to be sensitive enough to require special treatment.

(k) If a member of the House of Representatives believes that certain sensitive information should not be restricted as to dissemination or use, the member may petition the committee or subcommittee to so rule. With respect to information and materials provided to the committee by the executive branch, the classification of information and materials as determined by the executive branch shall prevail unless affirmatively changed by the committee or the subcommittee involved, after consultation with the appropriate executive agencies.

(l) Other materials in the possession of the committee are to be handled in accordance with the normal practices and traditions of the committee.

RULE 18.—OTHER PROCEDURES

The Chairman of the full committee may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the committee.

The committee may not be committed to any expense whatever without the prior approval of the Chairman of the full committee.

RULE 19.—AMENDMENTS TO COMMITTEE RULES

The rules of the committee may be modified, amended or repealed by a majority of the members, at a meeting specifically called for such purpose, but only if written notice of the proposed change has been provided to each such member at least 3 days before the time of the meeting.

Committee on Standards of Official Conduct

DOC HASTINGS, Washington, *Chairman*

JUDY BIGGERT, Illinois
LAMAR S. SMITH, Texas
MELISSA A. HART, Pennsylvania
TOM COLE, Oklahoma

ALAN B. MOLLOHAN, West Virginia
STEPHANIE TUBBS JONES, Ohio
GENE GREEN, Texas
LUCILLE ROYBAL-ALLARD, California
MICHAEL F. DOYLE, Pennsylvania

(Adopted May 4, 2005)

FOREWORD

The Committee on Standards of Official Conduct is unique in the House of Representatives. Consistent with the duty to carry out its advisory and enforcement responsibilities in an impartial manner, the Committee is the only standing committee of the House of Representatives the membership of which is divided evenly by party. These rules are intended to provide a fair procedural framework for the conduct of the Committee's activities and to help insure that the Committee serves well the people of the United States, the House of Representatives, and the Members, officers, and employees of the House of Representatives.

PART I—GENERAL COMMITTEE RULES

RULE 1.—GENERAL PROVISIONS

(a) So far as applicable, these rules and the Rules of the House of Representatives shall be the rules of the Committee and any subcommittee. The Committee adopts these rules under the authority of clause 2(a)(1) of Rule XI of the Rules of the House of Representatives, 109th Congress.

(b) The rules of the Committee may be modified, amended, or repealed by a vote of a majority of the Committee.

(c) When the interests of justice so require, the Committee, by a majority vote of its members, may adopt any special procedures, not inconsistent with these rules, deemed necessary to resolve a particular matter before it. Copies of such special procedures shall be furnished to all parties in the matter.

(d) The Chairman and Ranking Minority Member shall have access to such information that they request as necessary to conduct Committee business.

RULE 2.—DEFINITIONS

(a) "Committee" means the Committee on Standards of Official Conduct.

(b) "Complaint" means a written allegation of improper conduct against a Member, officer, or employee of the House of Representa-

tives filed with the Committee with the intent to initiate an inquiry.

(c) "Inquiry" means an investigation by an investigative subcommittee into allegations against a Member, officer, or employee of the House of Representatives.

(d) "Investigative Subcommittee" means a subcommittee designated pursuant to Rule 19(a) to conduct an inquiry to determine if a Statement of Alleged Violation should be issued.

(e) "Statement of Alleged Violation" means a formal charging document filed by an investigative subcommittee with the Committee containing specific allegations against a Member, officer, or employee of the House of Representatives of a violation of the Code of Official Conduct, or of a law, rule, regulation, or other standard of conduct applicable to the performance of official duties or the discharge of official responsibilities.

(f) "Adjudicatory Subcommittee" means a subcommittee designated pursuant to Rule 23(a), that holds an adjudicatory hearing and determines whether the counts in a Statement of Alleged Violation are proved by clear and convincing evidence.

(g) "Sanction Hearing" means a Committee hearing to determine what sanction, if any, to adopt or to recommend to the House of Representatives.

(h) "Respondent" means a Member, officer, or employee of the House of Representatives who is the subject of a complaint filed with the Committee or who is the subject of an inquiry or a Statement of Alleged Violation.

(i) "Office of Advice and Education" refers to the Office established by section 803(i) of the Ethics Reform Act of 1989. The Office handles inquiries; prepares written opinions in response to specific requests; develops general guidance; and organizes seminars, workshops, and briefings for the benefit of the House of Representatives.

(j) "Member" means a Representative in, or a Delegate to, or the Resident Commissioner to, the U.S. House of Representatives.

RULE 3.—ADVISORY OPINIONS AND WAIVERS

(a) The Office of Advice and Education shall handle inquiries; prepare written opinions providing specific advice; develop general guidance; and organize seminars, workshops, and briefings for the benefit of the House of Representatives.

(b) Any Member, officer, or employee of the House of Representatives, may request a written opinion with respect to the propriety of any current or proposed conduct of such Member, officer, or employee.

(c) The Office of Advice and Education may provide information and guidance regarding laws, rules, regulations, and other standards of conduct applicable to Members, officers, and employees in the performance of their duties or the discharge of their responsibilities.

(d) In general, the Committee shall provide a written opinion to an individual only in response to a written request, and the written opinion shall address the conduct only of the inquiring individual, or of persons for whom the inquiring individual is responsible as employing authority.

(e) A written request for an opinion shall be addressed to the Chairman of the Committee and shall include a complete and accurate statement of the relevant facts. A request shall be signed by the requester or the requester's authorized representative or employing authority. A representative shall disclose to the Committee the identity of the principal on whose behalf advice is being sought.

(f) The Office of Advice and Education shall prepare for the Committee a response to each written request for an opinion from a Member, officer or employee. Each response shall discuss all applicable laws, rules, regulations, or other standards.

(g) Where a request is unclear or incomplete, the Office of Advice and Education may seek additional information from the requester.

(h) The Chairman and Ranking Minority Member are authorized to take action on behalf of the Committee on any proposed written opinion that they determine does not require consideration by the Committee. If the Chairman or Ranking Minority Member requests a written opinion, or seeks a waiver, extension, or approval pursuant to Rules 3(l), 4(c), 4(e), or 4(h), the next ranking member of the requester's party is authorized to act in lieu of the requester.

(i) The Committee shall keep confidential any request for advice from a Member, officer, or employee, as well as any response thereto.

(j) The Committee may take no adverse action in regard to any conduct that has been undertaken in reliance on a written opinion if the conduct conforms to the specific facts addressed in the opinion.

(k) Information provided to the Committee by a Member, officer, or employee seeking advice regarding prospective conduct may not be used as the basis for initiating an investigation under clause 3(a)(2) or clause 3(b) of Rule XI of the Rules of the House of Representatives, if such Member, officer, or employee acts in good faith in accordance with the written advice of the Committee.

(l) A written request for a waiver of clause 5 of House Rule XXV (the House gift rule), or for any other waiver or approval, shall be treated in all respects like any other request for a written opinion.

(m) A written request for a waiver of clause 5 of House Rule XXV (the House gift rule) shall specify the nature of the waiver being sought and the specific circumstances justifying the waiver.

(n) An employee seeking a waiver of time limits applicable to travel paid for by a private source shall include with the request evidence that the employing authority is aware of the request. In any other instance where proposed employee conduct may reflect on the performance of official duties, the Committee may require that the requester submit evidence that the employing authority knows of the conduct.

RULE 4.—FINANCIAL DISCLOSURE

(a) In matters relating to Title I of the Ethics in Government Act of 1978, the Committee shall coordinate with the Clerk of the House of Representatives, Legislative Resource Center, to assure that appropriate individuals are notified of their obligation to file Financial Disclosure Statements and that such individuals are provided in a timely fashion with filing instructions and forms developed by the Committee.

(b) The Committee shall coordinate with the Legislative Resource Center to assure that information that the Ethics in Government Act requires to be placed on the public record is made public.

(c) The Chairman and Ranking Minority Member are authorized to grant on behalf of the Committee requests for reasonable extensions of time for the filing of Financial Disclosure Statements. Any such request must be received by the Committee no later than the date on which the statement in question is due. A request received after such date may be granted by the Committee only in extraordinary circumstances. Such extensions for one individual in a calendar year shall not exceed a total of 90 days. No extension shall be granted authorizing a nonincumbent candidate to file a statement later than 30 days prior to a primary or general election in which the candidate is participating.

(d) An individual who takes legally sufficient action to withdraw as a candidate before the date on which that individual's Financial Disclosure Statement is due under the Ethics in Government Act shall not be required to file a Statement. An individual shall not be excused from filing a Financial Disclosure Statement when withdrawal as a candidate occurs after the date on which such Statement was due.

(e) Any individual who files a report required to be filed under title I of the Ethics in Government Act more than 30 days after the later of—

(1) the date such report is required to be filed, or

(2) if a filing extension is granted to such individual, the last day of the filing extension period, is required by such Act to pay a late filing fee of $200. The Chairman and Ranking Minority Member are authorized to approve requests that the fee be waived based on extraordinary circumstances.

(f) Any late report that is submitted without a required filing fee shall be deemed procedurally deficient and not properly filed.

(g) The Chairman and Ranking Minority Member are authorized to approve requests for waivers of the aggregation and reporting of gifts as provided by section 102(a)(2)(C) of the Ethics in Government Act. If such a request is approved, both the incoming request and the Committee response shall be forwarded to the Legislative Resource Center for placement on the public record.

(h) The Chairman and Ranking Minority Member are authorized to approve blind trusts as qualifying under section 102(f)(3) of the Ethics in Government Act. The correspondence relating to formal approval of a blind trust, the trust document, the list of assets transferred to the trust, and any other documents required by law to be made public, shall be forwarded to the Legislative Resource Center for such purpose.

(i) The Committee shall designate staff counsel who shall review Financial Disclosure Statements and, based upon information contained therein, indicate in a form and manner prescribed by the Committee whether the Statement appears substantially accurate and complete and the filer appears to be in compliance with applicable laws and rules.

(j) Each Financial Disclosure Statement shall be reviewed within 60 days after the date of filing.

(k) If the reviewing counsel believes that additional information is required because (1) the Statement appears not substantially accurate or complete, or (2) the filer may not be in compliance with applicable laws or rules, then the reporting individual shall be notified in writing of the additional information believed to be required, or of the law or rule with which the reporting individual does not appear to be in compliance. Such notice shall also state the time within which a response is to be submitted. Any such notice shall remain confidential.

(l) Within the time specified, including any extension granted in accordance with clause (c), a reporting individual who concurs with the Committee's notification that the Statement is not complete, or that other action is required, shall submit the necessary information or take appropriate action. Any amendment may be in the form of a revised Financial Disclosure Statement or an explanatory letter addressed to the Clerk of the House of Representatives.

(m) Any amendment shall be placed on the public record in the same manner as other Statements. The individual designated by the Committee to review the original Statement shall review any amendment thereto.

(n) Within the time specified, including any extension granted in accordance with clause (c), a reporting individual who does not agree with the Committee that the Statement is deficient or that other action is required, shall be provided an opportunity to respond orally or in writing. If the explanation is accepted, a copy of the response, if written, or a note summarizing an oral response, shall be retained in Committee files with the original report.

(o) The Committee shall be the final arbiter of whether any Statement requires clarification or amendment.

(p) If the Committee determines, by vote of a majority of its members, that there is reason to believe that an individual has willfully failed to file a Statement or has willfully falsified or willfully failed to file information required to be reported, then the Committee shall refer the name of the individual, together with the evidence supporting its finding, to the Attorney General pursuant to section 104(b) of the Ethics in Government Act. Such referral shall not preclude the Committee from initiating such other action as may be authorized by other provisions of law or the Rules of the House of Representatives.

RULE 5.—MEETINGS

(a) The regular meeting day of the Committee shall be the second Wednesday of each month, except when the House of Representatives is not meeting on that day. When the Committee Chairman determines that there is sufficient reason, a meeting may be called on additional days. A regularly scheduled meeting need not be held when the Chairman determines there is no business to be considered.

(b) The Chairman shall establish the agenda for meetings of the Committee and the Ranking Minority Member may place additional items on the agenda.

(c) All meetings of the Committee or any subcommittee shall occur in executive session unless the Committee or subcommittee,

by an affirmative vote of a majority of its members, opens the meeting or hearing to the public.

(d) Any hearing held by an adjudicatory subcommittee or any sanction hearing held by the Committee shall be open to the public unless the Committee or subcommittee, by an affirmative vote of a majority of its members, closes the hearing to the public.

(e) A subcommittee shall meet at the discretion of its Chairman.

(f) Insofar as practicable, notice for any Committee or subcommittee meeting shall be provided at least seven days in advance of the meeting. The Chairman of the Committee or subcommittee may waive such time period for good cause.

RULE 6.—COMMITTEE STAFF

(a) The staff is to be assembled and retained as a professional, nonpartisan staff.

(b) Each member of the staff shall be professional and demonstrably qualified for the position for which he is hired.

(c) The staff as a whole and each individual member of the staff shall perform all official duties in a nonpartisan manner.

(d) No member of the staff shall engage in any partisan political activity directly affecting any congressional or presidential election.

(e) No member of the staff or outside counsel may accept public speaking engagements or write for publication on any subject that is in any way related to his or her employment or duties with the Committee without specific prior approval from the Chairman and Ranking Minority Member.

(f) All staff members shall be appointed by an affirmative vote of a majority of the members of the Committee. Such vote shall occur at the first meeting of the membership of the Committee during each Congress and as necessary during the Congress.

(g) Subject to the approval of the Committee on House Administration, the Committee may retain counsel not employed by the House of Representatives whenever the Committee determines, by an affirmative vote of a majority of the members of the Committee, that the retention of outside counsel is necessary and appropriate.

(h) If the Committee determines that it is necessary to retain staff members for the purpose of a particular investigation or other proceeding, then such staff shall be retained only for the duration of that particular investigation or proceeding.

(i) Outside counsel may be dismissed prior to the end of a contract between the Committee and such counsel only by a majority vote of the members of the Committee.

(j) In addition to any other staff provided for by law, rule, or other authority, with respect to the Committee, the Chairman and Ranking Minority Member each may appoint one individual as a shared staff member from his or her personal staff to perform service for the Committee. Such shared staff may assist the Chairman or Ranking Minority Member on any subcommittee on which he serves. Only paragraphs (c) and (e) of this Rule and Rule 7(b) shall apply to shared staff.

RULE 7.—CONFIDENTIALITY

(a) Before any Member or employee of the Committee, including members of an investigative subcommittee selected under clause 5(a)(4) of Rule X of the House of Representatives and shared staff designated pursuant to Committee Rule 6(j), may have access to information that is confidential under the rules of the Committee, the following oath (or affirmation) shall be executed in writing:

> I do solemnly swear (or affirm) that I will not disclose, to any person or entity outside the Committee on Standards of Official Conduct, any information received in the course of my service with the Committee, except as authorized by the Committee or in accordance with its rules.

Copies of the executed oath shall be provided to the Clerk of the House as part of the records of the House. Breaches of confidentiality shall be investigated by the Committee and appropriate action shall be taken.

(b) No member of the staff or outside counsel may make public, unless approved by an affirmative vote of a majority of the members of the Committee, any information, document, or other material that is confidential, derived from executive session, or classified and that is obtained during the course of employment with the Committee.

(c) Committee members and staff shall not disclose any evidence relating to an investigation to any person or organization outside the Committee unless authorized by the Committee.

(d) Members and staff of the Committee shall not disclose to any person or organization outside the Committee, unless authorized by the Committee, any information regarding the Committee's or a subcommittee's investigative, adjudicatory or other proceedings, including but not limited to: (i) the fact or nature of any complaints; (ii) executive session proceedings; (iii) information pertaining to or copies of any Committee or subcommittee report, study or other document which purports to express the views, findings, conclusions or recommendations of the Committee or subcommittee in connection with any of its activities or proceedings; or (iv) any other information or allegation respecting the conduct of a Member, officer or employee of the House.

(e) Except as otherwise specifically authorized by the Committee, no Committee member or staff member shall disclose to any person outside the Committee, the name of any witness subpoenaed to testify or to produce evidence.

(f) The Committee shall not disclose to any person or organization outside the Committee any information concerning the conduct of a respondent until it has transmitted a Statement of Alleged Violation to such respondent and the respondent has been given full opportunity to respond pursuant to Rule 22. The Statement of Alleged Violation and any written response thereto shall be made public at the first meeting or hearing on the matter that is open to the public after such opportunity has been provided. Any other materials in the possession of the Committee regarding such statement may be made public as authorized by the Committee to the extent consistent with the Rules of the House of Representatives. If no public hearing is held on the matter, the Statement of Alleged

Violation and any written response thereto shall be included in the Committee's final report on the matter to the House of Representatives.

(g) Unless otherwise determined by a vote of the Committee, only the Chairman or Ranking Minority Member of the Committee, after consultation with each other, may make public statements regarding matters before the Committee or any subcommittee.

(h) The Committee may establish procedures necessary to prevent the unauthorized disclosure of any testimony or other information received by the Committee or its staff.

RULE 8.—SUBCOMMITTEES—GENERAL POLICY AND STRUCTURE

(a) Notwithstanding any other provision of these Rules, the Chairman and Ranking Minority Member of the Committee may consult with an investigative subcommittee either on their own initiative or on the initiative of the subcommittee, shall have access to evidence and information before a subcommittee with whom they so consult, and shall not thereby be precluded from serving as full, voting members of any adjudicatory subcommittee. Except for the Chairman and Ranking Minority Member of the Committee pursuant to this paragraph, evidence in the possession of an investigative subcommittee shall not be disclosed to other Committee members except by a vote of the subcommittee.

(b) The Committee may establish other noninvestigative and nonadjudicatory subcommittees and may assign to them such functions as it may deem appropriate. The membership of each subcommittee shall provide equal representation for the majority and minority parties.

(c) The Chairman may refer any bill, resolution, or other matter before the Committee to an appropriate subcommittee for consideration. Any such bill, resolution, or other matter may be discharged from the subcommittee to which it was referred by a majority vote of the Committee.

(d) Any member of the Committee may sit with any noninvestigative or nonadjudicatory subcommittee, but only regular members of such subcommittee may vote on any matter before that subcommittee.

RULE 9.—QUORUMS AND MEMBER DISQUALIFICATION

(a) The quorum for an investigative subcommittee to take testimony and to receive evidence shall be two members, unless otherwise authorized by the House of Representatives.

(b) The quorum for an adjudicatory subcommittee to take testimony, receive evidence, or conduct business shall consist of a majority plus one of the members of the adjudicatory subcommittee.

(c) Except as stated in clauses (a) and (b) of this rule, a quorum for the purpose of conducting business consists of a majority of the members of the Committee or subcommittee.

(d) A member of the Committee shall be ineligible to participate in any Committee or subcommittee proceeding in which he is the respondent.

(e) A member of the Committee may disqualify himself from participating in any investigation of the conduct of a Member, officer,

or employee of the House of Representatives upon the submission in writing and under oath of an affidavit of disqualification stating that the member cannot render an impartial and unbiased decision. If the Committee approves and accepts such affidavit of disqualification, or if a member is disqualified pursuant to Rule 17(e) or Rule 23(a), the Chairman shall so notify the Speaker and ask the Speaker to designate a Member of the House of Representatives from the same political party as the disqualified member of the Committee to act as a member of the Committee in any Committee proceeding relating to such investigation.

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.

(2) Adopting a full Committee motion to create an investigative subcommittee.

(3) Adoption or amendment of a Statement of Alleged Violation.

(4) Finding that a count in a Statement of Alleged Violation has been proved by clear and convincing evidence.

(5) Sending a letter of reproval.

(6) Adoption of a recommendation to the House of Representatives that a sanction be imposed.

(7) Adoption of a report relating to the conduct of a Member, officer, or employee.

(8) Issuance of an advisory opinion of general applicability establishing new policy.

(b) Except as stated in clause (a), action may be taken by the Committee or any subcommittee thereof by a simple majority, a quorum being present.

(c) No motion made to take any of the actions enumerated in clause (a) of this Rule may be entertained by the Chair unless a quorum of the Committee is present when such motion is made.

RULE 11.—COMMITTEE RECORDS

(a) All communications and all pleadings pursuant to these rules shall be filed with the Committee at the Committee's office or such other place as designated by the Committee.

(b) All records of the Committee which have been delivered to the Archivist of the United States shall be made available to the public in accordance with Rule VII of the Rules of the House of Representatives.

RULE 12.—BROADCASTS OF COMMITTEE AND SUBCOMMITTEE PROCEEDINGS

(a) Television or radio coverage of a Committee or subcommittee hearing or meeting shall be without commercial sponsorship.

(b) No witness shall be required against his or her will to be photographed or otherwise to have a graphic reproduction of his or her image made at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being

conducted. At the request of any witness, all media microphones shall be turned off, all television and camera lenses shall be covered, and the making of a graphic reproduction at the hearing shall not be permitted. This paragraph supplements clause 2(k)(5) of Rule XI of the Rules of the House of Representatives relating to the protection of the rights of witnesses.

(c) Not more than four television cameras, operating from fixed positions, shall be permitted in a hearing or meeting room. The Committee may allocate the positions of permitted television cameras among the television media in consultation with the Executive Committee of the Radio and Television Correspondents' Galleries.

(d) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the Committee, or the visibility of that witness and that member to each other.

(e) Television cameras shall not be placed in positions that unnecessarily obstruct the coverage of the hearing or meeting by the other media.

PART II.—INVESTIGATIVE AUTHORITY

RULE 13.—HOUSE RESOLUTION

Whenever the House of Representatives, by resolution, authorizes or directs the Committee to undertake an inquiry or investigation, the provisions of the resolution, in conjunction with these Rules, shall govern. To the extent the provisions of the resolution differ from these Rules, the resolution shall control.

RULE 14.—COMMITTEE AUTHORITY TO INVESTIGATE—GENERAL POLICY

(a) Pursuant to clause 3(b) of Rule XI of the Rules of the House of Representatives, the Committee may exercise its investigative authority when:

(1) information offered as a complaint by a Member of the House of Representatives is transmitted directly to the Committee;

(2) information offered as a complaint by an individual not a Member of the House is transmitted to the Committee, provided that a Member of the House certifies in writing that he or she believes the information is submitted in good faith and warrants the review and consideration of the Committee;

(3) the Committee, on its own initiative, establishes an investigative subcommittee;

(4) a Member, officer, or employee is convicted in a Federal, State, or local courts of a felony; or

(5) the House of Representatives, by resolution, authorizes or directs the Committee to undertake an inquiry or investigation.

(b) The Committee also has investigatory authority over:

(1) certain unauthorized disclosures of intelligence-related information, pursuant to House Rule X, clauses 11(g)(4) and (g)(5); or

(2) reports received from the Office of the Inspector General pursuant to House Rule II, clause 6(c)(5).

RULE 15.—COMPLAINTS

(a) A complaint submitted to the Committee shall be in writing, dated, and properly verified (a document will be considered properly verified where a notary executes it with the language, "Signed and sworn to (or affirmed) before me on (date) by (the name of the person)" setting forth in simple, concise, and direct statements—

(1) the name and legal address of the party filing the complaint (hereinafter referred to as the "complainant");

(2) the name and position or title of the respondent;

(3) the nature of the alleged violation of the Code of Official Conduct or of other law, rule, regulation, or other standard of conduct applicable to the performance of duties or discharge of responsibilities; and

(4) the facts alleged to give rise to the violation. The complaint shall not contain innuendo, speculative assertions, or conclusory statements.

(b) Any documents in the possession of the complainant that relate to the allegations may be submitted with the complaint.

(c) Information offered as a complaint by a Member of the House of Representatives may be transmitted directly to the Committee.

(d) Information offered as a complaint by an individual not a Member of the House may be transmitted to the Committee, provided that a Member of the House certifies in writing that he or she believes the information is submitted in good faith and warrants the review and consideration of the Committee.

(e) A complaint must be accompanied by a certification, which may be unsworn, that the complainant has provided an exact copy of the filed complaint and all attachments to the respondent.

(f) The Committee may defer action on a complaint against a Member, officer, or employee of the House of Representatives when the complaint alleges conduct that the Committee has reason to believe is being reviewed by appropriate law enforcement or regulatory authorities, or when the Committee determines that it is appropriate for the conduct alleged in the complaint to be reviewed initially by law enforcement or regulatory authorities.

(g) A complaint may not be amended without leave of the Committee. Otherwise, any new allegations of improper conduct must be submitted in a new complaint that independently meets the procedural requirements of the Rules of the House of Representatives and the Committee's Rules.

(h) The Committee shall not accept, and shall return to the complainant, any complaint submitted within the 60 days prior to an election in which the subject of the complaint is a candidate.

(i) The Committee shall not consider a complaint, nor shall any investigation be undertaken by the Committee, of any alleged violation which occurred before the third previous Congress unless the Committee determines that the alleged violation is directly related to an alleged violation which occurred in a more recent Congress.

RULE 16.—DUTIES OF COMMITTEE CHAIRMAN AND RANKING MINORITY MEMBER

(a) Whenever information offered as a complaint is submitted to the Committee, the Chairman and Ranking Minority Member shall have 14 calendar days or 5 legislative days, whichever occurs first, to determine whether the information meets the requirements of the Committee's rules for what constitutes a complaint.

(b) Whenever the Chairman and Ranking Minority Member jointly determine that information submitted to the Committee meets the requirements of the Committee's rules for what constitutes a complaint, they shall have 45 calendar days or 5 legislative days, whichever is later, after the date that the Chairman and Ranking Minority Member determine that information filed meets the requirements of the Committee's rules for what constitutes a complaint, unless the Committee by an affirmative vote of a majority of its members votes otherwise, to—

(1) recommend to the Committee that it dispose of the complaint, or any portion thereof, in any manner that does not require action by the House, which may include dismissal of the complaint or resolution of the complaint by a letter to the Member, officer, or employee of the House against whom the complaint is made;

(2) establish an investigative subcommittee; or

(3) request that the Committee extend the applicable 45-calendar day period when they determine more time is necessary in order to make a recommendation under paragraph (1) or (2) of Rule 16(b).

(c) The Chairman and Ranking Minority Member may jointly gather additional information concerning alleged conduct which is the basis of a complaint or of information offered as a complaint until they have established an investigative subcommittee or the Chairman or Ranking Minority Member has placed on the agenda the issue of whether to establish an investigative subcommittee.

(d) If the Chairman and Ranking Minority Member jointly determine that information submitted to the Committee meets the requirements of the Committee rules for what constitutes a complaint, and the complaint is not disposed of within 45 calendar days or 5 legislative days, whichever is later, and no additional 45-day extension is made, then they shall establish an investigative subcommittee and forward the complaint, or any portion thereof, to that subcommittee for its consideration. If at any time during the time period either the Chairman or Ranking Minority Member places on the agenda the issue of whether to establish an investigative subcommittee, then an investigative subcommittee may be established only by an affirmative vote of a majority of the members of the Committee.

(e) Whenever the Chairman and Ranking Minority Member jointly determine that information submitted to the Committee does not meet the requirements for what constitutes a complaint set forth in the Committee rules, they may (1) return the information to the complainant with a statement that it fails to meet the requirements for what constitutes a complaint set forth in the Committee's

rules; or (2) recommend to the Committee that it authorize the establishment of an investigative subcommittee.

RULE 17.—PROCESSING OF COMPLAINTS

(a) If a complaint is in compliance with House and Committee Rules, a copy of the complaint and the Committee Rules shall be forwarded to the respondent within five days with notice that the complaint conforms to the applicable rules.

(b) The respondent may, within 30 days of the Committee's notification, provide to the Committee any information relevant to a complaint filed with the Committee. The respondent may submit a written statement in response to the complaint. Such a statement shall be signed by the respondent. If the statement is prepared by counsel for the respondent, the respondent shall sign a representation that he/she has reviewed the response and agrees with the factual assertions contained therein.

(c) The Committee staff may request information from the respondent or obtain additional information pertinent to the case from other sources prior to the establishment of an investigative subcommittee only when so directed by the Chairman and Ranking Minority Member.

(d) The respondent shall be notified in writing regarding the Committee's decision either to dismiss the complaint or to create an investigative subcommittee.

(e) The respondent shall be notified of the membership of the investigative subcommittee and shall have ten days after such notice is transmitted to object to the participation of any subcommittee member. Such objection shall be in writing and shall be on the grounds that the subcommittee member cannot render an impartial and unbiased decision. The subcommittee member against whom the objection is made shall be the sole judge of his or her disqualification.

RULE 18.—COMMITTEE-INITIATED INQUIRY

(a) Notwithstanding the absence of a filed complaint, the Committee may consider any information in its possession indicating that a Member, officer, or employee may have committed a violation of the Code of Official Conduct or any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his or her duties or the discharge of his or her responsibilities. The Chairman and Ranking Minority Member may jointly gather additional information concerning such an alleged violation by a Member, officer, or employee unless and until an investigative subcommittee has been established.

(b) If the Committee votes to establish an investigative subcommittee, the Committee shall proceed in accordance with Rule 19.

(c) Any written request by a Member, officer, or employee of the House of Representatives that the Committee conduct an inquiry into such person's own conduct shall be processed in accordance with subsection (a) of this Rule.

(d) An inquiry shall not be undertaken regarding any alleged violation that occurred before the third previous Congress unless a majority of the Committee determines that the alleged violation is directly related to an alleged violation that occurred in a more recent Congress.

(e) An inquiry shall be undertaken by an investigative subcommittee with regard to any felony conviction of a Member, officer, or employee of the House of Representatives in a Federal, State, or local court who has been sentenced. Notwithstanding this provision, the Committee has the discretion to initiate an inquiry upon an affirmative vote of a majority of the members of the Committee at any time prior to conviction or sentencing.

RULE 19.—INVESTIGATIVE SUBCOMMITTEE

(a) Upon the establishment of an investigative subcommittee, the Chairman and Ranking Minority Member of the Committee shall designate four members (with equal representation from the majority and minority parties) to serve as an investigative subcommittee to undertake an inquiry. Members of the Committee and Members of the House selected pursuant to clause 5(a)(4)(A) of Rule X of the House of Representatives, are eligible for appointment to an investigative subcommittee, as determined by the Chairman and Ranking Minority Member of the Committee. At the time of appointment, the Chairman shall designate one member of the subcommittee to serve as the chairman and the Ranking Minority Member shall designate one member of the subcommittee to serve as the ranking minority member of the investigative subcommittee. The Chairman and Ranking Minority Member of the Committee may serve as members of an investigative subcommittee, but may not serve as non-voting, ex-officio members.

(b) In an inquiry undertaken by an investigative subcommittee—

(1) All proceedings, including the taking of testimony, shall be conducted in executive session and all testimony taken by deposition or things produced pursuant to subpoena or otherwise shall be deemed to have been taken or produced in executive session.

(2) The Chairman of the investigative subcommittee shall ask the respondent and all witnesses whether they intend to be represented by counsel. If so, the respondent or witnesses or their legal representatives shall provide written designation of counsel. A respondent or witness who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

(3) The subcommittee shall provide the respondent an opportunity to present, orally or in writing, a statement, which must be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the inquiry.

(4) The staff may interview witnesses, examine documents and other evidence, and request that submitted statements be under oath or affirmation and that documents be certified as to their authenticity and accuracy.

(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 Chairman and Ranking Minority Member of the Committee and a subpoena shall be issued upon the request of the investigative subcommittee.

(6) The subcommittee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this subcommittee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chairman or subcommittee member designated by the Chairman to administer oaths.

(c) During the inquiry, the procedure respecting the admissibility of evidence and rulings shall be as follows:

(1) Any relevant evidence shall be admissible unless the evidence is privileged under the precedents of the House of Representatives.

(2) The Chairman of the subcommittee or other presiding member at any investigative subcommittee proceeding shall rule upon any question of admissibility or pertinency of evidence, motion, procedure or any other matter, and may direct any witness to answer any question under penalty of contempt. A witness, witness' counsel, or a member of the subcommittee may appeal any rulings to the members present at that proceeding. The majority vote of the members present at such proceeding on such appeal shall govern the question of admissibility, and no appeal shall lie to the Committee.

(3) Whenever a person is determined by a majority vote to be in contempt of the subcommittee, the matter may be referred to the Committee to determine whether to refer the matter to the House of Representatives for consideration.

(4) Committee counsel may, subject to subcommittee approval, enter into stipulations with the respondent and/or the respondent's counsel as to facts that are not in dispute.

(d) Upon an affirmative vote of a majority of the subcommittee members, and an affirmative vote of a majority of the full Committee, an investigative subcommittee may expand the scope of its investigation.

(e) Upon completion of the investigation, the staff shall draft for the investigative subcommittee a report that shall contain a comprehensive summary of the information received regarding the alleged violations.

(f) Upon completion of the inquiry, an investigative subcommittee, by a majority vote of its members, may adopt a Statement of Alleged Violation if it determines that there is substantial reason to believe that a violation of the Code of Official Conduct, or of a law, rule, regulation, or other standard of conduct applicable to the performance of official duties or the discharge of official responsibilities by a Member, officer, or employee of the House of Representatives has occurred. If more than one violation is alleged, such Statement shall be divided into separate counts. Each count shall relate to a separate violation, shall contain a plain and con-

cise statement of the alleged facts of such violation, and shall include a reference to the provision of the Code of Official Conduct or law, rule, regulation or other applicable standard of conduct governing the performance of duties or discharge of responsibilities alleged to have been violated. A copy of such Statement shall be transmitted to the respondent and the respondent's counsel.

(g) If the investigative subcommittee does not adopt a Statement of Alleged Violation, it shall transmit to the Committee a report containing a summary of the information received in the inquiry, its conclusions and reasons therefor, and any appropriate recommendation.

RULE 20.—AMENDMENTS TO STATEMENTS OF ALLEGED VIOLATION

(a) An investigative subcommittee may, upon an affirmative vote of a majority of its members, amend its Statement of Alleged Violation any time before the Statement of Alleged Violation is transmitted to the Committee; and

(b) If an investigative subcommittee amends its Statement of Alleged Violation, the respondent shall be notified in writing and shall have 30 calendar days from the date of that notification to file an answer to the amended Statement of Alleged Violation.

RULE 21.—COMMITTEE REPORTING REQUIREMENTS

(a) Whenever an investigative subcommittee does not adopt a Statement of Alleged Violation and transmits a report to that effect to the Committee, the Committee may by an affirmative vote of a majority of its members transmit such report to the House of Representatives;

(b) Whenever an investigative subcommittee adopts a Statement of Alleged Violation but recommends that no further action be taken, it shall transmit a report to the Committee regarding the Statement of Alleged Violation; and

(c) Whenever an investigative subcommittee adopts a Statement of Alleged Violation, the respondent admits to the violations set forth in such Statement, the respondent waives his or her right to an adjudicatory hearing, and the respondent's waiver is approved by the Committee—

(1) the subcommittee shall prepare a report for transmittal to the Committee, a final draft of which shall be provided to the respondent not less than 15 calendar days before the subcommittee votes on whether to adopt the report;

(2) the respondent may submit views in writing regarding the final draft to the subcommittee within 7 calendar days of receipt of that draft;

(3) the subcommittee shall transmit a report to the Committee regarding the Statement of Alleged Violation together with any views submitted by the respondent pursuant to subparagraph (2), and the Committee shall make the report, together with the respondent's views, available to the public before the commencement of any sanction hearing; and

(4) the Committee shall by an affirmative vote of a majority of its members issue a report and transmit such report to the House of Representatives, together with the respondent's views

previously submitted pursuant to subparagraph (2) and any additional views respondent may submit for attachment to the final report; and

(d) Members of the Committee shall have not less than 72 hours to review any report transmitted to the Committee by an investigative subcommittee before both the commencement of a sanction hearing and the Committee vote on whether to adopt the report.

RULE 22.—RESPONDENT'S ANSWER

(a)(1) Within 30 days from the date of transmittal of a Statement of Alleged Violation, the respondent shall file with the investigative subcommittee an answer, in writing and under oath, signed by respondent and respondent's counsel. Failure to file an answer within the time prescribed shall be considered by the Committee as a denial of each count.

(2) The answer shall contain an admission to or denial of each count set forth in the Statement of Alleged Violation and may include negative, affirmative, or alternative defenses and any supporting evidence or other relevant information.

(b) The respondent may file a Motion for a Bill of Particulars within 10 days of the date of transmittal of the Statement of Alleged Violation. If a Motion for a Bill of Particulars is filed, the respondent shall not be required to file an answer until 20 days after the subcommittee has replied to such motion.

(c)(1) The respondent may file a Motion to Dismiss within 10 days of the date of transmittal of the Statement of Alleged Violation or, if a Motion for a Bill of Particulars has been filed, within 10 days of the date of the subcommittee's reply to the Motion for a Bill of Particulars. If a Motion to Dismiss is filed, the respondent shall not be required to file an answer until 20 days after the subcommittee has replied to the Motion to Dismiss, unless the respondent previously filed a Motion for a Bill of Particulars, in which case the respondent shall not be required to file an answer until 10 days after the subcommittee has replied to the Motion to Dismiss. The investigative subcommittee shall rule upon any motion to dismiss filed during the period between the establishment of the subcommittee and the subcommittee's transmittal of a report or Statement of Alleged Violation to the Committee or to the Chairman and Ranking Minority Member at the conclusion of an inquiry, and no appeal of the subcommittee's ruling shall lie to the Committee.

(2) A Motion to Dismiss may be made on the grounds that the Statement of Alleged Violation fails to state facts that constitute a violation of the Code of Official Conduct or other applicable law, rule, regulation, or standard of conduct, or on the grounds that the Committee lacks jurisdiction to consider the allegations contained in the Statement.

(d) Any motion filed with the subcommittee pursuant to this rule shall be accompanied by a Memorandum of Points and Authorities.

(e)(1) The Chairman of the investigative subcommittee, for good cause shown, may permit the respondent to file an answer or motion after the day prescribed above.

(2) If the ability of the respondent to present an adequate defense is not adversely affected and special circumstances so require,

the Chairman of the investigative subcommittee may direct the respondent to file an answer or motion prior to the day prescribed above.

(f) If the day on which any answer, motion, reply, or other pleading must be filed falls on a Saturday, Sunday, or holiday, such filing shall be made on the first business day thereafter.

(g) As soon as practicable after an answer has been filed or the time for such filing has expired, the Statement of Alleged Violation and any answer, motion, reply, or other pleading connected therewith shall be transmitted by the Chairman of the investigative subcommittee to the Chairman and Ranking Minority Member of the Committee.

RULE 23.—ADJUDICATORY HEARINGS

(a) If a Statement of Alleged Violation is transmitted to the Chairman and Ranking Minority Member pursuant to Rule 22, and no waiver pursuant to Rule 26(b) has occurred, the Chairman shall designate the members of the Committee who did not serve on the investigative subcommittee to serve on an adjudicatory subcommittee. The Chairman and Ranking Minority Member of the Committee shall be the Chairman and Ranking Minority Member of the adjudicatory subcommittee unless they served on the investigative subcommittee. The respondent shall be notified of the designation of the adjudicatory subcommittee and shall have ten days after such notice is transmitted to object to the participation of any subcommittee member. Such objection shall be in writing and shall be on the grounds that the member cannot render an impartial and unbiased decision. The member against whom the objection is made shall be the sole judge of his or her disqualification.

(b) A majority of the adjudicatory subcommittee membership plus one must be present at all times for the conduct of any business pursuant to this rule.

(c) The adjudicatory subcommittee shall hold a hearing to determine whether any counts in the Statement of Alleged Violation have been proved by clear and convincing evidence and shall make findings of fact, except where such violations have been admitted by respondent.

(d) At an adjudicatory hearing, the subcommittee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary. Depositions, interrogatories, and sworn statements taken under any investigative subcommittee direction may be accepted into the hearing record.

(e) The procedures set forth in clause 2(g) and (k) of Rule XI of the Rules of the House of Representatives shall apply to adjudicatory hearings. All such hearings shall be open to the public unless the adjudicatory subcommittee, pursuant to such clause, determines that the hearings or any part thereof should be closed.

(f)(1) The adjudicatory subcommittee shall, in writing, notify the respondent that the respondent and his or her counsel have the right to inspect, review, copy, or photograph books, papers, documents, photographs, or other tangible objects that the adjudicatory subcommittee counsel intends to use as evidence against the re-

spondent in an adjudicatory hearing. The respondent shall be given access to such evidence, and shall be provided the names of witnesses the subcommittee counsel intends to call, and a summary of their expected testimony, no less than 15 calendar days prior to any such hearing. Except in extraordinary circumstances, no evidence may be introduced or witness called in an adjudicatory hearing unless the respondent has been afforded a prior opportunity to review such evidence or has been provided the name of the witness.

(2) After a witness has testified on direct examination at an adjudicatory hearing, the Committee, at the request of the respondent, shall make available to the respondent any statement of the witness in the possession of the Committee which relates to the subject matter as to which the witness has testified.

(3) Any other testimony, statement, or documentary evidence in the possession of the Committee which is material to the respondent's defense shall, upon request, be made available to the respondent.

(g) No less than five days prior to the hearing, the respondent or counsel shall provide the adjudicatory subcommittee with the names of witnesses expected to be called, summaries of their expected testimony, and copies of any documents or other evidence proposed to be introduced.

(h) The respondent or counsel may apply to the subcommittee for the issuance of subpoenas for the appearance of witnesses or the production of evidence. The application shall be granted upon a showing by the respondent that the proposed testimony or evidence is relevant and not otherwise available to respondent. The application may be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

(i) During the hearing, the procedures regarding the admissibility of evidence and rulings shall be as follows:

(1) Any relevant evidence shall be admissible unless the evidence is privileged under the precedents of the House of Representatives.

(2) The Chairman of the subcommittee or other presiding member at an adjudicatory subcommittee hearing shall rule upon any question of admissibility or pertinency of evidence, motion, procedure, or any other matter, and may direct any witness to answer any question under penalty of contempt. A witness, witness's counsel, or a member of the subcommittee may appeal any ruling to the members present at that proceeding. The majority vote of the members present at such proceeding on such an appeal shall govern the question of admissibility and no appeal shall lie to the Committee.

(3) Whenever a witness is deemed by a Chairman or other presiding member to be in contempt of the subcommittee, the matter may be referred to the Committee to determine whether to refer the matter to the House of Representatives for consideration.

(4) Committee counsel may, subject to subcommittee approval, enter into stipulations with the respondent and/or the respondent's counsel as to facts that are not in dispute.

(j) Unless otherwise provided, the order of an adjudicatory hearing shall be as follows:

(1) The Chairman of the subcommittee shall open the hearing by stating the adjudicatory subcommittee's authority to conduct the hearing and the purpose of the hearing.

(2) The Chairman shall then recognize Committee counsel and the respondent's counsel, in turn, for the purpose of giving opening statements.

(3) Testimony from witnesses and other pertinent evidence shall be received in the following order whenever possible:

(i) witnesses (deposition transcripts and affidavits obtained during the inquiry may be used in lieu of live witnesses if the witness is unavailable) and other evidence offered by the Committee counsel,

(ii) witnesses and other evidence offered by the respondent,

(iii) rebuttal witnesses, as permitted by the Chairman.

(4) Witnesses at a hearing shall be examined first by counsel calling such witness. The opposing counsel may then cross-examine the witness. Redirect examination and recross examination by counsel may be permitted at the Chairman's discretion. Subcommittee members may then question witnesses. Unless otherwise directed by the Chairman, questions by Subcommittee members shall be conducted under the five-minute rule.

(5) The Chairman shall then recognize Committee counsel and respondent's counsel, in turn, for the purpose of giving closing arguments. Committee counsel may reserve time for rebuttal argument, as permitted by the Chairman.

(k) A subpoena to a witness to appear at a hearing shall be served sufficiently in advance of that witness's scheduled appearance to allow the witness a reasonable period of time, as determined by the Chairman of the adjudicatory subcommittee, to prepare for the hearing and to employ counsel.

(l) Each witness appearing before the subcommittee shall be furnished a printed copy of the Committee rules, the pertinent provisions of the Rules of the House of Representatives applicable to the rights of witnesses, and a copy of the Statement of Alleged Violation.

(m) Testimony of all witnesses shall be taken under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this subcommittee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chairman or Committee member designated by the Chairman to administer oaths.

(n) At an adjudicatory hearing, the burden of proof rests on Committee counsel to establish the facts alleged in the Statement of Alleged Violation by clear and convincing evidence. However, Committee counsel need not present any evidence regarding any count that is admitted by the respondent or any fact stipulated.

(o) As soon as practicable after all testimony and evidence have been presented, the subcommittee shall consider each count contained in the Statement of Alleged Violation and shall determine by a majority vote of its members whether each count has been

proved. If a majority of the subcommittee does not vote that a count has been proved, a motion to reconsider that vote may be made only by a member who voted that the count was not proved. A count that is not proved shall be considered as dismissed by the subcommittee.

(p) The findings of the adjudicatory subcommittee shall be reported to the Committee.

RULE 24.—SANCTION HEARING AND CONSIDERATION OF SANCTIONS OR OTHER RECOMMENDATIONS

(a) If no count in a Statement of Alleged Violation is proved, the Committee shall prepare a report to the House of Representatives, based upon the report of the adjudicatory subcommittee.

(b) If an adjudicatory subcommittee completes an adjudicatory hearing pursuant to Rule 23 and reports that any count of the Statement of Alleged Violation has been proved, a hearing before the Committee shall be held to receive oral and/or written submissions by counsel for the Committee and counsel for the respondent as to the sanction the Committee should recommend to the House of Representatives with respect to such violations. Testimony by witnesses shall not be heard except by written request and vote of a majority of the Committee.

(c) Upon completion of any proceeding held pursuant to clause (b), the Committee shall consider and vote on a motion to recommend to the House of Representatives that the House take disciplinary action. If a majority of the Committee does not vote in favor of the recommendation that the House of Representatives take action, a motion to reconsider that vote may be made only by a member who voted against the recommendation. The Committee may also, by majority vote, adopt a motion to issue a Letter of Reproval or take other appropriate Committee action.

(d) If the Committee determines a Letter of Reproval constitutes sufficient action, the Committee shall include any such letter as a part of its report to the House of Representatives.

(e) With respect to any proved counts against a Member of the House of Representatives, the Committee may recommend to the House one or more of the following sanctions:

(1) Expulsion from the House of Representatives.

(2) Censure.

(3) Reprimand.

(4) Fine.

(5) Denial or limitation of any right, power, privilege, or immunity of the Member if under the Constitution the House of Representatives may impose such denial or limitation.

(6) Any other sanction determined by the Committee to be appropriate.

(f) With respect to any proved counts against an officer or employee of the House of Representatives, the Committee may recommend to the House one or more of the following sanctions:

(1) Dismissal from employment.

(2) Reprimand.

(3) Fine.

(4) Any other sanction determined by the Committee to be appropriate.

(g) With respect to the sanctions that the Committee may recommend, reprimand is appropriate for serious violations, censure is appropriate for more serious violations, and expulsion of a Member or dismissal of an officer or employee is appropriate for the most serious violations. A recommendation of a fine is appropriate in a case in which it is likely that the violation was committed to secure a personal financial benefit; and a recommendation of a denial or limitation of a right, power, privilege, or immunity of a Member is appropriate when the violation bears upon the exercise or holding of such right, power, privilege, or immunity. This clause sets forth general guidelines and does not limit the authority of the Committee to recommend other sanctions.

(h) The Committee report shall contain an appropriate statement of the evidence supporting the Committee's findings and a statement of the Committee's reasons for the recommended sanction.

RULE 25.—DISCLOSURE OF EXCULPATORY INFORMATION TO RESPONDENT

If the Committee, or any investigative or adjudicatory subcommittee at any time receives any exculpatory information respecting a Complaint or Statement of Alleged Violation concerning a Member, officer, or employee of the House of Representatives, it shall make such information known and available to the Member, officer, or employee as soon as practicable, but in no event later than the transmittal of evidence supporting a proposed Statement of Alleged Violation pursuant to Rule 26(c). If an investigative subcommittee does not adopt a Statement of Alleged Violation, it shall identify any exculpatory information in its possession at the conclusion of its inquiry and shall include such information, if any, in the subcommittee's final report to the Committee regarding its inquiry. For purposes of this rule, exculpatory evidence shall be any evidence or information that is substantially favorable to the respondent with respect to the allegations or charges before an investigative or adjudicatory subcommittee.

RULE 26.—RIGHTS OF RESPONDENTS AND WITNESSES

(a) A respondent shall be informed of the right to be represented by counsel, to be provided at his or her own expense.

(b) A respondent may seek to waive any procedural rights or steps in the disciplinary process. A request for waiver must be in writing, signed by the respondent, and must detail what procedural steps the respondent seeks to waive. Any such request shall be subject to the acceptance of the Committee or subcommittee, as appropriate.

(c) Not less than 10 calendar days before a scheduled vote by an investigative subcommittee on a Statement of Alleged Violation, the subcommittee shall provide the respondent with a copy of the Statement of Alleged Violation it intends to adopt together with all evidence it intends to use to prove those charges which it intends to adopt, including documentary evidence, witness testimony, memoranda of witness interviews, and physical evidence, unless the subcommittee by an affirmative vote of a majority of its members decides to withhold certain evidence in order to protect a wit-

ness, but if such evidence is withheld, the subcommittee shall inform the respondent that evidence is being withheld and of the count to which such evidence relates.

(d) Neither the respondent nor his counsel shall, directly or indirectly, contact the subcommittee or any member thereof during the period of time set forth in paragraph (c) except for the sole purpose of settlement discussions where counsels for the respondent and the subcommittee are present.

(e) If, at any time after the issuance of a Statement of Alleged Violation, the Committee or any subcommittee thereof determines that it intends to use evidence not provided to a respondent under paragraph (c) to prove the charges contained in the Statement of Alleged Violation (or any amendment thereof), such evidence shall be made immediately available to the respondent, and it may be used in any further proceeding under the Committee's rules.

(f) Evidence provided pursuant to paragraph (c) or (e) shall be made available to the respondent and his or her counsel only after each agrees, in writing, that no document, information, or other materials obtained pursuant to that paragraph shall be made public until—

(1) such time as a Statement of Alleged Violation is made public by the Committee if the respondent has waived the adjudicatory hearing; or

(2) the commencement of an adjudicatory hearing if the respondent has not waived an adjudicatory hearing; but the failure of respondent and his counsel to so agree in writing, and therefore not receive the evidence, shall not preclude the issuance of a Statement of Alleged Violation at the end of the period referenced to in (c).

(g) A respondent shall receive written notice whenever—

(1) the Chairman and Ranking Minority Member determine that information the Committee has received constitutes a complaint;

(2) a complaint or allegation is transmitted to an investigative subcommittee;

(3) that subcommittee votes to authorize its first subpoena or to take testimony under oath, whichever occurs first; and

(4) the Committee votes to expand the scope of the inquiry of an investigative subcommittee.

(h) Whenever an investigative subcommittee adopts a Statement of Alleged Violation and a respondent enters into an agreement with that subcommittee to settle a complaint on which the Statement is based, that agreement, unless the respondent requests otherwise, shall be in writing and signed by the respondent and the respondent's counsel, the Chairman and Ranking Minority Member of the subcommittee, and the outside counsel, if any.

(i) Statements or information derived solely from a respondent or his counsel during any settlement discussions between the Committee or a subcommittee thereof and the respondent shall not be included in any report of the subcommittee or the Committee or otherwise publicly disclosed without the consent of the respondent.

(j) Whenever a motion to establish an investigative subcommittee does not prevail, the Committee shall promptly send a letter to the respondent informing him of such vote.

(k) Witnesses shall be afforded a reasonable period of time, as determined by the Committee or subcommittee, to prepare for an appearance before an investigative subcommittee or for an adjudicatory hearing and to obtain counsel.

(l) Prior to their testimony, witnesses shall be furnished a printed copy of the Committee's Rules of Procedure and the provisions of the Rules of the House of Representatives applicable to the rights of witnesses.

(m) Witnesses may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The Chairman may punish breaches of order and decorum, and of professional responsibility on the part of counsel, by censure and exclusion from the hearings; and the Committee may cite the offender to the House of Representatives for contempt.

(n) Each witness subpoenaed to provide testimony or other evidence shall be provided the same per diem rate as established, authorized, and regulated by the Committee on House Administration for Members, officers and employees of the House, and as the Chairman considers appropriate, actual expenses of travel to or from the place of examination. No compensation shall be authorized for attorney's fees or for a witness' lost earnings. Such per diem may not be paid if a witness had been summoned at the place of examination.

(o) With the approval of the Committee, a witness, upon request, may be provided with a transcript of his or her deposition or other testimony taken in executive session, or, with the approval of the Chairman and Ranking Minority Member, may be permitted to examine such transcript in the office of the Committee. Any such request shall be in writing and shall include a statement that the witness, and counsel, agree to maintain the confidentiality of all executive session proceedings covered by such transcript.

RULE 27.—FRIVOLOUS FILINGS

If a complaint or information offered as a complaint is deemed frivolous by an affirmative vote of a majority of the members of the Committee, the Committee may take such action as it, by an affirmative vote of its members, deems appropriate in the circumstances.

RULE 28.—REFERRALS TO FEDERAL OR STATE AUTHORITIES

Referrals made under clause 3(a)(3) of Rule XI of the Rules of the House of Representatives may be made by an affirmative vote of two-thirds of the members of the Committee.

Committee on Transportation and Infrastructure

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(Adopted February 2, 2005)

RULE I.—GENERAL PROVISIONS.

(a) *Applicability of House Rules*.—

(1) *In General*.—The Rules of the House are the rules of the Committee and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the Committee and its subcommittees.

(2) *Subcommittees*.—Each subcommittee is part of the Committee, and is subject to the authority and direction of the Committee and its rules so far as applicable.

(3) *Incorporation of House Rule on Committee Procedure*.—Rule XI of the Rules of the House, which pertains entirely to Committee procedure, is incorporated and made a part of the rules of the Committee to the extent applicable.

(b) *Publication of Rules*.—The Committee's rules shall be published in the Congressional Record not later than 30 days after the Committee is elected in each odd-numbered year.

(c) *Vice Chairman*.—The Chairman shall appoint a vice chairman of the Committee and of each subcommittee. If the Chairman of the Committee or subcommittee is not present at any meeting of the Committee or subcommittee, as the case may be, the vice chairman shall preside. If the vice chairman is not present, the ranking member of the majority party on the Committee or subcommittee who is present shall preside at that meeting.

RULE II.—REGULAR, ADDITIONAL, AND SPECIAL MEETINGS

(a) *Regular Meetings*.—

(1) *In General*.—Regular meetings of the Committee shall be held on the first Wednesday of every month to transact its business unless such day is a holiday, or the House is in recess or is adjourned, in which case the Chairman shall determine the regular meeting day of the Committee for that month.

(2) *Notice*.—The Chairman shall give each member of the Committee, as far in advance of the day of the regular meeting as the circumstances make practicable, a written notice of such meeting and the matters to be considered at such meeting.

(3) *Cancellation or Deferral*.—If the Chairman believes that the Committee will not be considering any bill or resolution before the full Committee and that there is no other business to be transacted at a regular meeting, the meeting may be canceled or it may be deferred until such time as, in the judgment of the Chairman, there may be matters which require the Committee's consideration.

(4) *Applicability*.—This paragraph shall not apply to meetings of any subcommittee.

(b) *Additional Meetings*.—The Chairman may call and convene, as he or she considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other committee business. The Committee shall meet for such purpose pursuant to the call of the Chairman.

(c) *Special Meetings*.—If at least three members of the Committee desire that a special meeting of the Committee be called by the Chairman, those members may file in the offices of the Committee their written request to the Chairman for that special meeting. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the Committee shall notify the Chairman of the filing of the request. If, within 3 calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within 7 calendar days after the filing of the request, a majority of the

members of the Committee may file in the offices of the Committee their written notice that a special meeting of the Committee will be held, specifying the date and hour thereof, and the measure or matter to be considered at that special meeting. The Committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the Committee shall notify all members of the Committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered; and only the measure or matter specified in that notice may be considered at that special meeting.

(d) *Prohibition on Sitting During Joint Session*.—The Committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

RULE III.—MEETINGS AND HEARINGS GENERALLY

(a) *Open Meetings*.—Each meeting for the transaction of business, including the markup of legislation, and each hearing of the Committee or a subcommittee shall be open to the public, except as provided by clause 2(g) of Rule XI of the Rules of the House.

(b) *Meetings To Begin Promptly*.—Each meeting or hearing of the Committee shall begin promptly at the time so stipulated in the public announcement of the meeting or hearing.

(c) *Addressing the Committee*.—A Committee member may address the Committee or a subcommittee on any bill, motion, or other matter under consideration—

(1) only when recognized by the Chairman for that purpose; and

(2) only for 5 minutes until such time as each member of the Committee or subcommittee who so desires has had an opportunity to address the Committee or subcommittee.

A member shall be limited in his or her remarks to the subject matter under consideration. The Chairman shall enforce this subparagraph.

(d) *Participation of Members in Subcommittee Meetings and Hearings*.—All members of the Committee who are not members of a particular Subcommittee may, by unanimous consent of the members of such Subcommittee, participate in any subcommittee meeting or hearing. However, a member who is not a member of the Subcommittee may not vote on any matter before the Subcommittee, be counted for purposes of establishing a quorum, or raise points of order.

(e) *Broadcasting*.—Whenever a meeting for the transaction of business, including the markup of legislation, or a hearing is open to the public, that meeting or hearing shall be open to coverage by television, radio, and still photography in accordance with clause 4 of Rule XI of the Rules of the House. Operation and use of any Committee internet broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of Rule XI of the Rules of the House and all other applicable rules of the Committee and the House.

(f) *Access to the Dais and Lounges*.—Access to the hearing rooms' daises and to the lounges adjacent to the Committee hearing rooms shall be limited to Members of Congress and employees of Congress

during a meeting or hearing of the Committee unless specifically permitted by the Chairman or ranking minority member.

(g) *Use of Cellular Telephones*.—The use of cellular telephones in the Committee hearing room is prohibited during a meeting or hearing of the Committee.

RULE IV.—POWER TO SIT AND ACT; POWER TO CONDUCT INVESTIGATIONS; 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))—

(1) to sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned and to hold such hearings; and

(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.

(b) *Authority To Conduct Investigations*.—

(1) *In General*.—The Committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under Rule X of the Rules of the House and (subject to the adoption of expense resolutions as required by Rule X, clause 6 of the Rules of the House) to incur expenses (including travel expenses) in connection therewith.

(2) *Major Investigations by Subcommittees*.—A subcommittee may not begin a major investigation without approval of a majority of such subcommittee.

(c) *Oaths*.—The Chairman of the Committee, or any member designated by the Chairman, may administer oaths to any witness.

(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 Chairman 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 Chairman 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 Chairman shall notify all members of the Committee of such action.

(2) *Enforcement*.—Compliance with any subpoena issued by the Committee or subcommittee under paragraph (a)(2) may be enforced only as authorized or directed by the House.

(e) *Expenses of Subpoenaed Witnesses*.—Each witness who has been subpoenaed, upon the completion of his or her testimony before the Committee or any subcommittee, may report to the offices of the Committee, and there sign appropriate vouchers for travel allowances and attendance fees. If hearings are held in cities other than Washington, D.C., the witness may contact the counsel of the Committee, or his or her representative, before leaving the hearing room.

RULE V.—QUORUMS AND RECORD VOTES; POSTPONEMENT OF VOTES

(a) *Working Quorum*.—One-third of the members of the Committee or a subcommittee shall constitute a quorum for taking any action other than the closing of a meeting pursuant to clauses 2(g) and 2(k)(5) of Rule XI of the Rules of the House, the authorizing of a subpoena pursuant to paragraph (d) of Committee Rule IV, the reporting of a measure or recommendation pursuant to paragraph (b)(1) of Committee Rule VII, and the actions described in paragraphs (b), (c) and (d) of this rule.

(b) *Quorum for Reporting*.—A majority of the members of the Committee or a subcommittee shall constitute a quorum for the reporting of a measure or recommendation.

(c) *Approval of Certain Matters*.—A majority of the members of the Committee or a subcommittee shall constitute a quorum for approval of a resolution concerning any of the following actions:

(1) A prospectus for construction, alteration, purchase or acquisition of a public building or the lease of space as required by section 3307 of title 40, United States Code.

(2) Survey investigation of a proposed project for navigation, flood control, and other purposes by the Corps of Engineers (section 4 of the Rivers and Harbors Act of March 4, 1913, 33 U.S.C. 542).

(3) Construction of a water resources development project by the Corps of Engineers with an estimated Federal cost not exceeding $15,000,000 (section 201 of the Flood Control Act of 1965).

(4) Deletion of water quality storage in a Federal reservoir project where the benefits attributable to water quality are 15 percent or more but not greater than 25 percent of the total project benefits (section 65 of the Water Resources Development Act of 1974).

(5) Authorization of a Natural Resources Conservation Service watershed project involving any single structure of more than 4,000 acre feet of total capacity (section 2 of P.L. 566, 83rd Congress).

(d) *Quorum for Taking Testimony*.—Two members of the Committee or subcommittee shall constitute a quorum for the purpose of taking testimony and receiving evidence.

(e) *Record Votes*.—A record vote may be demanded by one-fifth of the members present.

(f) *Postponement of Votes*.—

(1) *In General*.—In accordance with clause 2(h)(4) of Rule XI of the Rules of the House, the Chairman of the Committee or a subcommittee, after consultation with the ranking minority member of the Committee or subcommittee, may—

(A) postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment; and

(B) resume proceedings on a postponed question at any time after reasonable notice.

(2) *Resumption of Proceedings*.—When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE VI.—HEARING PROCEDURES

(a) *Announcement of Hearing*.—The Chairman, in the case of a hearing to be conducted by the Committee, and the appropriate subcommittee chairman, in the case of a hearing to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of such hearing at least one week before the hearing. If the Chairman or the appropriate subcommittee chairman, as the case may be, with the concurrence of the ranking minority member of the Committee or subcommittee as appropriate, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman shall make the announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record as soon as possible after such public announcement is made.

(b) *Written Statement; Oral Testimony*.—So far as practicable, each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee or subcommittee, at least 2 working days before the day of his or her appearance, a written statement of proposed testimony and shall limit his or her oral presentation to a summary of the written statement.

(c) *Minority Witnesses*.—When any hearing is conducted by the Committee or any subcommittee upon any measure or matter, the minority party members on the Committee or subcommittee shall be entitled, upon request to the Chairman by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(d) *Summary of Subject Matter*.—Upon announcement of a hearing, to the extent practicable, the Committee shall make available immediately to all members of the Committee a concise summary of the subject matter (including legislative reports and other material) under consideration. In addition, upon announcement of a hearing and subsequently as they are received, the Chairman shall make available to the members of the Committee any official reports from departments and agencies on such matter.

(e) *Questioning of Witnesses*.—The questioning of witnesses in Committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority member and all other members alternating between the majority and minority parties. In recognizing members to question witnesses in this fashion, the

Chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority nor the members of the minority. The Chairman may accomplish this by recognizing two majority members for each minority member recognized.

(f) *Procedures for Questions*.—

(1) *In General*.—A Committee member may question a witness at a hearing—

(A) only when recognized by the Chairman for that purpose; and

(B) subject to subparagraphs (2) and (3), only for 5 minutes until such time as each member of the Committee or subcommittee who so desires has had an opportunity to question the witness.

A member shall be limited in his or her remarks to the subject matter under consideration. The Chairman shall enforce this paragraph.

(2) *Extended Questioning of Witnesses by Members*.—The Chairman of the Committee or a subcommittee, with the concurrence of the ranking minority member, or the Committee or subcommittee by motion, may permit a specified number of its members to question a witness for longer than 5 minutes. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and minority party and may not exceed one hour in the aggregate.

(3) *Extended Questioning of Witnesses by Staff*.—The Chairman of the Committee or a subcommittee, with the concurrence of the ranking minority member, or the Committee or subcommittee by motion, may permit committee staff for its majority and minority party members to question a witness for equal specified periods. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and minority party and may not exceed one hour in the aggregate.

(4) *Right To Question Witnesses Following Extended Questioning*.—Nothing in subparagraph (2) or (3) affects the right of a Member (other than a Member designated under subparagraph (2)) to question a witness for 5 minutes in accordance with subparagraph (1)(B) after the questioning permitted under subparagraph (2) or (3).

(g) *Additional Hearing Procedures*.—Clause 2(k) of Rule XI of the Rules of the House (relating to additional rules for hearings) applies to hearings of the Committee and its subcommittees.

RULE VII.—PROCEDURES FOR REPORTING BILLS, RESOLUTIONS, AND REPORTS

(a) *Filing of Reports*.—

(1) *In General*.—The Chairman of the Committee shall report promptly to the House any measure or matter approved by the Committee and take necessary steps to bring the measure or matter to a vote.

(2) *Requests for Reporting*.—The report of the Committee on a measure or matter which has been approved by the Com-

mittee shall be filed within 7 calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the Committee a written request, signed by a majority of the members of the Committee, for the reporting of that measure or matter. Upon the filing of any such request, the clerk of the Committee shall transmit immediately to the Chairman of the Committee notice of the filing of that request.

(b) *Quorum; Record Votes*.—

(1) *Quorum*.—No measure, matter, or recommendation shall be reported from the Committee unless a majority of the Committee was actually present.

(2) *Record Votes*.—With respect to each record vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the Committee report on the measure or matter.

(c) *Required Matters*.—The report of the Committee on a measure or matter which has been approved by the Committee shall include the items required to be included by clauses 2(c) and 3 of Rule XIII of the Rules of the House.

(d) *Additional Views*.—If, at the time of approval of any measure or matter by the Committee, any member of the Committee gives notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays) in which to file such views in accordance with clause 2(1) of Rule XI of the Rules of the House.

(e) *Activities Report*.—

(1) *In General*.—The Committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the Committee under Rules X and XI of the Rules of the House during the Congress ending on January 3 of such year.

(2) *Contents*.—Such report shall include separate sections summarizing the legislative and oversight activities of the Committee during that Congress.

(3) *Oversight Section*.—The oversight section of such report shall include a summary of the oversight plans submitted by the Committee pursuant to clause 2(d) of Rule X of the Rules of the House, a summary of the actions taken and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by the Committee, and any recommendations made or actions taken thereon.

(f) *Other Committee Materials*.—

(1) *In General*.—All Committee and subcommittee prints, reports, documents, or other materials, not otherwise provided for under this rule, that purport to express publicly the views of the Committee or any of its subcommittees or members of the Committee or its subcommittees shall be approved by the Committee or the subcommittee prior to printing and distribution and any member shall be given an opportunity to have

views included as part of such material prior to printing, release, and distribution in accordance with paragraph (d) of this rule.

(2) *Documents Containing Views Other Than Member Views*.—A Committee or subcommittee document containing views other than those of members of the Committee or subcommittee shall not be published without approval of the Committee or subcommittee.

(3) *Disclaimer*.—All Committee or subcommittee reports printed pursuant to legislative study or investigation and not approved by a majority vote of the Committee or subcommittee, as appropriate, shall contain the following disclaimer on the cover of such report: "This report has not been officially adopted by the Committee on (or pertinent subcommittee thereof) and may not therefore necessarily reflect the views of its members.".

RULE VIII.—ESTABLISHMENT OF SUBCOMMITTEES; SIZE AND PARTY RATIOS

(a) *Establishment*.—There shall be 6 standing subcommittees. These subcommittees, with the following sizes (including delegates) and majority/minority ratios, are:

(1) Subcommittee on Aviation (48 Members: 26 Majority and 22 Minority).

(2) Subcommittee on Coast Guard and Maritime Transportation (20 Members: 11 Majority and 9 Minority).

(3) Subcommittee on Economic Development, Public Buildings, and Emergency Management (11 Members: 6 Majority and 5 Minority).

(4) Subcommittee on Highways, Transit, and Pipelines (57 Members: 31 Majority and 26 Minority).

(5) Subcommittee on Railroads (28 Members: 15 Majority and 13 Minority).

(6) Subcommittee on Water Resources and Environment (36 Members: 20 Majority and 16 Minority).

(b) *Ex Officio Members*.—The Chairman and ranking minority member of the Committee shall serve as ex officio voting members on each subcommittee.

(c) *Ratios*.—On each subcommittee there shall be a ratio of majority party members to minority party members which shall be no less favorable to the majority party than the ratio for the full Committee. In calculating the ratio of majority party members to minority party members, there shall be included the ex officio members of the subcommittees.

RULE IX.—POWERS AND DUTIES OF SUBCOMMITTEES

(a) *Authority To Sit*.—Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous

scheduling of full Committee and subcommittee meetings or hearings whenever possible.

(b) *Consideration by Committee*.—Each bill, resolution, or other matter favorably reported by a subcommittee shall automatically be placed upon the agenda of the Committee. Any such matter reported by a subcommittee shall not be considered by the Committee unless it has been delivered to the offices of all members of the Committee at least 48 hours before the meeting, unless the Chairman determines that the matter is of such urgency that it should be given early consideration. Where practicable, such matters shall be accompanied by a comparison with present law and a section-by-section analysis.

RULE X.—REFERRAL OF LEGISLATION TO SUBCOMMITTEES

(a) *General Requirement*.—Except where the Chairman of the Committee determines, in consultation with the majority members of the Committee, that consideration is to be by the full Committee, each bill, resolution, investigation, or other matter which relates to a subject listed under the jurisdiction of any subcommittee established in Committee Rule VIII referred to or initiated by the full Committee shall be referred by the Chairman to all subcommittees of appropriate jurisdiction within two weeks. All bills shall be referred to the subcommittee of proper jurisdiction without regard to whether the author is or is not a member of the subcommittee.

(b) *Recall From Subcommittee*.—A bill, resolution, or other matter referred to a subcommittee in accordance with this rule may be recalled therefrom at any time by a vote of a majority of the members of the Committee voting, a quorum being present, for the Committee's direct consideration or for reference to another subcommittee.

(c) *Multiple Referrals*.—In carrying out this rule with respect to any matter, the Chairman may refer the matter simultaneously to two or more subcommittees for concurrent consideration or for consideration in sequence (subject to appropriate time limitations in the case of any subcommittee after the first), or divide the matter into two or more parts (reflecting different subjects and jurisdictions) and refer each such part to a different subcommittee, or make such other provisions as he or she considers appropriate.

RULE XI.—RECOMMENDATION OF CONFEREES

The Chairman of the Committee shall recommend to the Speaker as conferees the names of those members (1) of the majority party selected by the Chairman, and (2) of the minority party selected by the ranking minority member of the Committee. Recommendations of conferees to the Speaker shall provide a ratio of majority party members to minority party members which shall be no less favorable to the majority party than the ratio for the Committee.

RULE XII.—OVERSIGHT

(a) *Purpose*.—The Committee shall carry out oversight responsibilities as provided in this rule in order to assist the House in—

(1) its analysis, appraisal, and evaluation of—

(A) the application, administration, execution, and effectiveness of the laws enacted by the Congress; or

(B) conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation; and

(2) its formulation, consideration, and enactment of such modifications or changes in those laws, and of such additional legislation, as may be necessary or appropriate.

(b) *Oversight Plan*.—Not later than February 15 of the first session of each Congress, the Committee shall adopt its oversight plans for that Congress in accordance with clause 2(d)(1) of Rule X of the Rules of the House.

(c) *Review of Laws and Programs*.—The Committee and the appropriate subcommittees shall cooperatively review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the Committee, and the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, the Committee and the appropriate subcommittees shall cooperatively review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the Committee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of the Committee.

(d) *Review of Tax Policies*.—The Committee and the appropriate subcommittees shall cooperatively review and study on a continuing basis the impact or probable impact of tax policies affecting subjects within the jurisdiction of the Committee.

RULE XIII.—REVIEW OF CONTINUING PROGRAMS; BUDGET ACT PROVISIONS

(a) *Ensuring Annual Appropriations*.—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal Government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved.

(b) *Review of Multi-Year Appropriations*.—The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefore would be made annually.

(c) *Views and Estimates*.—In accordance with clause 4(f)(1) of Rule X of the Rules of the House, the Committee shall submit to the Committee on the Budget—

(1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the en-

suing fiscal year which are within its jurisdiction or functions; and

(2) an estimate of the total amount of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year.

(d) *Budget Allocations*.—As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, the Committee (after consulting with the appropriate committee or committees of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 302 of the Congressional Budget Act of 1974.

(e) *Reconciliation*.—Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process, it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

RULE XIV.—RECORDS

(a) *Keeping of Records*.—The Committee shall keep a complete record of all Committee action which shall include—

(1) in the case of any meeting or hearing transcripts, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved; and

(2) a record of the votes on any question on which a record vote is demanded.

(b) *Public Inspection*.—The result of each such record vote shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting.

(c) *Property of the House*.—All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as Chairman of the Committee; and such records shall be the property of the House and all members of the House shall have access thereto.

(d) *Availability of Archived Records*.—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The Chairman shall notify the ranking minority member of the Committee of any decision, pursuant to clause 3(b)(3) or clause 4(b) of such rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

(e) *Authority To Print*.—The Committee is authorized to have printed and bound testimony and other data presented at hearings held by the Committee. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee shall be paid as provided in clause 1(c) of Rule XI of the House.

RULE XV.—COMMITTEE BUDGETS

(a) *Biennial Budget*.—The Chairman, in consultation with the chairman of each subcommittee, the majority members of the Committee, and the minority members of the Committee, shall, for each Congress, prepare a consolidated Committee budget. Such budget shall include necessary amounts for staff personnel, necessary travel, investigation, and other expenses of the Committee.

(b) *Additional Expenses*.—Authorization for the payment of additional or unforeseen Committee expenses may be procured by one or more additional expense resolutions processed in the same manner as set out herein.

(c) *Travel Requests*.—The Chairman or any chairman of a subcommittee may initiate necessary travel requests as provided in Committee Rule XVII within the limits of the consolidated budget as approved by the House and the Chairman may execute necessary vouchers thereof.

(d) *Monthly Reports*.—Once monthly, the Chairman shall submit to the Committee on House Administration, in writing, a full and detailed accounting of all expenditures made during the period since the last such accounting from the amount budgeted to the Committee. Such report shall show the amount and purpose of such expenditure and the budget to which such expenditure is attributed. A copy of such monthly report shall be available in the Committee office for review by members of the Committee.

RULE XVI.—COMMITTEE STAFF

(a) *Appointment by Chairman*.—The Chairman shall appoint and determine the remuneration of, and may remove, the employees of the Committee not assigned to the minority. The staff of the Committee not assigned to the minority shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he or she determines appropriate.

(b) *Appointment by Ranking Minority Member*.—The ranking minority member of the Committee shall appoint and determine the remuneration of, and may remove, the staff assigned to the minority within the budget approved for such purposes. The staff assigned to the minority shall be under the general supervision and direction of the ranking minority member of the Committee who may delegate such authority as he or she determines appropriate.

(c) *Intention Regarding Staff*.—It is intended that the skills and experience of all members of the Committee staff shall be available to all members of the Committee.

RULE XVII.—TRAVEL OF MEMBERS AND STAFF

(a) *Approval*.—Consistent with the primary expense resolution and such additional expense resolutions as may have been ap-

proved, the provisions of this rule shall govern travel of Committee members and staff. Travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the Chairman. Travel shall be authorized by the Chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the Chairman in writing the following:

(1) The purpose of the travel.

(2) The dates during which the travel is to be made and the date or dates of the event for which the travel is being made.

(3) The location of the event for which the travel is to be made.

(4) The names of members and staff seeking authorization.

(b) *Subcommittee Travel*.—In the case of travel of members and staff of a subcommittee to hearings, meetings, conferences, and investigations involving activities or subject matter under the legislative assignment of such subcommittee, prior authorization must be obtained from the subcommittee chairman and the Chairman. Such prior authorization shall be given by the Chairman only upon the representation by the chairman of such subcommittee in writing setting forth those items enumerated in subparagraphs (1), (2), (3), and (4) of paragraph (a) and that there has been a compliance where applicable with Committee Rule VI.

(c) *Travel Outside the United States*.—

(1) *In General*.—In the case of travel outside the United States of members and staff of the Committee or of a subcommittee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the Committee or pertinent subcommittee, prior authorization must be obtained from the Chairman, or, in the case of a subcommittee from the subcommittee chairman and the Chairman. Before such authorization is given there shall be submitted to the Chairman, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

(A) The purpose of the travel.

(B) The dates during which the travel will occur.

(C) The names of the countries to be visited and the length of time to be spent in each.

(D) An agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of Committee jurisdiction involved.

(E) The names of members and staff for whom authorization is sought.

(2) *Initiation of Requests*.—Requests for travel outside the United States may be initiated by the Chairman or the chairman of a subcommittee (except that individuals may submit a

request to the Chairman for the purpose of attending a conference or meeting) and shall be limited to members and permanent employees of the Committee.

(3) *Reports by Staff Members*.—At the conclusion of any hearing, investigation, study, meeting, or conference for which travel has been authorized pursuant to this rule, each staff member involved in such travel shall submit a written report to the Chairman covering the activities and other pertinent observations or information gained as a result of such travel.

(d) *Applicability of Laws, Rules, Policies*.—Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and of the Committee on House Administration pertaining to such travel, and by the travel policy of the Committee.

Committee on Veterans' Affairs

STEVE BUYER, Indiana, *Chairman*

STEVE BUYER, Indiana, *Chairman*
MICHAEL BILIRAKIS, Florida, *Vice Chairman*
TERRY EVERETT, Alabama
CLIFF STEARNS, Florida
DAN BURTON, Indiana
JERRY MORAN, Kansas
RICHARD H. BAKER, Louisiana
HENRY E. BROWN, JR., South Carolina
JEFF MILLER, Florida
JOHN BOOZMAN, Arkansas
JEB BRADLEY, New Hampshire
GINNY BROWN-WAITE, Florida
MICHAEL R. TURNER, Ohio
VACANCY
VACANCY
VACANCY

LANE EVANS, Illinois
BOB FILNER, California
LUIS V. GUTIERREZ, Illinois
CORRINE BROWN, Florida
VIC SNYDER, Arkansas
MICHAEL H. MICHAUD, Maine
STEPHANIE HERSETH, South Dakoda
TED STRICKLAND, Ohio
DARLENE HOOLEY, Oregon
SILVESTRE REYES, Texas
SHELLEY BERKLEY, Nevada
TOM UDALL, New Mexico
VACANCY

(Adopted February 10, 2005)

RULE 1.—APPLICABILITY OF HOUSE RULES

The Rules of the House are the rules of the Committee on Veterans' Affairs and its subcommittees so far as applicable, except that a motion to recess from day to day is a privileged motion in Committees and subcommittees. Each subcommittee of the Committee is a part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as applicable.

RULE 2.—COMMITTEE MEETINGS AND HEARINGS

REGULAR AND ADDITIONAL MEETINGS

(a)(1) The regular meeting day for the Committee shall be at 10 a.m. on the second Wednesday of each month in such place as the Chairman may designate. However, the Chairman may dispense with a regular Wednesday meeting of the Committee.

(2)(A) The Chairman of the Committee may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to the call of the Chairman.

(B) The Chairman shall notify each member of the Committee of the agenda of each regular and additional meeting of the Committee at least 24 hours before the time of the meeting, except under circumstances the Chairman determines to be of an emergency nature. Under such circumstances, the Chairman shall make

an effort to consult the ranking minority member, or in such member's absence, the next ranking minority party member of the Committee.

(b) *Wireless Telephone Use Prohibited.*—No person may use a wireless telephone during a Committee or subcommittee meeting or hearing.

(c) *Public Announcement.*—

(1) The Chairman, in the case of a hearing to be conducted by the Committee, and the subcommittee Chairman, in the case of a hearing to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the Committee or the subcommittee determines that there is good cause to begin the hearing at an earlier date. In the latter event, the Chairman or the subcommittee Chairman, as the case may be, shall consult with the ranking minority member and make such public announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Clerk of the Congressional Record and the Committee scheduling service of the House Information Resources as soon as possible after such public announcement is made.

(2) Meetings and hearings of the Committee and each of its subcommittees shall be open to the public unless closed in accordance with clause 2(g) of House Rule XI.

(d) *Quorum and Rollcalls.*—

(1) A majority of the members of the Committee shall constitute a quorum for business and a majority of the members of any subcommittee shall constitute a quorum thereof for business, except that two members shall constitute a quorum for the purpose of taking testimony and receiving evidence.

(2) No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee was actually present.

(3) There shall be kept in writing a record of the proceedings of the Committee and each of its subcommittees, including a record of the votes on any question on which a recorded vote is demanded. The result of each such record vote shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee. Information so available for public inspection shall include a description of the amendment, motion, order or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting.

(4) A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. With respect to any record vote on any motion to amend or report, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the report of the Committee on the bill or resolution.

(5) No vote by any member of the Committee or a subcommittee with respect to any measure or matter may be cast by proxy.

(e) *Postponing Proceedings.*—Committee and subcommittee chairmen may postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment, and may resume proceedings within two legislative days on a postponed question after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(f) *Calling and Interrogating Witnesses.*—

(1) Committee and subcommittee members may question witnesses only when they have been recognized by the Chairman of the Committee or subcommittee for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one member may be extended only with the unanimous consent of all members present. The questioning of witnesses in both Committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority party member and all other members alternating between the majority and minority. Except as otherwise announced by the Chairman at the beginning of a hearing, members who are present at the start of the hearing will be recognized before other members who arrive after the hearing has begun. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority.

(2) Notwithstanding the provisions of paragraph (1) regarding the 5-minute rule, the Chairman after consultation with the ranking minority member may designate an equal number of members of the Committee or subcommittee majority and minority party to question a witness for a period not longer than 30 minutes. In no event shall the Chairman allow a member to question a witness for an extended period under this rule until all members present have had the opportunity to ask questions under the 5-minute rule. The Chairman after consultation with the ranking minority member may permit Committee staff for its majority and minority party members to question a witness for equal specified periods of time.

(3) So far as practicable: (A) each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee, at least 48 hours in advance of the appearance of the witness, a written statement of the testimony of the witness and shall limit any oral presentation to a summary of the written statement; and (B) each witness appearing in a non-governmental capacity shall include with the written statement of proposed testimony a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or sub-

contract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(4) When a hearing is conducted by the Committee or a subcommittee on any measure or matter, the minority party members on the Committee shall be entitled, upon request to the Chairman of a majority of those minority members before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of the hearing thereon.

(g) *Media Coverage of Proceedings.*—Any meeting of the Committee or its subcommittees that is open to the public shall be open to coverage by radio, television, and still photography in accordance with the provisions of clause 4 of House Rule XI.

(h) *Subpoenas.*—Pursuant to clause 2(m) of House Rule XI, 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.

(i) The Chairman of the full Committee is directed to offer a motion under clause 1 of House Rule XXII whenever the Chairman considers it appropriate.

RULE 3.—GENERAL OVERSIGHT RESPONSIBILITY

(a) In order to assist the House in:

(1) Its analysis, appraisal, evaluation of (A) the application, administration, execution, and effectiveness of the laws enacted by the Congress, or (B) conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation, and

(2) its formulation, consideration and enactment of such modifications or changes in those laws, and of such additional legislation, as may be necessary or appropriate, the Committee and its various subcommittees, consistent with their jurisdiction as set forth in Rule 4, shall have oversight responsibilities as provided in subsection (b).

(b)(1) The Committee and its subcommittees shall review and study, on a continuing basis, the applications, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the Committee or subcommittee, and the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated.

(2) In addition, the Committee and its subcommittees shall review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the Committee or subcommittee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of the Committee or subcommittee.

(3) Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Government Reform, in accordance with the provisions of clause 2(d) of House Rule X.

RULE 4.—VICE CHAIRMEN

The Chairman of the full Committee shall designate the Vice Chairman of the Committee and a Vice Chairman of each subcommittee established under Rule 5(a)(1).

RULE 5.—SUBCOMMITTEES

(a) *Establishment and Jurisdiction of Subcommittees.*—

(1) There shall be four subcommittees of the Committee as follows:

(A) Subcommittee on Disability Assistance and Memorial Affairs, which shall have legislative, oversight and investigative jurisdiction over compensation; general and special pensions of all the wars of the United States; life insurance issued by the Government on account of service in the Armed Forces; cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior; burial benefits; the Board of Veterans' Appeals; and the Court of Appeals for Veterans' Claims.

(B) Subcommittee on Economic Opportunity, which shall have legislative, oversight and investigative jurisdiction over education of veterans, employment and training of veterans, vocational rehabilitation, veterans' housing programs, readjustment of servicemembers to civilian life, and servicemembers civil relief.

(C) Subcommittee on Health, which shall have legislative, oversight and investigative jurisdiction over veterans' hospitals, medical care, and treatment of veterans.

(D) Subcommittee on Oversight and Investigations, which shall have oversight and investigative jurisdiction over veterans' matters generally, and over such matters as may be referred to the subcommittee by the Chairman of the full Committee for its oversight or investigation and for its appropriate recommendations. The subcommittee shall only have legislative jurisdiction over such bills or resolutions as may be referred to it by the Chairman of the full Committee. Provided, however, that the activities of the Subcommittee on Oversight and Investigations shall in no way limit the responsibility of the other subcommittees of the Committee on Veterans' Affairs for carrying out their oversight duties.

In addition, each subcommittee shall have responsibility for such other measures or matters as the Chairman refers to it.

(2) Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of that subcommittee.

(3) On each subcommittee, there shall be a ratio of majority party members to minority party members which shall be consistent with the ratio on the full Committee.

(b) *Referral to Subcommittees.*—

(1) The Chairman of the Committee may refer a measure or matter, which is within the general responsibility of more than one of the subcommittees of the Committee, as the Chairman deems appropriate.

(2) In referring any measure or matter to a subcommittee, the Chairman of the Committee may specify a date by which the subcommittee shall report thereon to the Committee.

(c) *Power and Duties.*—

(1) Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman of the Committee and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings whenever possible.

(2) Whenever a subcommittee has ordered a bill, resolution, or other matter to be reported to the Committee, the Chairman of the subcommittee reporting the bill, resolution, or matter to the full Committee, or any member authorized by the subcommittee to do so shall notify the Chairman and the ranking minority party member of the Committee of the Subcommittee's action.

(3) A member of the Committee who is not a member of a particular subcommittee may sit with the subcommittee during any of its meetings and hearings, but shall not have authority to vote, cannot be counted for a quorum, and cannot raise a point of order at the meeting or hearing.

(4) Each subcommittee of the Committee shall provide the Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee as the Chairman of the Committee deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 6.—TRANSCRIPTS AND RECORDS

(a)(1) There shall be a transcript made of each regular and additional meeting and hearing of the Committee and its subcommittees. Any such transcript shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved.

(2) The Committee shall keep a record of all actions of the Committee and each of its subcommittees. The record shall contain all information required by clause 2(e)(1) of House Rule XI and shall be available for public inspection at reasonable times in the offices of the Committee.

(3) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with House rule VII. The Chairman shall notify the ranking minority member of any decision, pursuant to clause 3 or clause 4 of the Rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

Committee on Ways and Means

BILL THOMAS, California, *Chairman*

E. CLAY SHAW, JR., Florida
NANCY L. JOHNSON, Connecticut
WALLY HERGER, California
JIM McCRERY, Louisiana
DAVE CAMP, Michigan
JIM RAMSTAD, Minnesota
JIM NUSSLE, Iowa
SAM JOHNSON, Texas
ROB PORTMAN, Ohio
PHIL ENGLISH, Pennsylvania
J.D. HAYWORTH, Arizona
JERRY WELLER, Illinois
KENNY C. HULSHOF, Missouri
RON LEWIS, Kentucky
MARK FOLEY, Florida
KEVIN BRADY, Texas
THOMAS M. REYNOLDS, New York
PAUL RYAN, Wisconsin
ERIC CANTOR, Virginia
JOHN LINDER, Georgia
BOB BEAUPREZ, Colorado
MELISSA A. HART, Pennsylvania
CHRIS CHOCOLA, Indiana

CHARLES B. RANGEL, New York
FORTNEY PETE STARK, California
SANDER M. LEVIN, Michigan
BENJAMIN L. CARDIN, Maryland
JIM McDERMOTT, Washington
JOHN LEWIS, Georgia
RICHARD E. NEAL, Massachusetts
MICHAEL R. McNULTY, New York
WILLIAM J. JEFFERSON, Louisiana
JOHN S. TANNER, Tennessee
XAVIER BECERRA, California
LLOYD DOGGETT, Texas
EARL POMEROY, North Dakota
STEPHANIE TUBBS JONES, Ohio
MIKE THOMPSON, California
JOHN B. LARSON, Connecticut
RAHM EMANUEL, Illinois

(Adopted February 2, 2005)

PART I.—RULES OF THE COMMITTEE ON WAYS AND MEANS FOR THE 109TH CONGRESS

Rule XI of the Rules of the House of Representatives, provides in part:

* * * 1. (a)(1)(A) The Rules of the House are the rules of its committees and subcommittees so far as applicable.

(B) Each subcommittee is a part of its committee and is subject to the authority and direction of that committee and to its rules, so far as applicable.

(2)(A) In a committee or subcommittee—

(i) a motion to recess from day to day, or to recess subject to the call of the Chair (within 24 hours), shall be privileged; and

(ii) a motion to dispense with the first reading (in full) of a bill or resolution shall be privileged if printed copies are available.

(B) A motion accorded privilege under this subparagraph shall be decided without debate. * * *

* * * 2. (a)(1) Each standing committee shall adopt written rules governing its procedure. Such rules—

(A) shall be adopted in a meeting that is open to the public unless the committee, in open session and with a

quorum present, determines by record vote that all or part of the meeting on that day shall be closed to the public;

(B) may not be inconsistent with the Rules of the House or with those provisions of law having the force and effect of Rules of the House * * *.

In accordance with the foregoing, the Committee on Ways and Means, on February 2, 2005, adopted the following as the Rules of the Committee for the 109th Congress.

A. GENERAL

RULE 1.—APPLICATION OF RULES

Except where the terms "full Committee" and "Subcommittee" are specifically referred to, the following rules shall apply to the Committee on Ways and Means and its Subcommittees as well as to the respective Chairmen.

RULE 2.—MEETING DATE AND QUORUMS

The regular meeting day of the Committee on Ways and Means shall be on the second Wednesday of each month while the House is in session. However, the Committee shall not meet on the regularly scheduled meeting day if there is no business to be considered.

A majority of the Committee constitutes a quorum for business; provided however, that two Members shall constitute a quorum at any regularly scheduled hearing called for the purpose of taking testimony and receiving evidence. In establishing a quorum for purposes of a public hearing, every effort shall be made to secure the presence of at least one Member each from the majority and the minority.

The Chairman of the Committee may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet pursuant to the call of the Chair.

RULE 3.—COMMITTEE BUDGET

For each Congress, the Chairman, in consultation with the Majority Members of the Committee, shall prepare a preliminary budget. Such budget shall include necessary amounts for staff personnel, travel, investigation, and other expenses of the Committee. After consultation with the Minority Members, the Chairman shall include an amount budgeted by Minority Members. Thereafter, the Chairman shall combine such proposals into a consolidated Committee budget, and shall present the same to the Committee for its approval or other action. The Chairman shall take whatever action is necessary to have the budget as finally approved by the Committee duly authorized by the House. After said budget shall have been adopted, no substantial change shall be made in such budget unless approved by the Committee.

RULE 4.—PUBLICATION OF COMMITTEE DOCUMENTS

Any Committee or Subcommittee print, document, or similar material prepared for public distribution shall either be approved by the Committee or Subcommittee prior to distribution and opportunity afforded for the inclusion of supplemental, minority or additional views, or such document shall contain on its cover the following disclaimer:

> Prepared for the use of Members of the Committee on Ways and Means by members of its staff. This document has not been officially approved by the Committee and may not reflect the views of its Members.

Any such print, document, or other material not officially approved by the Committee or Subcommittee shall not include the names of its Members, other than the name of the full Committee Chairman or Subcommittee Chairman under whose authority the document is released. Any such document shall be made available to the full Committee Chairman and Ranking Minority Member not less than 3 calendar days (excluding Saturdays, Sundays, and legal holidays) prior to its public release.

The requirements of this rule shall apply only to the publication of policy-oriented, analytical documents, and not to the publication of public hearings, legislative documents, documents which are administrative in nature or reports which are required to be submitted to the Committee under public law. The appropriate characterization of a document subject to this rule shall be determined after consultation with the Minority.

RULE 5.—OFFICIAL TRAVEL

Consistent with the primary expense resolution and such additional expense resolution as may have been approved, the provisions of this rule shall govern official travel of Committee Members and Committee staff. Official travel to be reimbursed from funds set aside for the full Committee for any Member or any committee staff member shall be paid only upon the prior authorization of the Chairman. Official travel may be authorized by the Chairman for any Member and any committee staff member in connection with the attendance of hearings conducted by the Committee, its Subcommittees, or any other Committee or Subcommittee of the Congress on matters relevant to the general jurisdiction of the Committee, and meetings, conferences, facility inspections, and investigations which involve activities or subject matter relevant to the general jurisdiction of the Committee. Before such authorization is given, there shall be submitted to the Chairman in writing the following:

(1) The purpose of the official travel;

(2) The dates during which the official travel is to be made and the date or dates of the event for which the official travel is being made;

(3) The location of the event for which the official travel is to be made; and

(4) The names of Members and Committee staff seeking authorization.

In the case of official travel of Members and staff of a Subcommittee to hearings, meetings, conferences, facility inspections and investigations involving activities or subject matter under the jurisdiction of such Subcommittee prior authorization must be obtained from the Subcommittee Chairman and the full Committee Chairman. Such prior authorization shall be given by the Chairman only upon the representation by the applicable Subcommittee Chairman in writing setting forth those items enumerated above.

Within 60 days of the conclusion of any official travel authorized under this rule, there shall be submitted to the full Committee Chairman a written report covering the information gained as a result of the hearing, meeting, conference, facility inspection or investigation attended pursuant to such official travel.

RULE 6.—AVAILABILITY OF COMMITTEE RECORDS AND PUBLICATIONS

The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of Rule VII, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee. The Committee shall, to the maximum extent feasible, make its publications available in electronic form.

RULE 7.—WEBSITES

The minority shall be entitled to a separate website that is linked to and accessible only from the full Committee's website. For any website created under this policy, the Ranking Minority Member is responsible for its content and must be identified on the introductory page.

All Committee websites must comply with House Regulations.

The content of a committee website may not:

(1) Include personal, political, or campaign information.

(2) Be directly linked or refer to websites created or operated by campaign or any campaign related entity, including political parties and campaign committees.

(3) Include grassroots lobbying or solicit support for a Member's position.

(4) Generate, circulate, solicit or encourage signing petitions.

(5) Include any advertisement for any private individual, firm, or corporation, or imply in any manner that the Government endorses or favors any specific commercial product, commodity, or service.

B. SUBCOMMITTEES

RULE 8.—SUBCOMMITTEE RATIOS AND JURISDICTION

All matters referred to the Committee on Ways and Means involving revenue measures, except those revenue measures referred to Subcommittees under paragraphs 1, 2, 3, 4, 5, or 6 shall be considered by the full Committee and not in Subcommittee. There

shall be six standing Subcommittees as follows: a Subcommittee on Trade; a Subcommittee on Oversight; a Subcommittee on Health; a Subcommittee on Social Security; a Subcommittee on Human Resources; and a Subcommittee on Select Revenue Measures. The ratio of Republicans to Democrats on any Subcommittee of the Committee shall be consistent with the ratio of Republicans to Democrats on the full Committee.

1. **The Subcommittee on Trade** shall consist of 15 Members, 9 of whom shall be Republicans and 6 of whom shall be Democrats.

The jurisdiction of the Subcommittee on Trade shall include bills and matters referred to the Committee on Ways and Means that relate to customs and customs administration including tariff and import fee structure, classification, valuation of and special rules applying to imports, and special tariff provisions and procedures which relate to customs operation affecting exports and imports; import trade matters, including import impact, industry relief from injurious imports, adjustment assistance and programs to encourage competitive responses to imports, unfair import practices including antidumping and countervailing duty provisions, and import policy which relates to dependence on foreign sources of supply; commodity agreements and reciprocal trade agreements including multilateral and bilateral trade negotiations and implementation of agreements involving tariff and nontariff trade barriers to and distortions of international trade; international rules, organizations and institutional aspects of international trade agreements; budget authorizations for the customs revenue functions of the Department of Homeland Security, the U.S. International Trade Commission, and the U.S. Trade Representative; and special trade-related problems involving market access, competitive conditions of specific industries, export policy and promotion, access to materials in short supply, bilateral trade relations including trade with developing countries, operations of multinational corporations, and trade with nonmarket economies.

2. **The Subcommittee on Oversight** shall consist of 13 Members, 8 of whom shall be Republicans and 5 of whom shall be Democrats.

The jurisdiction of the Subcommittee on Oversight shall include all matters within the scope of the full Committee's jurisdiction but shall be limited to existing law. Said oversight jurisdiction shall not be exclusive but shall be concurrent with that of the other Subcommittees. With respect to matters involving the Internal Revenue Code and other revenue issues, said concurrent jurisdiction shall be shared with the full Committee. Before undertaking any investigation or hearing, the Chairman of the Subcommittee on Oversight shall confer with the Chairman of the full Committee and the Chairman of any other Subcommittee having jurisdiction.

3. **The Subcommittee on Health** shall consist of 13 Members, 8 of whom shall be Republicans and 5 of whom shall be Democrats.

The jurisdiction of the Subcommittee on Health shall include bills and matters referred to the Committee on Ways and Means that relate to programs providing payments (from any source) for health care, health delivery systems, or health research. More specifically, the jurisdiction of the Subcommittee on Health shall include bills and matters that relate to the health care programs of the Social Security Act (including titles V, XI (Part B), XVIII, and XIX thereof) and, concurrent with the full Committee, tax credit and deduction provisions of the Internal Revenue Code dealing with health insurance premiums and health care costs.

4. **The Subcommittee on Social Security** shall consist of 13 Members, 8 of whom shall be Republicans and 5 of whom shall be Democrats.

The jurisdiction of the Subcommittee on Social Security shall include bills and matters referred to the Committee on Ways and Means that relate to the Federal Old-Age, Survivors' and Disability Insurance System, the Railroad Retirement System, and employment taxes and trust fund operations relating to those systems. More specifically, the jurisdiction of the Subcommittee on Social Security shall include bills and matters involving title II of the Social Security Act and Chapter 22 of the Internal Revenue Code (the Railroad Retirement Tax Act), as well as provisions in title VII and title XI of the Act relating to procedure and administration involving the Old-Age, Survivors' and Disability Insurance System.

5. **The Subcommittee on Human Resources** shall consist of 13 Members, 8 of whom shall be Republicans and 5 of whom shall be Democrats.

The jurisdiction of the Subcommittee on Human Resources shall include bills and matters referred to the Committee on Ways and Means that relate to the public assistance provisions of the Social Security Act including temporary assistance for needy families, child care, child and family services, child support, foster care, adoption supplemental security income social services, eligibility of welfare recipients for food stamps, and low-income energy assistance. More specifically, the jurisdiction of the Subcommittee on Human Resources shall include bills and matters relating to titles I, IV, VI, X, XIV, XVI, XVII, XX and related provisions of titles VII and XI of the Social Security Act.

The jurisdiction of the Subcommittee on Human Resources shall also include bills and matters referred to the Committee on Ways and Means that relate to the Federal-State system of unemployment compensation, and the financing thereof, including the programs for extended and emergency benefits. More specifically, the jurisdiction of the Subcommittee on Human Resources shall also include all bills and matters pertaining to the programs of unemployment compensation under titles III, IX and XII of the Social Security Act, Chapters 23 and 23A of the Internal Revenue Code, and the Federal-State Extended Unemployment Compensation Act of 1970, and provisions relating thereto.

6. **The Subcommittee on Select Revenue Measures** shall consist of 13 Members, 8 of whom shall be Republicans and 5 of whom shall be Democrats.

The jurisdiction of the Subcommittee on Select Revenue Measures shall consist of those revenue measures that, from time to time, shall be referred to it specifically by the Chairman of the full Committee.

RULE 9.—EX-OFFICIO MEMBERS OF SUBCOMMITTEES

The Chairman of the full Committee and the Ranking Minority Member may sit as ex-officio Members of all Subcommittees. They may be counted for purposes of assisting in the establishment of a quorum for a Subcommittee. However, their absence shall not count against the establishment of a quorum by the regular Members of the Subcommittee. Ex-officio Members shall neither vote in the Subcommittee nor be taken into consideration for purposes of determining the ratio of the Subcommittee.

RULE 10.—SUBCOMMITTEE MEETINGS

Insofar as practicable, meetings of the full Committee and its Subcommittees shall not conflict. Subcommittee Chairmen shall set meeting dates after consultation with the Chairman of the full Committee and other Subcommittee Chairmen with a view toward avoiding, wherever possible, simultaneous scheduling of full Committee and Subcommittee meetings or hearings.

RULE 11.—REFERENCE OF LEGISLATION AND SUBCOMMITTEE REPORTS

Except for bills or measures retained by the Chairman of the full Committee for full Committee consideration, every bill or other measure referred to the Committee shall be referred by the Chairman of the full Committee to the appropriate Subcommittee in a timely manner. A Subcommittee shall, within 3 legislative days of the referral, acknowledge same to the full Committee.

After a measure has been pending in a Subcommittee for a reasonable period of time, the Chairman of the full Committee may make a request in writing to the Subcommittee that the Subcommittee forthwith report the measure to the full Committee with its recommendations. If within 7 legislative days after the Chairman's written request, the Subcommittee has not so reported the measure, then there shall be in order in the full Committee a motion to discharge the Subcommittee from further consideration of the measure. If such motion is approved by a majority vote of the full Committee, the measure may thereafter be considered only by the full Committee.

No measure reported by a Subcommittee shall be considered by the full Committee unless it has been presented to all Members of the full Committee at least 2 legislative days prior to the full Committee's meeting, together with a comparison with present law, a section-by-section analysis of the proposed change, a section-by-section justification, and a draft statement of the budget effects of the measure that is consistent with the requirements for reported

measures under clause 3(d)(2) of Rule XIII of the Rules of the House of Representatives.

RULE 12.—RECOMMENDATION FOR APPOINTMENT OF CONFEREES

Whenever in the legislative process it becomes necessary to appoint conferees, the Chairman of the full Committee shall recommend to the Speaker as conferees the names of those Committee Members as the Chairman may designate. In making recommendations of Minority Members as conferees, the Chairman shall consult with the Ranking Minority Member of the Committee.

C. HEARINGS

RULE 13.—WITNESSES

In order to assure the most productive use of the limited time available to question hearing witnesses, a witness who is scheduled to appear before the full Committee or a Subcommittee shall file with the Clerk of the Committee at least 48 hours in advance of his appearance a written statement of his proposed testimony. In addition, all witnesses shall comply with formatting requirements as specified by the Committee and the Rules of the House. Failure to comply with the 48-hour rule may result in a witness being denied the opportunity to testify in person. Failure to comply with the formatting requirements may result in a witness' statement being rejected for inclusion in the published hearing record. In addition to the requirements of clause 2(g)(4) of Rule XI, of the Rules of the House, regarding information required of public witnesses, a witness shall limit his oral presentation to a summary of his position and shall provide sufficient copies of his written statement to the Clerk for distribution to Members, staff and news media.

A witness appearing at a public hearing, or submitting a statement for the record of a public hearing, or submitting written comments in response to a published request for comments by the Committee must include on his statement or submission a list of all clients, persons, or organizations on whose behalf the witness appears. Oral testimony and statements for the record, or written comments in response to a request for comments by the Committee, will be accepted only from citizens of the United States or corporations or associations organized under the laws of one of the 50 States of the United States or the District of Columbia, unless otherwise directed by the Chairman of the full Committee or Subcommittee involved. Written statements from non-citizens may be considered for acceptance in the record if transmitted to the Committee in writing by Members of Congress.

RULE 14.—QUESTIONING OF WITNESSES

Committee Members may question witnesses only when recognized by the Chairman for that purpose. All Members shall be limited to 5 minutes on the initial round of questioning. In questioning witnesses under the 5-minute rule, the Chairman and the Ranking Minority Member shall be recognized first after which Members who are in attendance at the beginning of a hearing will be recognized in the order of their seniority on the Committee. Other Mem-

bers shall be recognized in the order of their appearance at the hearing. In recognizing Members to question witnesses, the Chairman may take into consideration the ratio of Majority Members to Minority Members and the number of Majority and Minority Members present and shall apportion the recognition for questioning in such a manner as not to disadvantage Members of the majority.

RULE 15.—SUBPOENA POWER

The power to authorize and issue subpoenas is delegated to the Chairman of the full Committee, as provided for under clause 2(m)(3)(A)(i) of Rule XI of the House of Representatives.

RULE 16.—RECORDS OF HEARINGS

An accurate stenographic record shall be kept of all testimony taken at a public hearing. The staff shall transmit to a witness the transcript of his testimony for correction and immediate return to the Committee offices. Only changes in the interest of clarity, accuracy and corrections in transcribing errors will be permitted. Changes that substantially alter the actual testimony will not be permitted. Members shall correct their own testimony and return transcripts as soon as possible after receipt thereof. The Chairman of the full Committee may order the printing of a hearing without the corrections of a witness or Member if he determines that a reasonable time has been afforded to make corrections and that further delay would impede the consideration of the legislation or other measure that is the subject of the hearing.

RULE 17.—BROADCASTING OF HEARINGS

The provisions of clause 4(f) of Rule XI of the Rules of the House of Representatives are specifically made a part of these rules by reference. In addition, the following policy shall apply to media coverage of any meeting of the full Committee or a Subcommittee:

(1) An appropriate area of the Committee's hearing room will be designated for members of the media and their equipment.

(2) No interviews will be allowed in the Committee room while the Committee is in session. Individual interviews must take place before the gavel falls for the convening of a meeting or after the gavel falls for adjournment.

(3) Day-to-day notification of the next day's electronic coverage shall be provided by the media to the Chairman of the full Committee through an appropriate designee.

(4) Still photography during a Committee meeting will not be permitted to disrupt the proceedings or block the vision of Committee Members or witnesses.

(5) Further conditions may be specified by the Chairman.

D. MARKUPS

RULE 18.—RECONSIDERATION OF PREVIOUS VOTE

When an amendment or other matter has been disposed of, it shall be in order for any Member of the prevailing side, on the same or next day on which a quorum of the Committee is present, to move the reconsideration thereof, and such motion shall take

precedence over all other questions except the consideration of a motion to adjourn.

RULE 19.—PREVIOUS QUESTION

The Chairman shall not recognize a Member for the purpose of moving the previous question unless the Member has first advised the Chair and the Committee that this is the purpose for which recognition is being sought.

RULE 20.—POSTPONEMENT OF PROCEEDINGS

The Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment.

The Chairman may resume proceedings on a postponed request at any time. In exercising postponement authority the Chairman shall take reasonable steps to notify members on the resumption of proceedings on any postponed record vote.

When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE 21.—MOTION TO GO TO CONFERENCE

The Chairman is authorized to offer a motion under clause 1 of rule XXII of the Rules of the House of Representatives whenever the chairman considers it appropriate.

RULE 22.—OFFICIAL TRANSCRIPTS OF MARKUPS AND OTHER COMMITTEE MEETINGS

An official stenographic transcript shall be kept accurately reflecting all markups and other meetings of the full Committee and the Subcommittees, whether they be open or closed to the public. This official transcript, marked as "uncorrected," shall be available for inspection by the public (except for meetings closed pursuant to clause 2(g)(1) of Rule XI of the Rules of the House), by Members of the House, or by Members of the Committee together with their staffs, during normal business hours in the full Committee or Subcommittee office under such controls as the Chairman of the full Committee deems necessary. Official transcripts shall not be removed from the Committee or Subcommittee office. If, however, (1) in the drafting of a Committee or Subcommittee decision, the Office of the House Legislative Counsel or (2) in the preparation of a Committee report, the Chief of Staff of the Joint Committee on Taxation determines (in consultation with appropriate majority and minority committee staff) that it is necessary to review the official transcript of a markup, such transcript may be released upon the signature and to the custody of an appropriate committee staff person. Such transcript shall be returned immediately after its review in the drafting session.

The official transcript of a markup or Committee meeting other than a public hearing shall not be published or distributed to the public in any way except by a majority vote of the Committee. Be-

fore any public release of the uncorrected transcript, Members must be given a reasonable opportunity to correct their remarks. In instances in which a stenographic transcript is kept of a conference committee proceeding, all of the requirements of this rule shall likewise be observed.

RULE 23.—PUBLICATION OF DECISIONS AND LEGISLATIVE LANGUAGE

A press release describing any tentative or final decision made by the full Committee or a Subcommittee on legislation under consideration shall be made available to each Member of the Committee as soon as possible, but no later than the next day. However, the legislative draft of any tentative or final decision of the full Committee or a Subcommittee shall not be publicly released until such draft is made available to each Member of the Committee.

E. STAFF

RULE 24.—SUPERVISION OF COMMITTEE STAFF

The staff of the Committee shall be under the general supervision and direction of the Chairman of the full Committee except as provided in clause 9 of Rule X of the Rules of the House of Representatives concerning Committee expenses and staff.

Pursuant to clause 6(d) of Rule X of the Rules of the House of Representatives, the Chairman of the full Committee, from the funds made available for the appointment of Committee staff pursuant to primary and additional expense resolutions, shall ensure that each Subcommittee receives sufficient staff to carry out its responsibilities under the rules of the Committee, and that the minority party is fairly treated in the appointment of such staff.

RULE 25.—STAFF HONORARIA, SPEAKING ENGAGEMENTS, AND UNOFFICIAL TRAVEL

This rule shall apply to all majority and minority staff of the Committee and its Subcommittees.

a. *Honoraria.*—Under no circumstances shall a staff person accept the offer of an honorarium. This prohibition includes the direction of an honorarium to a charity.

b. *Speaking Engagements and Unofficial Travel.*—(1) *Advance Approval Required.*—In the case of all speaking engagements, fact-finding trips, and other unofficial travel, a staff person must receive approval by the full Committee Chairman (or, in the case of the minority staff, from the Ranking Minority Member) at least 7 calendar days prior to the event.

(2) *Request for Approval.*—A request for approval must be submitted in writing to the full Committee Chairman (or, where appropriate, the Ranking Minority Member) in connection with each speaking engagement, fact-finding trip, or other unofficial travel. Such request must contain the following information:

(a) the name of the sponsoring organization and a general description of such organization (nonprofit organization, trade association, etc.);

(b) the nature of the event, including any relevant information regarding attendees at such event;

(c) in the case of a speaking engagement, the subject of the speech and duration of staff travel, if any; and

(d) in the case of a fact-finding trip or international travel, a description of the proposed itinerary and proposed agenda of substantive issues to be discussed, as well as a justification of the relevance and importance of the fact-finding trip or international travel to the staff member's official duties.

(3) *Reasonable Travel and Lodging Expenses.*—After receipt of the advance approval described in (1) above, a staff person may accept reimbursement by an appropriate sponsoring organization of reasonable travel and lodging expenses associated with a speaking engagement, fact-finding trip, or international travel related to official duties, provided such reimbursement is consistent with the Rules of the House of Representatives. (In lieu of reimbursement after the event, expenses may be paid directly by an appropriate sponsoring organization.) The reasonable travel and lodging expenses of a spouse (but not children) may be reimbursed (or directly paid) by an appropriate sponsoring organization consistent with the Rules of the House of Representatives.

(4) *Trip Summary and Report.*—In the case of any reimbursement or direct payment associated with a fact-finding trip or international travel, a staff person must submit, within 60 days after such trip, a report summarizing the trip and listing all expenses reimbursed or directly paid by the sponsoring organization. This information shall be submitted to the Chairman (or, in the case of the minority staff, to the Ranking Minority Member).

c. *Waiver.*—The Chairman (or, where appropriate, the Ranking Minority Member) may waive the application of section (b) of this rule upon a showing of good cause.

PART II—PERMANENT SELECT COMMITTEE OF THE HOUSE

Permanent Select Committee on Intelligence

PETER HOEKSTRA, Michigan, *Chairman*

RAY LAHOOD, Illinois
RANDY "DUKE" CUNNINGHAM, California
TERRY EVERETT, Alabama
ELTON GALLEGLY, California
HEATHER WILSON, New Mexico
JO ANN DAVIS, Virginia
MAC THORNBERRY, Texas
JOHN MCHUGH, New York
TODD TIAHRT, Kansas
MIKE ROGERS, Michigan
RICK RENZI, Arizona

JANE HARMAN, California
ALCEE L. HASTINGS, Florida
SILVESTRE REYES, Texas
LEONARD L. BOSWELL, Iowa
ROBERT E. (BUD) CRAMER, JR., Alabama
ANNA G. ESHOO, California
RUSH D. HOLT, New Jersey
C.A. DUTCH RUPPERSBERGER, Maryland
JOHN TIERNEY, Massachusetts

(Adopted January 26, 2005)

RULE 1.—MEETING DAY

(a) *Regular Meeting Day for the Full Committee.—Generally.*—The regular meeting day of the Committee for the transaction of Committee business shall be the first Wednesday of each month, unless otherwise directed by the Chairman.

RULE 2.—NOTICE FOR MEETINGS

(a) *Generally.*—In the case of any meeting of the Committee, the Chief Clerk of the Committee shall provide reasonable notice to every Member of the Committee. Such notice shall provide the time and place of the meeting.

(b) *Definition.*—For purposes of this rule, "reasonable notice" means:

(1) written notification;

(2) delivered by facsimile transmission or regular mail, which is

(A) delivered no less than 24 hours prior to the event for which notice is being given, if the event is to be held in Washington, D.C.; or

(B) delivered no less than 48 hours prior to the event for which notice is being given, if the event is to be held outside Washington, D.C.

(c) *Exception.*—In extraordinary circumstances only, the Chairman may, after consulting with the Ranking Minority Member, call a meeting of the Committee without providing notice, as defined in subparagraph (b), to Members of the Committee.

RULE 3.—PREPARATIONS FOR COMMITTEE MEETINGS

(a) *Generally.*—Designated Committee Staff, as directed by the Chairman, shall brief Members of the Committee at a time sufficiently prior to any Committee meeting in order to:

(1) assist Committee Members in preparation for such meeting; and

(2) determine which matters Members wish considered during any meeting.

(b) *Briefing Materials.*—(1) Such a briefing shall, at the request of a Member, include a list of all pertinent papers, and such other materials, that have been obtained by the Committee that bear on matters to be considered at the meeting; and

(2) The staff director shall also recommend to the Chairman any testimony, papers, or other materials to be presented to the Committee at the meeting of the Committee.

RULE 4.—OPEN MEETINGS

(a) *Generally.*—Pursuant to Rule XI of the House, but subject to the limitations of subsections (b) and (c), Committee meetings held for the transaction of business and Committee hearings shall be open to the public.

(b) *Meetings.*—Any meetings or portion thereof, for the transaction of business, including the markup of legislation, or any hearing or portion thereof, shall be closed to the public, if the Committee determines by record vote in open session with a majority of the Committee present, that disclosure of the matters to be discussed may:

(1) endanger national security;

(2) compromise sensitive law enforcement information;

(3) tend to defame, degrade, or incriminate any person; or

(4) otherwise violate any law or Rule of the House.

(c) *Hearings.*—The Committee may vote to close a Committee hearing pursuant to House Rule X clause 11(d)(2), regardless of whether a majority is present, so long as at least two Members of the Committee are present, one of whom is a member of the Minority and votes upon the motion.

(d) *Briefings.*—All Committee briefings shall be closed to the public.

RULE 5.—QUORUM

(a) *Hearings.*—For purposes of taking testimony, or receiving evidence, a quorum shall consist of two Committee Members.

(b) *Other Committee Proceedings.*—For purposes of the transaction of all other Committee business, other than the consideration of a motion to close a hearing as described in rule 4(c), a quorum shall consist of a majority of Members.

RULE 6.—PROCEDURES FOR AMENDMENTS AND VOTES

(a) *Amendments.*—When a bill or resolution is being considered by the Committee, members shall provide the Chief Clerk in a timely manner with a sufficient number of written copies of any amendment offered, so as to enable each member present to receive a copy thereof prior to taking action. A point of order may be made against any amendment not reduced to writing. A copy of each such amendment shall be maintained in the public records of the Committee.

(b) *Reporting Recorded Votes.*—Whenever the Committee reports any measure or matter by record vote, the report of the Committee upon such measure or matter shall include a tabulation of the votes cast in favor of, and the votes cast in opposition to, such measure or matter.

(c) *Postponement of Further Proceedings.*—In accordance with clause 2(h) of House Rule XI, the Chairman is authorized to postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or adopting an amendment. The Chairman may resume proceedings on a postponed request at any time after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE 7.—SUBCOMMITTEES

(a) *Generally.*—

(1) Creation of subcommittees shall be by majority vote of the Committee.

(2) Subcommittees shall deal with such legislation and oversight of programs and policies as the Committee may direct.

(3) Subcommittees shall be governed by these rules.

For purposes of these rules, any reference herein to the "Committee" shall be interpreted to include subcommittees, unless otherwise specifically provided.

(b) *Establishment of Subcommittees.*—The Committee establishes the following subcommittees:

(1) Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence;

(2) Subcommittee on Technical and Tactical Intelligence;

(3) Subcommittee on Oversight; and,

(4) Subcommittee on Intelligence Policy.

For purposes of these rules, any reference herein to the "Committee" shall be interpreted to include subcommittees, unless otherwise specifically provided.

(c) *Subcommittee Membership.*—

(1) *Generally.*—Each Member of the Committee may be assigned to at least one of the four subcommittees.

(2) *Ex Officio Membership.*—In the event that the Chairman and Ranking Minority Member of the full Committee do not choose to sit as regular voting members of one or more of the subcommittees, each is authorized to sit as an ex officio Member of the subcommittees and participate in the work of the subcommittees. When sitting ex officio, however, they—

(A) shall not have a vote in the subcommittee; and

(B) shall not be counted for purposes of determining a quorum.

(d) *Regular Meeting Day for Subcommittees.*—There is no regular meeting day for subcommittees.

RULE 8.—PROCEDURES FOR TAKING TESTIMONY OR RECEIVING EVIDENCE

(a) *Notice.*—Adequate notice shall be given to all witnesses appearing before the Committee.

(b) *Oath or Affirmation.*—The Chairman may require testimony of witnesses to be given under oath or affirmation.

(c) *Administration of Oath or Affirmation.*—Upon the determination that a witness shall testify under oath or affirmation, any Member of the Committee designated by the Chairman may administer the oath or affirmation.

(d) *Questioning of Witnesses.*—

(1) *Generally.*—Questioning of witnesses before the Committee shall be conducted by Members of the Committee.

(2) *Exceptions.*—

(A) The Chairman, in consultation with the Ranking Minority Member, may determine that Committee Staff will be authorized to question witnesses at a hearing in accordance with clause (2)(j) of House Rule XI.

(B) The Chairman and Ranking Minority Member are each authorized to designate Committee Staff to conduct such questioning.

(e) *Counsel for the Witness.*—

(1) *Generally.*—Witnesses before the Committee may be accompanied by counsel, subject to the requirements of paragraph (2).

(2) *Counsel Clearances Required.*—In the event that a meeting of the Committee has been closed because the subject to be discussed deals with classified information, counsel accompanying a witness before the Committee must possess the requisite security clearance and provide proof of such clearance to the Committee at least 24 hours prior to the meeting at which the counsel intends to be present.

(3) *Failure To Obtain Counsel.*—Any witness who is unable to obtain counsel should notify the Committee. If such notification occurs at least 24 hours prior to the witness's appearance before the Committee, the Committee shall then endeavor to obtain voluntary counsel for the witness. Failure to obtain counsel, however, will not excuse the witness from appearing and testifying.

(4) *Conduct of Counsel for Witnesses.*—Counsel for witnesses appearing before the Committee shall conduct themselves ethically and professionally at all times in their dealings with the Committee.

(A) A majority of Members of the Committee may, should circumstances warrant, find that counsel for a witness before the Committee failed to conduct himself or herself in an ethical or professional manner.

(B) Upon such finding, counsel may be subject to appropriate disciplinary action.

(5) *Temporary Removal of Counsel.*—The Chairman may remove counsel during any proceeding before the Committee for failure to act in an ethical and professional manner.

(6) *Committee Reversal.*—A majority of the Members of the Committee may vote to overturn the decision of the Chairman to remove counsel for a witness.

(7) *Role of Counsel for Witness.*—

(A) Counsel for a witness:

(i) shall not be allowed to examine witnesses before the Committee, either directly or through cross-examination; but

(ii) may submit questions in writing to the Committee that counsel wishes propounded to a witness; or

(iii) may suggest, in writing to the Committee, the presentation of other evidence or the calling of other witnesses.

(B) The Committee may make such use of any such questions, or suggestions, as the Committee deems appropriate.

(f) *Statements by Witnesses.*—

(1) *Generally.*—A witness may make a statement, which shall be brief and relevant, at the beginning and at the conclusion of the witness's testimony.

(2) *Length.*—Each such statement shall not exceed five minutes in length, unless otherwise determined by the Chairman.

(3) *Submission to the Committee.*—Any witness desiring to submit a written statement for the record of the proceeding shall submit a copy of the statement to the Chief Clerk of the Committee.

(A) Such statements shall ordinarily be submitted no less than 48 hours in advance of the witness's appearance before the Committee and shall be submitted in written and electronic format.

(B) In the event that the hearing was called with less than 24 hours notice, written statements should be submitted as soon as practicable prior to the hearing.

(g) *Objections and Ruling.*—

(1) *Generally.*—Any objection raised by a witness, or counsel for the witness, shall be ruled upon by the Chairman, and such ruling shall be the ruling of the Committee.

(2) *Committee Action.*—A ruling by the Chairman may be overturned upon a majority vote of the Committee.

(h) *Transcripts.*—

(1) *Transcript Required.*—A transcript shall be made of the testimony of each witness appearing before the Committee during any hearing of the Committee.

(2) *Opportunity To Inspect.*—Any witness testifying before the Committee shall be given a reasonable opportunity to inspect the transcript of the hearing, and may be accompanied by counsel to determine whether such testimony was correctly transcribed. Such counsel:

(A) shall have the appropriate clearance necessary to review any classified aspect of the transcript; and

(B) should, to the extent possible, be the same counsel that was present for such classified testimony.

(3) *Corrections.*—

(A) Pursuant to Rule XI of the House Rules, any corrections the witness desires to make in a transcript shall be limited to technical, grammatical, and typographical corrections.

(B) Corrections may not be made to change the substance of the Testimony.

(C) Such corrections shall be submitted in writing to the Committee within 7 days after the transcript is made available to the witnesses.

(D) Any questions arising with respect to such corrections shall be decided by the Chairman.

(4) *Copy for the Witness.*—At the request of the witness, any portion of the witness's testimony given in executive session shall be made available to that witness if that testimony is subsequently quoted or intended to be made part of a public record. Such testimony shall be made available to the witness at the witness's expense.

(i) *Requests to Testify.*—

(1) *Generally.*—The Committee will consider requests to testify on any matter or measure pending before the Committee.

(2) *Recommendations for Additional Evidence.*—Any person who believes that testimony, other evidence, or commentary, presented at a public hearing may tend to affect adversely that person's reputation may submit to the Committee, in writing:

(A) a request to appear personally before the Committee;

(B) A sworn statement of facts relevant to the testimony, evidence, or commentary; or

(C) proposed questions for the cross-examination of other witnesses.

(3) *Committees Discretion.*—The Committee may take those actions it deems appropriate with respect to such requests.

(j) *Contempt Procedures.*—Citations for contempt of Congress shall be forwarded to the House only if:

(1) reasonable notice is provided to all Members of the Committee of a meeting to be held to consider any such contempt recommendations;

(2) the Committee has met and considered the contempt allegations;

(3) The subject of the allegations was afforded an opportunity to state either in writing or in person, why he or she should not be held in contempt; and

(4) the Committee agreed by majority vote to forward the citation recommendations to the House.

(k) *Release of Name of Witness.*—

(1) *Generally.*—At the request of a witnesses scheduled to be heard by the Committee, the name of that witness shall not be released publicly prior to, or after, the witness' appearance before the Committee.

(2) *Exceptions.*—Notwithstanding paragraph (1), the chairman may authorize the release to the public of the name of any witness scheduled to appear before the Committee.

RULE 9.—INVESTIGATIONS

(a) *Commencing Investigations.*—The Committee shall conduct investigations only if approved by the Chairman, in consultation with the Ranking Minority Member.

(b) *Conducting Investigation.*—An authorized investigation may be conducted by Members of the Committee or Committee Staff members designated by the Chairman, in consultation with the Ranking Minority Member, to undertake any such investigation.

RULE 10.—SUBPOENAS

(a) *Generally.*—All subpoenas shall be authorized by the Chairman of the full Committee, upon consultation with the Ranking Minority member, or by vote of the Committee.

(b) *Subpoena Contents.*—Any subpoena authorized by the Chairman of the full Committee, or the Committee, may compel:

(1) the attendance of witnesses and testimony before the Committee, or

(2) the production of memoranda, documents, records, or any other tangible item.

(c) *Signing of Subpoena.*—A subpoena authorized by the Chairman of the full Committee, or the Committee, may be signed by the Chairman, or by any Member of the Committee designated to do so by the Committee.

(d) *Subpoena Service.*—A subpoena authorized by the Chairman of the full Committee, or the Committee, may be served by any person designated to do so by the Chairman.

(e) *Other Requirements.*—Each subpoena shall have attached thereto a copy of these rules.

RULE 11.—COMMITTEE STAFF

(a) *Definition.*—For the purpose of these rules, "Committee Staff" or "staff of the Committee" means:

1. employees of the Committee;
2. consultants to the Committee;
3. employees of other Government agencies detailed to the Committee; or
4. any other person engaged by contract, or otherwise, to perform services for, or at the request of, the Committee.

(b) *Appointment of Committee Staff and Security Requirements.*—(1) *Chairman's Authority.*—Except as provided in paragraph (2), the Committee staff shall be appointed, and may be removed, by the Chairman and shall work under the general supervision and direction of the Chairman.

(2) *Staff Assistance to Minority Membership.*—Except as provided in paragraphs (3) and (4) and except as otherwise provided by Committee Rules, the Committee staff provided to the minority party members of the Committee shall be appointed, and may be removed, by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member.

(3) *Security Clearance Required.*—All offers of employment for prospective Committee Staff positions shall be contingent upon: (A) the results of a background investigation; and (B) a determination

by the Chairman that requirements for the appropriate security clearances have been met.

(4) *Security Requirements*.—Notwithstanding paragraph (2), the Chairman shall supervise and direct the Committee staff with respect to the security and nondisclosure of classified information. Committee Staff shall comply with requirements necessary to ensure the security and nondisclosure of classified information as determined by the Chairman in consultation with the ranking minority member.

RULE 12.—LIMIT ON DISCUSSION OF CLASSIFIED WORK OF THE COMMITTEE

(a) *Prohibition.*—

(1) *Generally.*—Except as otherwise provided by these rules and the Rules of the House of Representatives, Members and Committee staff shall not at any time, either during that person's tenure as a Member of the Committee or as Committee Staff, or anytime thereafter, discuss or disclose, or cause to be discussed or disclosed:

(A) the classified substance of the work of the Committee;

(B) any information received by the Committee in executive session;

(C) any classified information received by the Committee from any source; or

(D) the substance of any hearing that was closed to the public pursuant to these rules or the Rules of the House.

(2) *Non-Disclosure in Proceedings.*—

(A) Members of the Committee and the Committee Staff shall not discuss either the substance or procedure of the work of the Committee with any person not a Member of the Committee or the Committee Staff in connection with any proceeding, judicial or otherwise, either during the person's tenure as a Member of the Committee, or of the Committee Staff, or at any time thereafter, except as directed by the Committee in accordance with the Rules of the House and these rules.

(B) In the event of the termination of the Committee, Members and Committee Staff shall be governed in these matters in a manner determined by the House concerning discussions of the classified work of the Committee.

(3) *Exceptions.*—

(A) Notwithstanding the provisions of subsection (a)(1), Members of the Committee and the Committee Staff may discuss and disclose those matters described in subsection (a)(1) with—

(i) Members and staff of the Senate Select Committee on Intelligence designated by the chairman of that committee;

(ii) the chairmen and ranking minority members of the House and Senate Committees on Appropriations and staff of those committees designated by the chairmen of those committees; and

(iii) the chairman and ranking minority member of the Subcommittee on Defense of the House Committee on Appropriations and staff of that subcommittee as designated by the chairman of that subcommittee.

(B) Notwithstanding the provisions of subsection (a)(1), Members of the Committee and the Committee Staff may discuss and disclose only that budget-related information necessary to facilitate the enactment of the annual defense authorization bill with the chairmen and ranking minority members of the House and Senate Committees on Armed Services and the staff of those committees designated by the chairmen of those committees.

(C) Notwithstanding the provisions of subsection (a)(1), Members of the Committee and the Committee staff may discuss with and disclose to the chairman and ranking minority member of a subcommittee of the House Appropriations Committee with jurisdiction over an agency or program within the National Foreign Intelligence Program (NFIP), and staff of that subcommittee as designated by the chairman of that subcommittee, only that budget-related information necessary to facilitate the enactment of an appropriations bill within which is included an appropriation for an agency or program within the NFIP.

(D) The Chairman may, in consultation with the Ranking Minority Member, upon the written request to the Chairman from the Inspector General of an element of the Intelligence Community, grant access to Committee transcripts or documents that are relevant to an investigation of an allegation of possible false testimony or other inappropriate conduct before the Committee, or that are otherwise relevant to the Inspector General's investigation.

(E) Upon the written request of the head of an Intelligence Community element, the Chairman may, in consultation with the Ranking Minority Member, make available Committee briefing or hearing transcripts to that element for review by that element if a representative of that element testified, presented information to the Committee, or was present at the briefing or hearing the transcript of which is requested for review.

(F) Members and Committee Staff may discuss and disclose such matters as otherwise directed by the Committee.

(b) *Non-Disclosure Agreement.*—

(1) *Generally.*—All Committee Staff must, before joining the Committee, agree in writing, as a condition of employment, not to divulge or cause to be divulged any classified information which comes into such person's possession while a member of the Committee Staff, to any person not a Member of the Committee or the Committee Staff, except as authorized by the Committee in accordance with the Rules of the House and these rules.

(2) *Other Requirements.*—In the event of the termination of the Committee, Members and Committee Staff must follow any determination by the House of Representatives with respect to

the protection of classified information received while a Member of the Committee or as Committee Staff.

(3) *Requests for Testimony of Staff.*—

(A) All Committee Staff must, as a condition of employment, agree in writing to notify the Committee immediately of any request for testimony received while a member of the Committee Staff, or at any time thereafter, concerning any classified information received by such person while a member of the Committee Staff.

(B) Committee Staff shall not disclose, in response to any such request for testimony, any such classified information, except as authorized by the Committee in accordance with the Rules of the House and these rules.

(C) In the event of the termination of the Committee, Committee Staff will be subject to any determination made by the House of Representatives with respect to any requests for testimony involving classified information received while a member of the Committee Staff.

RULE 13.—CLASSIFIED MATERIAL

(a) *Receipt of Classified Information.*—

(1) *Generally.*—In the case of any information that has been classified under established security procedures and submitted to the Committee by any source, the Committee shall receive such classified information as executive session material.

(2) *Staff Receipt of Classified Materials.*—For purposes of receiving classified information, the Committee Staff is authorized to accept information on behalf of the Committee.

(b) *Non-Disclosure of Classified Information.—Generally.*—Any classified information received by the Committee, from any source, shall not be disclosed to any person not a Member of the Committee or the Committee Staff, or otherwise released, except as authorized by the Committee in accord with the Rules of the House and these rules.

RULE 14.—PROCEDURES RELATED TO HANDLING OF CLASSIFIED INFORMATION

(a) *Security Measures.*—

(1) *Strict Security.*—The Committee's offices shall operate under strict security procedures administered by the Director of Security and Registry of the Committee under the direct supervision of the staff director.

(2) *U.S. Capitol Police Presence Required.*—At least one U.S. Capitol Police officer shall be on duty at all times outside the entrance to Committee offices to control entry of all persons to such offices.

(3) *Identification Required.*—Before entering the Committee's offices all persons shall identify themselves to the U.S. Capitol Police officer described in paragraph (2) and to a Member of the Committee or Committee Staff.

(4) *Maintenance of Classified Materials.*—Classified documents shall be segregated and maintained in approved security storage locations.

(5) *Examination of Classified Materials.*—Classified documents in the Committee's possession shall be examined in an appropriately secure manner.

(6) *Prohibition on Removal of Classified Materials.*—Removal of any classified document from the Committee's offices is strictly prohibited, except as provided by these rules.

(7) *Exception.*—Notwithstanding the prohibition set forth in paragraph (6), a classified document, or copy thereof, may be removed from the Committee's offices in furtherance of official Committee business. Appropriate security procedures shall govern the handling of any classified documents removed from the Committee's offices.

(b) *Access to Classified Information by Member.*—All Members of the Committee shall at all times have access to all classified papers and other material received by the Committee from any source.

(c) *Need-to-know.*—

(1) *Generally.*—Committee Staff shall have access to any classified information provided to the Committee on a strict "need-to-know" basis, as determined by the Committee, and under the Committee's direction by the staff director.

(2) *Appropriate Clearances Required.*—Committee Staff must have the appropriate clearances prior to any access to compartmented information.

(d) *Oath.*—

(1) *Requirement.*—Before any Member of the Committee, or the Committee Staff, shall have access to classified information, the following oath shall be executed:

> I do solemnly swear (or affirm) that I will not disclose or cause to be disclosed any classified information received in the course of my service on the House Permanent Select Committee on Intelligence, except when authorized to do so by the Committee or the House of Representatives.

(2) *Copy.*—A copy of such executed oath shall be retained in the files of the Committee.

(e) *Registry.*—

(1) *Generally.*—The Committee shall maintain a registry that:

(A) provides a brief description of the content of all classified documents provided to the Committee by the executive branch that remain in the possession of the Committee; and

(B) lists by number all such documents.

(2) *Designation by the Staff Director.*—The staff director shall designate a member of the Committee Staff to be responsible for the organization and daily maintenance of such registry.

(3) *Availability.*—Such registry shall be available to all Members of the Committee and Committee Staff.

(f) *Requests by Members of Other Committees.*—Pursuant to the Rules of the House, Members who are not Members of the Committee may be granted access to such classified transcripts, records, data, charts, or files of the Committee, and be admitted on a non-

participatory basis to classified hearings of the Committee involving discussions of classified material in the following manner:

(1) *Written Notification Required.*—Members who desire to examine classified materials in the possession of the Committee, or to attend Committee hearings or briefings on a non-participatory basis, must notify the Chief Clerk of the Committee in writing.

(2) *Committee Consideration.*—The Committee shall consider each such request by non-Committee Members at the earliest practicable opportunity. The Committee shall determine, by roll call vote, what action it deems appropriate in light of all of the circumstances of each request. In its determination, the Committee shall consider:

(A) the sensitivity to the national defense or the confidential conduct of the foreign relations of the United States of the information sought;

(B) the likelihood of its being directly or indirectly disclosed;

(C) the jurisdictional interest of the Member making the request; and (D) such other concerns, constitutional or otherwise, as may affect the public interest of the United States.

(3) *Committee Action.*—After consideration of the Member's request, the Committee may take any action it may deem appropriate under the circumstances, including but not limited to:

(A) approving the request, in whole or part;

(B) denying the request; or

(C) providing the requested information or material in a different form than that sought by the Member.

(4) *Requirements for Access by Non-Committee Members.*—Prior to a non-Committee Member being given access to classified information pursuant to this subsection, the requesting Member shall—

(A) provide the Committee a copy of the oath executed by such Member pursuant to House Rule XXIII, clause 13; and

(B) agree in writing not to divulge any classified information provided to the Member pursuant to this subsection to any person not a Member of the Committee or the Committee Staff, except as otherwise authorized by the Committee in accordance with the Rules of the House and these rules.

(5) *Consultation Authorized.*—When considering a Member's request, the Committee may consult the Director of National Intelligence and such other officials it considers necessary.

(6) *Finality of Committee Decision.*—(A) Should the Member making such a request disagree with the Committee's determination with respect to that request, or any part thereof, that Member must notify the Committee in writing of such disagreement.

(B) The Committee shall subsequently consider the matter and decide, by record vote, what further action or recommendation, if any, the Committee will take.

(g) *Advising the House or Other Committees.*—Pursuant to Section 501 of the National Security Act of 1947 (50 U.S.C. §413), and to the Rules of the House, the Committee shall call to the attention of the House, or to any other appropriate committee of the House, those matters requiring the attention of the House, or such other committee, on the basis of the following provisions:

(1) *By Request of Committee Member.*—At the request of any Member of the Committee to call to the attention of the House, or any other committee, executive session material in the Committee's possession, the Committee shall meet at the earliest practicable opportunity to consider that request.

(2) *Committee Consideration of Request.*—The Committee shall consider the following factors, among any others it deems appropriate:

(A) the effect of the matter in question on the national defense or the foreign relations of the United States;

(B) whether the matter in question involves sensitive intelligence sources and methods;

(C) whether the matter in question otherwise raises questions affecting the national interest; and

(D) whether the matter in question affects matters within the jurisdiction of another Committee of the House.

(3) *Views of Other Committees.*—In examining such factors, the Committee may seek the opinion of Members of the Committee appointed from standing committees of the House with jurisdiction over the matter in question, or submissions from such other committees.

(4) *Other Advice.*—The Committee may, during its deliberations on such requests, seek the advice of any executive branch official.

(h) *Reasonable Opportunity To Examine Materials.*—Before the Committee makes any decision regarding any request for access to any classified information in its possession, or a proposal to bring any matter to the attention of the House or another committee, Members of the Committee shall have a reasonable opportunity to examine all pertinent testimony, documents, or other materials in the Committee's possession that may inform their decision on the question.

(i) *Notification to the House.*—The Committee may bring a matter to the attention of the House when, after consideration of the factors set forth in this rule, it considers the matter in question so grave that it requires the attention of all Members of the House, and time is of the essence, or for any reason the Committee finds compelling.

(j) *Method of Disclosure to the House.*—

(1) Should the Committee decide by rollcall vote that a matter requires the attention of the House as described in subsection (i), it shall make arrangements to notify the House promptly.

(2) In such cases, the Committee shall consider whether:

(A) to request an immediate secret session of the House (with time equally divided between the Majority and the Minority); or

(B) to publicly disclose the matter in question pursuant to clause 11(g) of House Rule X.

(k) *Requirement To Protect Sources and Methods.*—In bringing a matter to the attention of the House, or another committee, the Committee, with due regard for the protection of intelligence sources and methods, shall take all necessary steps to safeguard materials or information relating to the matter in question.

(l) *Availability of Information to Other Committees.*—The Committee, having determined that a matter shall be brought to the attention of another committee, shall ensure that such matter, including all classified information related to that matter, is promptly made available to the chairman and ranking minority member of such other committee.

(m) *Provision of Materials.*—The Director of Security and Registry for the Committee shall provide a copy of these rules, and the applicable portions of the Rules of the House of Representatives governing the handling of classified information, along with those materials determined by the Committee to be made available to such other committee of the House or Member (not a Member of the Committee).

(n) *Ensuring Clearances and Secure Storage.*—The Director of Security and Registry shall ensure that such other committee or Member (not a Member of the Committee) receiving such classified materials may properly store classified materials in a manner consistent with all governing rules, regulations, policies, procedures, and statutes.

(o) *Log.*—The Director of Security and Registry for the Committee shall maintain a written record identifying the particular classified document or material provided to such other committee or Member (not a Member of the Committee), the reasons agreed upon by the Committee for approving such transmission, and the name of the committee or Member (not a Member of the Committee) receiving such document or material.

(p) *Miscellaneous Requirements.*—

(1) *Staff Director's Additional Authority.*—The staff director is further empowered to provide for such additional measures, which he or she deems necessary, to protect such classified information authorized by the Committee to be provided to such other committee or Member (not a Member of the Committee).

(2) *Notice to Originating Agency.*—In the event that the Committee authorizes the disclosure of classified information provided to the Committee by an agency of the executive branch to a Member (not a Member of the Committee) or to another committee, the Chairman may notify the providing agency of the Committee's action prior to the transmission of such classified information.

RULE 15.—LEGISLATIVE CALENDAR

(a) *Generally.*—The Chief Clerk, under the direction of the staff director, shall maintain a printed calendar that lists:

(1) the legislative measures introduced and referred to the Committee;

(2) the status of such measures; and

(3) such other matters that the Committee may require.

(b) *Revisions to the Calendar.*—The calendar shall be revised from time to time to show pertinent changes.

(c) *Availability.*—A copy of each such revision shall be furnished to each Member, upon request.

(d) *Consultation With Appropriate Government Entities.*—Unless otherwise directed by the Committee, legislative measures referred to the Committee may be referred by the Chief Clerk to the appropriate department or agency of the Government for reports thereon.

RULE 16.—MOTIONS TO GO TO CONFERENCE

In accordance with clause 2(a) of House Rule XI, the Chairman is authorized and directed to offer a privileged motion to go to conference under clause 1 of House Rule XXII whenever the Chairman considers it appropriate.

RULE 17.—COMMITTEE TRAVEL

(a) *Authority.*—The Chairman may authorize Members and Committee Staff to travel on Committee business.

(b) *Requests.*—

(1) *Member Requests.*—Members requesting authorization for such travel shall state the purpose and length of the trip, and shall submit such request directly to the Chairman.

(2) *Committee Staff Requests.*—Committee Staff requesting authorization for such travel shall state the purpose and length of the trip, and shall submit such request through their supervisors to the staff director and the Chairman.

(c) *Notification to Members.*—

(1) *Generally.*—Members shall be notified of all foreign travel of Committee Staff not accompanying a Member.

(2) *Content.*—All Members are to be advised, prior to the commencement of such travel, of its length, nature, and purpose.

(d) *Trip Reports.*—

(1) *Generally.*—A full report of all issues discussed during any travel shall be submitted to the Chief Clerk of the Committee within a reasonable period of time following the completion of such trip.

(2) *Availability of Reports.*—Such report shall be:

(A) available for the review of any Member or Committee Staff; and

(B) considered executive session material for purposes of these rules.

(e) *Limitations on Travel.*—

(1) *Generally.*—The Chairman is not authorized to permit travel on Committee business of Committee Staff who have not satisfied the requirements of subsection (d) of this rule.

(2) *Exception.*—The Chairman may authorize Committee Staff to travel on Committee business, notwithstanding the requirements of subsections (d) and (e) of this rule—

(A) at the specific request of a Member of the Committee; or

(B) in the event there are circumstances beyond the control of the Committee Staff hindering compliance with such requirements.

(f) *Definitions.*—For purposes of this rule the term "reasonable period of time" means:

(1) no later than 60 days after returning from a foreign trip; and

(2) no later than 30 days after returning from a domestic trip.

RULE 18.—DISCIPLINARY ACTIONS

(a) *Generally.*—The Committee shall immediately consider whether disciplinary action shall be taken in the case of any member of the Committee Staff alleged to have failed to conform to any rule of the House of Representatives or to these rules.

(b) *Exception.*—In the event the House of Representatives is:

(1) in a recess period in excess of 3 days; or

(2) has adjourned sine die; the Chairman of the full Committee, in consultation with the Ranking Minority Member, may take such immediate disciplinary actions deemed necessary.

(c) *Available Actions.*—Such disciplinary action may include immediate dismissal from the Committee Staff.

(d) *Notice to Members.*—All Members shall be notified as soon as practicable, either by facsimile transmission or regular mail, of any disciplinary action taken by the Chairman pursuant to subsection (b).

(e) *Reconsideration of Chairman's Actions.*—A majority of the Members of the full Committee may vote to overturn the decision of the Chairman to take disciplinary action pursuant to subsection (b).

RULE 19.—BROADCASTING COMMITTEE MEETINGS

Whenever any hearing or meeting conducted by the Committee is open to the public, a majority of the Committee may permit that hearing or meeting to be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, subject to the provisions and in accordance with the spirit of the purposes enumerated in the Rules of the House.

RULE 20.—COMMITTEE RECORDS TRANSFERRED TO THE NATIONAL ARCHIVES

(a) *Generally.*—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with the Rules of the House of Representatives.

(b) *Notice of Withholding.*—The Chairman shall notify the Ranking Minority Member of any decision, pursuant to the Rules of the House of Representatives, to withhold a record otherwise available, and the matter shall be presented to the full Committee for a determination of the question of public availability on the written request of any Member of the Committee.

RULE 21.—CHANGES IN RULES

(a) *Generally.*—These rules may be modified, amended, or repealed by vote of the full Committee.

(b) *Notice of Proposed Changes.*—A notice, in writing, of the proposed change shall be given to each Member at least 48 hours prior to any meeting at which action on the proposed rule change is to be taken.

PART III—CONGRESSIONAL JOINT COMMITTEES

Joint Economic Committee

JIM SAXTON, Representative from New Jersey, *Chairman*
ROBERT F. BENNETT, Senator from Utah, *Chairman*

HOUSE	SENATE
PAUL RYAN, Wisconsin	ROBERT F. BENNETT, Utah *Vice Chairman*
PHIL ENGLISH, Pennsylvania	SAM BROWNBACK, Kansas
RON PAUL, Texas	JOHN SUNUNU, New Hampshire
KEVIN BRADY, Texas	JIM DEMINT, South Carolina
THADDEUS G. MCCOTTER, Michigan	JEFF SESSIONS, Alabama
CAROLYN B. MALONEY, New York	JOHN CORNYN, Texas
MAURICE D. HINCHEY, New York	JACK REED, Rhode Island, *Ranking Member*
LORETTA SANCHEZ, California	EDWARD M. KENNEDY, Massachusetts
ELIJAH E. CUMMINGS, Maryland	PAUL SARBANES, Maryland
	JEFF BINGAMAN, New Mexico

(Adopted March 7, 2005)

RULE 1. The Rules of the Senate and House, insofar as they are applicable, shall govern the committee and its subcommittees. The rules of the Committee, insofar as they are applicable, shall be the rules of any subcommittee of the Committee.

RULE 2. The meetings of the Committee shall be held at such times and in such places as the Chairman may designate, or at such times as a quorum of the Committee may request in writing, with adequate advance notice provided to all members of the Committee. Subcommittee meetings shall not be held when the full Committee is meeting. Where there rules require a vote of the members of the Committee, polling of members either in writing or by telephone shall not be permitted to substitute for a vote taken at a Committee meeting, unless the Ranking Minority Member assents to a waiver of this requirement.

RULE 3. Ten members of the Committee shall constitute a quorum. A majority of the members of a subcommittee shall constitute a quorum of such subcommittee.

RULE 4. Written or telegraphic proxies of Committee members will be received and recorded on any vote taken by the Committee, except at the organization meeting at the beginning of each Congress, or for the purpose of creating a quorum.

RULE 5. The Chairman may name standing or special subcommittees. Any member of the Committee shall have the privilege of sitting with any subcommittee during its hearings or deliberations, but no such member who is not a member of the subcommittee shall vote on any matter before such subcommittee.

RULE 6. The chairmanship and vice chairmanship of the Committee shall alternate between the House and Senate by Congresses. The senior member of the minority party in the House of Congress opposite to that of the Chairman shall be the Ranking

Minority Member of the Committee. In the event the House and Senate are under different party control, the Chairman and Vice Chairman shall represent the majority party in the respective Houses.

RULE 7. Questions as to the order of business and the procedure of the Committee shall in the first instance be decided by the Chairman, subject always to an appeal to the Committee.

RULE 8. All hearings conducted by the Committee or its subcommittees shall be open to the public except where the Committee or subcommittee, as the case may be, by a majority vote orders an executive session. Whenever possible, all public hearings shall include some sessions held on the Senate side and some of the House side. House and Senate members shall alternate in order of seating and interrogation.

RULE 9. So far as practicable all witnesses appearing before the Committee shall file advance written statements of their proposed testimony, and their oral testimony shall be limited to brief summaries. Brief insertions of additional germane material will be received for the record, subject to the approval of the Chairman.

RULE 10. An accurate stenographic record shall be kept of all testimony and each witness provided with a copy thereof. Witnesses may make changes in testimony for the purpose of correcting grammatical errors, obvious errors of fact, and errors of transcription. Brief supplemental materials when required to clarify the transcript may be inserted in the record subject to the approval of the Chairman. Witnesses shall be allowed 3 days within which to correct and return the transcript of their testimony. If not so returned, the clerk may close the record whenever necessary.

RULE 11. Each member of the Committee shall be provided with a copy of the hearings transcript for the purpose of correcting errors of transcription and grammar, and clarifying questions or remarks. If another person is authorized by a Committee member to make his corrections, the clerk shall be so notified.

Members who have received unanimous consent to submit written questions to witnesses shall be allowed 2 days within which to submit these to the executive director for transmission to the witnesses. The record may be held open for a period not to exceed 1 week awaiting responses by witnesses.

RULE 12. Testimony received in executive hearings shall not be released or included in any report without the approval of a majority of the Committee.

RULE 13. The Chairman shall provide adequate time for questioning of witnesses by all members, and the rule of germaneness shall be enforced in all hearings.

RULE 14. None of the hearings of the Committee shall be telecast or broadcast, whether directly or through such devices as recordings, tapes, motion pictures, or other mechanical means, if in conflict with a rule or practice of the House on the side of the Capitol where hearings are being held. If no general rule or practice prevails in regard to such telecasts or broadcasts, none of the hearings of the Committee shall be telecast or broadcast unless approved by a majority of the members of the Committee.

Telecasts or broadcasts of any such portion of hearings of the Committee as may include testimony of a witness, shall not be au-

thorized if such witness objects to such telecast or broadcast: Provided, That such witness shall be afforded the opportunity to make such objection, if any, to the Committee at a time when the proceedings are not being telecast or broadcast.

RULE 15. No Committee report shall be made public or transmitted to the Congress without the approval of a majority of the Committee except that when the Congress has adjourned, subcommittees may by majority vote and with the express permission of the full Committee submit reports to the full Committee and simultaneously release same to the public: Provided, That any member of the Committee may make a report supplementary to or dissenting from the majority report. Such supplementary or dissenting reports should be as brief as possible. Factual reports by the Committee staff may be printed for the distribution to Committee members and the public only upon authorization of the Chairman of the full Committee either with the approval of a majority of the Committee or with the consent of the Ranking Minority Member.

RULE 16. No summary of a Committee report, prediction of the contents of a report, or statement of conclusions concerning any investigation shall be made by a member of the Committee or of the Committee staff prior to the issuance of a report of the Committee.

RULE 17. There shall be kept a complete record of all Committee proceedings and actions. The clerk of the Committee, or a designated member of the Committee staff, shall act as recording secretary of all proceedings before the Committee and shall prepare and circulate to all members of the Committee the minutes of such proceedings. Minutes circulated will be considered approved unless objection is registered prior to the next Committee meeting. The records of the Committee shall be open to all members of the Committee.

RULE 18. The Committee shall have a professional and clerical staff under the supervision of an executive director. The Committee shall appoint and remove the executive director with the approval of not less than 10 members of the Committee. Staff operating procedures shall be determined by the executive director, with the approval of the Chairman of the Committee, and after notification to the Ranking Minority Member with respect to basic revisions. The executive director under the general supervision of the Chairman is authorized to deal directly with agencies of the Government and with non-Government groups and individuals on behalf of the Committee.

The professional members of the Committee staff shall be appointed and removed on the recommendation of the executive director with approval by a majority vote of the Committee. The professional staff members, including the executive director, shall be persons selected without regard to political affiliations who, as a result of training, experience, and attainments, are exceptionally qualified to analyze and interpret economic developments and programs. The clerical and temporary staff shall be appointed and removed by the executive director with the approval of the Chairman, and after notification to the Ranking Minority Member. The Committee staff shall serve all members of the Committee in an objective, non partisan manner. From time to time, upon request the executive director shall designate individual members of the staff to assist sub-

committees, individual Committee members, and the minority members. The staff, to the extent possible, shall be organized along functional lines to permit specialization.

RULE 19. Attendance at executive sessions shall be limited to members of the Committee and of the Committee staff. Other persons whose presence is requested or consented to by the Committee may be admitted to such sessions.

RULE 20. Selection of witnesses for Committee hearings shall be made by the Committee staff under the direction of the Chairman. A list of proposed witnesses shall be submitted to the members of the Committee for review sufficiently in advance of the hearings to permit suggestions by the Committee members to receive appropriate consideration.

RULE 21. The Chairman of the Committee shall have the overall responsibility for preparing and carrying out the Committee's program, including staff duties, subject to prior approval of each item on the program by a majority of the Committee or, alternatively, by the Ranking Minority Member. Prior to and during the transition from one Congress to another, the outgoing Committee shall prepare and have ready a plan for the consideration of the President's Economic Report and the preparation of the Committee's report thereon in order to meet the March 1 deadline established by Public Law 304 (79th Cong.), as amended.

RULE 22. Proposals for amending Committee rules shall be sent to all members at least 1 week before final action is taken thereon, unless the amendment is made by unanimous consent. Approval by at least 11 members of the Committee shall be required to amend these rules.

RULE 23. The information contained in any books, papers, or documents furnished to the Committee by any individual, partnership, corporation, or other legal entity shall, upon the request of the individual, partnership, corporation, or other entity furnishing the same, be maintained in strict confidence by the members and staff of the Committee, except that any such information may be released outside of executive session of the Committee if the release thereof is effected in a manner which will not reveal the identity of such individual, partnership, corporation, or entity: Provided, That the Committee by majority vote may authorize the disclosure of the identity of any such individual, partnership, corporation, or entity in connection with any pending hearing or as a part of a duly authorized report of the Committee if such release is deemed essential to the performance of the functions of the Committee and is in the public interest.

Joint Committee of Congress on the Library

ROBERT W. NEY, Ohio, *Chairman*
Senator TED STEVENS, Alaska, *Vice-Chairman*

HOUSE	SENATE
VERNON J. EHLERS	THAD COCRAN
CANDICE MILLER	TRENT LOTT
JUANITA MILLENDER-McDONALD	CHRISTOPHER DODD
ZOE LOFGREN	CHARLES SCHUMER

(Adopted April 21, 2005)

RULE 1.—GENERAL PROVISIONS

(a) The Rules of the House are the rules of the Joint Committee of Congress on the Library so far as applicable, except that a motion to recess from day to day is a motion of high privilege in committees.

(b) The committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under House Rule X and (subject to the adoption of expense resolutions as required by House Rule XI, clause 5) to incur expenses (including travel expenses) in connection therewith.

(c) The committee is authorized to have printed and bound testimony and other data presented at hearings held by the committee, and to distribute such information by electronic means. All costs of stenographic services and transcripts in connection with any meeting or hearing of the committee shall be paid from the appropriate House account.

(d) The Committee's rules shall be published in the Congressional Record as soon as possible following the Committee's organizational meeting in each odd numbered year.

RULE 2.—REGULAR AND SPECIAL MEETINGS

(a) The regular meeting date of the Joint Committee on the Library shall be the second Wednesday of every month when the House is in session in accordance with Clause 2(b) of House Rule XI. Additional meetings may be called by the chairman as he may deem necessary or at the request of a majority of the members of the committee in accordance with Clause 2(c) of House Rule XI. The determination of the business to be considered at each meeting shall be made by the chairman subject to Clause 2(c) of House Rule XI. A regularly scheduled meeting need not be held if there is no business to be considered.

(b) If the chairman of the committee is not present at any meeting of the committee, or at the discretion of the chairman, the vice chairman of the committee shall preside at the meeting. If the chairman and vice chairman of the committee are not present at

any meeting of the committee, the ranking member of the majority party who is present shall preside at the meeting.

RULE 3.—OPEN MEETINGS

As required by Clause 2(g), of House Rule XI, each meeting for the transaction of business of the committee, shall be open to the public except when the committee, in open session and with a quorum present, determines by rollcall vote that all or part of the remainder of the meeting on that day shall be closed to the public because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person, or otherwise would violate any law or rule of the House: provided, however, that no person other than members of the committee, and such congressional staff and such departmental representatives as they may authorize, shall be present in any business session which has been closed to the public.

RULE 4.—RECORDS AND ROLLCALLS

(a) The result of each roll call vote in any meeting of the committee shall be transmitted for publication in the Congressional Record as soon as possible, but in no case later than two legislative days following such rollcall vote, and shall be made available for inspection by the public at reasonable times at the committee offices, including a description of the amendment, motion, order or other proposition; the name of each member voting for and against; and the members present but not voting.

(b) All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as chairman of the committee; and such records shall be the property of Congress and all members of congress shall have access thereto.

(c) House records of the committee which are at the National Archives shall be made available pursuant to House Rule VII. The chairman of the committee shall notify the ranking minority party member of any decision to withhold a record pursuant to the rule, and shall present the matter to the committee upon written request of any committee member.

(d) To the maximum extent feasible, the committee shall make its publications available in electronic form.

RULE 5.—PROXIES

No vote by any member in the committee may be cast by proxy.

RULE 6.—POWER TO SIT AND ACT; SUBPOENA POWER

(a) For the purpose of carrying out any of its functions and duties under House Rules X and XI, the committee is authorized, (subject to subparagraph (b)(1) of the paragraph):

(1) to sit and act at such times and places within the Untied States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings; and

(2) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the productions of such books, records, correspondence, memorandums, papers, and documents; as it deems necessary. The chairman of the committee, or any member designated by the chairman, may administer oaths of any witness.

(b)(1) A subpoena 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. The power to authorize and issue subpoenas under subparagraph (a)(2) may be delegated to the chairman of the committee pursuant to such rules and under such limitations as the committee may prescribe. Authorized subpoenas shall be signed by the chairman of the committee or by any member designated by the committee.

(2) Compliance with any subpoena issued by the committee may be enforced only as authorized or directed by the House.

RULE 7.—QUORUMS

For the purpose of taking any action other than issuing a subpoena, closing meetings, promulgating committee orders, or changing the rules of the committee, the quorum shall be one-third of the members of the committee. For purposes of taking testimony and receiving evidence, two members shall constitute a quorum.

RULE 8.—AMENDMENTS

Any amendment offered to any pending matter before the committee must be made available in written form when requested by any member of the committee. If such amendment is not available in written form when requested, the chair will allow an appropriate period of time for the provision thereof.

RULE 9.—HEARING PROCEDURES

(a) The chairman, with the concurrence of the vice chairman, in the case of hearings to be conducted by the committee, shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at the earliest possible date. The clerk of the committee shall promptly notify the Daily Digest Clerk of the Congressional Record as soon as possible after such public announcement is made

(b) Unless excused by the chairman, each witness who is to appear before the committee shall file with the clerk of the committee, at least 48 hours in advance of his or her appearance, a written statement of his or her proposed testimony and shall limit his or her oral presentation to a summary of his or her statement.

(c) When any hearing is conducted by the committee upon any measure or matter, the minority party members on the committee shall be entitled, upon request to the chairman by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearings thereon.

(d) Committee members may question a witness only when they have been recognized by the chairman for that purpose, and only for a 5-minute period until all members present have had an opportunity to question the witness. The 5-minute period for questioning a witness by any one member can be extended as provided by House Rules. The questioning of a witness in committee hearings shall be initiated by the chairman, followed by the ranking minority party member and all other members alternating between the majority and minority. In recognizing members to question witnesses in this fashion, the chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority. The chairman may accomplish this by recognizing two majority members for each minority member recognized.

(e) The following additional rules shall apply to hearing:

(1) The chairman at a hearing shall announce in an opening statement the subject of the investigation.

(2) A copy of the committee rules and this clause shall be made available to each witness.

(3) Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

(5) If the committee determines that evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, it shall: (A) afford such person an opportunity voluntarily to appear as a witness; (B) receive such evidence or testimony in executive session; and (C) receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (e)(5), the chairman shall receive and the committee shall dispose of requests to subpoena additional witnesses.

(7) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee.

(8) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinence of testimony and evidence adduced at its hearing.

(9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee.

RULE 10.—BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

Whenever any hearing or meeting conducted by the committee is open to the public, those proceedings shall be open to coverage by television, radio, and still photography, as provided in Clause 4 of House Rule XI, subject to the limitations therein.

RULE 11.—TRAVEL OF MEMBERS AND STAFF

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of committee members and staff. Travel for any member or any staff member shall be paid only upon the prior authorization of the chairman. Travel may be authorized by the chairman for any member and any staff member in connection with the attendance of hearings conducted by the committee and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the committee. Before such authorization is given there shall be submitted to the chairman in writing the following:

(1) the purpose of the travel;

(2) the dates during which the travel will occur;

(3) the locations to be visited and the length of time to be spent in each;

(4) the names of members and staff seeking authorization.

(b)(1) In the case of travel outside the United States of members and staff of the committee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the jurisdiction of the committee, prior authorization must be obtained from the chairman. Before such authorization is given, there shall be submitted to the chairman, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following: a. the purpose of the travel; b. the dates during which the travel will occur; c. the names of the countries to be visited and the length of time to spend in each; d. an agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of committee jurisdiction involved; and e. the names of members and staff for whom authorization is sought.

(2) At the conclusion of any hearing, investigation, study, meeting or conference for which travel outside the United States has been authorized pursuant to this rule, members and staff attending meetings or conferences shall submit a written report to the chairman covering the activities and other pertinent observations or information gained as a result of such travel.

(c) Members and staff of the committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and of the Committee on House Administration pertaining to such travel.

RULE 12.—POWERS AND DUTIES OF SUBUNITS OF THE COMMITTEE

The chairman of the committee is authorized to establish appropriately named subunits, such as task forces, composed of members of the committee, for any purpose, measure or matter; one member of each such subunit shall be designated chairman of the subunit by the chairman of the committee. All such subunits shall be considered ad hoc subcommittees of the committee. The rules of the committee shall be the rules of any subunit of the committee, so far as applicable, or as otherwise directed by the chairman of the

committee. Each subunit of the committee is authorized to meet, hold hearings, receive evidence, and 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, and to report to the full committee on all measures or matters for which it was created. Chairmen of subunits of the committee shall set meeting dates with the approval of the chairman of the full committee, with a view toward avoiding simultaneous scheduling of committee and subunit meetings or hearings whenever possible. It shall be the practice of the committee that meetings of subunits not be scheduled to occur simultaneously with meetings of the full committee. In order to ensure orderly and fair assignment of hearing and meeting rooms, hearings and meetings should be arranged in advance with the chairman through the clerk of the committee.

RULE 13.—OTHER PROCEDURES AND REGULATIONS

The chairman of the full committee may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the committee.

RULE 14.—DESIGNATION OF CLERK OF THE COMMITTEE

For the purpose of these rules and the Rules of the House of Representatives, the chairman designated staff person of the committee shall act as the clerk of the committee.

Joint Committee on Printing

ROBERT W. NEY, Representative from California, *Chairman*
SAXBY CHAMBLISS, Senator from Georgia, *Vice Chairman*

JOHN DOOLITTLE, California	THAD COCHRAN, Mississippi
JOHN LINDER, Georgia	GORDON SMITH, Oregon
JOHN LARSON, Connecticut	DANIEL INOUYE, Hawaii
ROBERT BRADY, Pennsylvania	MARK DAYTON, Minnesota

(Adopted April 21, 2005)

RULE 1.—COMMITTEE RULES

(a) The rules of the Senate and House insofar as they are applicable, shall govern the Committee.

(b) The Committee's rules shall be published in the Congressional Record as soon as possible following the Committee's organizational meeting in each odd-numbered year.

(c) Where these rules require a vote of the members of the Committee, polling of members either in writing or by telephone shall not be permitted to substitute for a vote taken at a Committee meeting, unless the ranking minority member assents to waiver of this requirement.

(d) Proposals for amending Committee rules shall be sent to all members at least one week before final action is taken thereon, unless the amendment is made by unanimous consent.

RULE 2.—REGULAR COMMITTEE MEETINGS

(a) The regular meeting date of the Committee shall be the second Wednesday of every month when the House and Senate are in session. A regularly scheduled meeting need not be held if there is no business to be considered and after appropriate notification is made to the ranking minority member. Additional meetings may be called by the Chairman, as he may deem necessary or at the request of the majority of the members of the Committee.

(b) If the Chairman of the Committee is not present at any meeting of the Committee, the vice-Chairman or ranking member of the majority party on the Committee who is present shall preside at the meeting.

RULE 3.—QUORUM

(a) Five members of the Committee shall constitute a quorum, which is required for the purpose of closing meetings, promulgating Committee orders or changing the rules of the Committee.

(b) Three members shall constitute a quorum for purposes of taking testimony and receiving evidence.

RULE 4.—PROXIES

(a) Written or telegraphic proxies of Committee members will be received and recorded on any vote taken by the Committee, except for the purpose of creating a quorum.

(b) Proxies will be allowed on any such votes for the purpose of recording a member's position on a question only when the absentee Committee member has been informed of the question and has affirmatively requested that he be recorded.

RULE 5.—OPEN AND CLOSED MEETINGS

(a) Each meeting for the transaction of business of the Committee shall be open to the public except when the Committee, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed to the public. No such vote shall be required to close a meeting that relates solely to internal budget or personnel matters.

(b) No person other than members of the Committee, and such congressional staff and other representatives as they may authorize, shall be present in any business session that has been closed to the public.

RULE 6.—ALTERNATING CHAIRMANSHIP AND VICE-CHAIRMANSHIP BY CONGRESSES

(a) The Chairmanship and vice Chairmanship of the Committee shall alternate between the House and the Senate by Congresses: The senior member of the minority party in the House of Congress opposite of that of the Chairman shall be the ranking minority member of the Committee.

(b) In the event the House and Senate are under different party control, the Chairman and vice Chairman shall represent the majority party in their respective Houses. When the Chairman and vice-Chairman represent different parties, the vice-Chairman shall also fulfill the responsibilities of the ranking minority member as prescribed by these rules.

RULE 7.—PARLIAMENTARY QUESTIONS

Questions as to the order of business and the procedures of Committee shall in the first instance be decided by the Chairman; subject always to an appeal to the Committee.

RULE 8.—HEARINGS: PUBLIC ANNOUNCEMENTS AND WITNESSES

(a) The Chairman, in the case of hearings to be conducted by the Committee, shall make public announcement of the date, place and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the Committee determines that there is good cause to begin such hearing at an earlier date. In the latter event, the Chairman shall make such public announcement at the earliest possible date. The staff director of the Committee shall promptly notify the Daily Digest of the Congressional Record as soon as possible after such public announcement is made.

(b) So far as practicable, all witnesses appearing before the Committee shall file advance written statements of their proposed testimony at least 48 hours in advance of their appearance and their oral testimony shall be limited to brief summaries. Limited insertions or additional germane material will be received for the record, subject to the approval of the Chairman.

RULE 9.—OFFICIAL HEARING RECORD

(a) An accurate stenographic record shall be kept of all Committee proceedings and actions. Brief supplemental materials when required to clarify the transcript may be inserted in the record subject to the approval of the Chairman.

(b) Each member of the Committee shall be provided with a copy of the hearing transcript for the purpose of correcting errors of transcription and grammar, and clarifying questions or remarks. If any other person is authorized by a Committee Member to make his corrections, the staff director shall be so notified.

(c) Members who have received unanimous consent to submit written questions to witnesses shall be allowed two days within which to submit these to the staff director for transmission to the witnesses. The record may be held open for a period not to exceed two weeks awaiting the responses by witnesses.

(d) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Committee. Testimony received in closed hearings shall not be released or included in any report without the approval of the Committee.

RULE 10.—WITNESSES FOR COMMITTEE HEARINGS

(a) Selection of witnesses for Committee hearings shall be made by the Committee staff under the direction of the Chairman. A list of proposed witnesses shall be submitted to the members of the Committee for review sufficiently in advance of the hearings to permit suggestions by the Committee members to receive appropriate consideration.

(b) The Chairman shall provide adequate time for questioning of witnesses by all members, including minority Members and the rule of germaneness shall be enforced in all hearings notified.

(c) Whenever a hearing is conducted by the Committee upon any measure or matter, the minority on the Committee shall be entitled, upon unanimous request to the Chairman before the completion of such hearings, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon.

RULE 11.—CONFIDENTIAL INFORMATION FURNISHED TO THE COMMITTEE

The information contained in any books, papers or documents furnished to the Committee by any individual, partnership, corporation or other legal entity shall, upon the request of the individual, partnership, corporation or entity furnishing the same, be maintained in strict confidence by the members and staff of the Committee, except that any such information may be released out-

side of executive session of the Committee if the release thereof is effected in a manner which will not reveal the identity of such individual, partnership, corporation or entity in connection with any pending hearing or as a part of a duly authorized report of the Committee if such release is deemed essential to the performance of the functions of the Committee and is in the public interest.

RULE 12.—BROADCASTING OF COMMITTEE HEARINGS

The rule for broadcasting of Committee hearings shall be the same as Rule XI, clause 4, of the Rules of the House of Representatives.

RULE 13.—COMMITTEE REPORTS

(a) No Committee report shall be made public or transmitted to the Congress without the approval of a majority of the Committee except when Congress has adjourned: provided that any member of the Committee may make a report supplementary to or dissenting from the majority report. Such supplementary or dissenting reports should be as brief as possible.

(b) Factual reports by the Committee staff may be printed for distribution to Committee members and the public only upon authorization of the Chairman either with the approval of a majority of the Committee or with the consent of the ranking minority member.

RULE 14.—CONFIDENTIALITY OF COMMITTEE REPORTS

No summary of a Committee report, prediction of the contents of a report, or statement of conclusions concerning any investigation shall be made by a member of the Committee or by any staff member of the Committee prior to the issuance of a report of the Committee.

RULE 15.—COMMITTEE STAFF

(a) The Committee shall have a staff director, selected by the Chairman. The staff director shall be an employee of the House of Representatives or of the Senate.

(b) The Ranking Minority Member may designate an employee of the House of Representatives or of the Senate as the minority staff director.

(c) The staff director, under the general supervision of the Chairman, is authorized to deal directly with agencies of the Government and with non-Government groups and individuals on behalf of the Committee.

(d) The Chairman or staff director shall timely notify the Ranking Minority Member or the minority staff director of decisions made on behalf of the Committee.

RULE 16.—COMMITTEE CHAIRMAN

The Chairman of the Committee may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the Committee. Specifically, the Chairman is authorized, during the interim

periods between meetings of the Committee, to act on all requests submitted by any executive department, independent agency, temporary or permanent commissions and committees of the Federal Government, the Government Printing Office and any other Federal entity, pursuant to the requirements of applicable Federal law and regulations.

Joint Committee on Taxation

WILLIAM M. THOMAS, California, *Chairman*
CHARLES E. GRASSLEY, Iowa, *Vice Chairman*

E. CLAY SHAW, JR., Florida
NANCY L. JOHNSON, Connecticut
CHARLES B. RANGEL, New York
FORTNEY PETE STARK, California
ORRIN G. HATCH, Utah
TRENT LOTT, Mississippi
MAX BAUCUS, Montana
JOHN D. ROCKEFELLER IV, West Virginia

A description of the Joint Committee on Taxation and the rules by which it functions can be found in the United States of America Internal Revenue Code, Title 26. Therefore, the Joint Committee does not adopt written rules.

APPENDIX

Rule X

ORGANIZATION OF COMMITTEES

COMMITTEES AND THEIR LEGISLATIVE JURISDICTIONS

1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned by this clause and clauses 2, 3, and 4. All bills, resolutions, and other matters relating to subjects within the jurisdiction of the standing committees listed in this clause shall be referred to those committees, in accordance with clause 2 of rule XII, as follows: * * *

Committee on Ways and Means.—(1) Customs revenue, collection districts, and ports of entry and delivery.

(2) Reciprocal trade agreements.

(3) Revenue measures generally.

(4) Revenue measures relating to insular possessions.

(5) Bonded debt of the United States, subject to the last sentence of clause 4(f).

(6) Deposit of public monies.

(7) Transportation of dutiable goods.

(8) Tax exempt foundations and charitable trusts.

(9) National social security (except health care and facilities programs that are supported from general revenues as opposed to payroll deductions and except work incentive programs).

GENERAL OVERSIGHT RESPONSIBILITIES

2. (a) The various standing committees shall have general oversight responsibilities as provided in paragraph (b) in order to assist the House in—

(1) its analysis, appraisal, and evaluation of—

(A) the application, administration, execution, and effectiveness of Federal laws; and

(B) conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and

(2) its formulation, consideration, and enactment of changes in Federal laws, and of such additional legislation as may be necessary or appropriate.

(b)(1) In order to determine whether laws and programs addressing subjects within the jurisdiction of a committee are being implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated, each standing committee (other than the Committee on Appropriations) shall review and study on a continuing basis—

(A) the application, administration, execution, and effectiveness of laws and programs addressing subjects within its jurisdiction;

(B) the organization and operation of Federal agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within its jurisdiction;

(C) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legisla-

tion addressing subjects within its jurisdiction (whether or not a bill or resolution has been introduced with respect thereto); and

(D) future research and forecasting on subjects within its jurisdiction.

(2) Each committee to which subparagraph (1) applies having more than 20 members shall establish an oversight subcommittee, or require its subcommittees to conduct oversight in their respective jurisdictions, to assist in carrying out its responsibilities under this clause. The establishment of an oversight subcommittee does not limit the responsibility of a subcommittee with legislative jurisdiction in carrying out its oversight responsibilities.

(c) Each standing committee shall review and study on a continuing basis the impact or probable impact of tax policies affecting subjects within its jurisdiction as described in clauses 1 and 3.

(d)(1) Not later than February 15 of the first session of a Congress, each standing committee shall, in a meeting that is open to the public and with a quorum present, adopt its oversight plan for that Congress. Such plan shall be submitted simultaneously to the Committee on Government Reform and to the Committee on House Administration. In developing its plan each committee shall, to the maximum extent feasible—

(A) consult with other committees that have jurisdiction over the same or related laws, programs, or agencies within its jurisdiction with the objective of ensuring maximum coordination and cooperation among committees when conducting reviews of such laws, programs, or agencies and include in its plan an explanation of steps that have been or will be taken to ensure such coordination and cooperation;

(B) review specific problems with Federal rules, regulations, statutes, and court decisions that are ambiguous, arbitrary, or nonsensical, or that impose severe financial burdens on individuals;

(C) give priority consideration to including in its plan the review of those laws, programs, or agencies operating under permanent budget authority or permanent statutory authority;

(D) have a view toward ensuring that all significant laws, programs, or agencies within its jurisdiction are subject to review every 10 years; and

(E) have a view toward insuring against duplication of Federal programs.

(2) Not later than March 31 in the first session of a Congress, after consultation with the Speaker, the Majority Leader, and the Minority Leader, the Committee on Government Reform shall report to the House the oversight plans submitted by committees together with any recommendations that it, or the House leadership group described above, may make to ensure the most effective coordination of oversight plans and otherwise to achieve the objectives of this clause.

(e) The Speaker, with the approval of the House, may appoint special ad hoc oversight committees for the purpose of reviewing specific matters within the jurisdiction of two or more standing committees.

SPECIAL OVERSIGHT FUNCTIONS

3. * * *

(f) The Committee on International Relations shall review and study on a continuing basis laws, programs, and Government activities relating to customs administration, intelligence activities relating to foreign policy, international financial and monetary organizations, and international fishing agreements.

* * * * * * *

ADDITIONAL FUNCTIONS OF COMMITTEES

4. * * *

(b) The Committee on the Budget shall—* * *

(6) request and evaluate continuing studies of tax expenditures, devise methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and report the results of such studies to the House on a recurring basis.

* * * * * * *

BUDGET ACT RESPONSIBILITIES

(f)(1) Each standing committee shall submit to the Committee on the Budget not later than six weeks after the President submits his budget, or at such time as the Committee on the Budget may request—

(A) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year that are within its jurisdiction or functions; and

(B) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction that it intends to be effective during that fiscal year.

(2) The views and estimates submitted by the Committee on Ways and Means under subparagraph (1) shall include a specific recommendation, made after holding public hearings, as to the appropriate level of the public debt that should be set forth in the concurrent resolution on the budget.

* * * * * * *

ELECTION AND MEMBERSHIP OF STANDING COMMITTEES

5. * * *

(2)(A) The Committee on the Budget shall be composed of members as follows:

(i) Members, Delegates, or the Resident Commissioner who are members of other standing committees, including five who are members of the Committee on Appropriations and five who are members of the Committee on Ways and Means;

* * * * * * *

EXPENSE RESOLUTIONS

6. (a) Whenever a committee, commission, or other entity (other than the Committee on Appropriations) is granted authorization for the payment of its expenses (including staff salaries) for a Congress, such authorization initially shall be procured by one primary expense resolution reported by the Committee on House Administration. A primary expense resolution may include a reserve fund for unanticipated expenses of committees.

An amount from such a reserve fund may be allocated to a committee only by the approval of the Committee on House Administration. A primary expense resolution reported to the House may not be considered in the House unless a printed report thereon was available on the previous calendar day. For the information of the House, such report shall—

(1) state the total amount of the funds to be provided to the committee, commission, or other entity under the primary expense resolution for all anticipated activities and programs of the committee, commission, or other entity; and

(2) to the extent practicable, contain such general statements regarding the estimated foreseeable expenditures for the respective anticipated activities and programs of the committee, commission, or other entity as may be appropriate to provide the House with basic estimates of the expenditures contemplated by the primary expense resolution.

(b) After the date of adoption by the House of a primary expense resolution for a committee, commission, or other entity for a Congress, authorization for the payment of additional expenses (including staff salaries) in that Congress may be procured by one or more supplemental expense resolutions reported by the Committee on House Administration, as necessary. A supplemental expense resolution reported to the House may not be considered in the House unless a printed report thereon was available on the previous calendar day. For the information of the House, such report shall—

(1) state the total amount of additional funds to be provided to the committee, commission, or other entity under the supplemental expense resolution and the purposes for which those additional funds are available; and

(2) state the reasons for the failure to procure the additional funds for the committee, commission, or other entity by means of the primary expense resolution.

(c) The preceding provisions of this clause do not apply to-

(1) a resolution providing for the payment from committee salary and expense accounts of the House of sums necessary to pay compensation for staff services performed for, or to pay other expenses of, a committee, commission, or other entity at any time after the beginning of an odd-numbered year and before the date of adoption by the House of the primary expense resolution described in paragraph (a) for that year; or

(2) a resolution providing each of the standing committees in a Congress additional office equipment, airmail and special-delivery postage stamps, supplies, staff personnel, or any other specific item for the operation of the standing committees, and containing an authorization for the payment from committee

salary and expense accounts of the House of the expenses of any of the foregoing items provided by that resolution, subject to and until enactment of the provisions of the resolution as permanent law.

(d) From the funds made available for the appointment of committee staff by a primary or additional expense resolution, the chairman of each committee shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the committee and that the minority party is treated fairly in the appointment of such staff.

(e) Funds authorized for a committee under this clause and clauses 7 and 8 are for expenses incurred in the activities of the committee.

INTERIM FUNDING

7. (a) For the period beginning at noon on January 3 and ending at midnight on March 31 in each odd-numbered year, such sums as may be necessary shall be paid out of the committee salary and expense accounts of the House for continuance of necessary investigations and studies by—

(1) each standing and select committee established by these rules; and

(2) except as specified in paragraph (b), each select committee established by resolution.

(b) In the case of the first session of a Congress, amounts shall be made available under this paragraph for a select committee established by resolution in the preceding Congress only if—

(1) a resolution proposing to reestablish such select committee is introduced in the present Congress; and

(2) the House has not adopted a resolution of the preceding Congress providing for termination of funding for investigations and studies by such select committee.

(c) Each committee described in paragraph (a) shall be entitled for each month during the period specified in paragraph (a) to 9 percent (or such lesser percentage as may be determined by the Committee on House Administration) of the total annualized amount made available under expense resolutions for such committee in the preceding session of Congress.

(d) Payments under this paragraph shall be made on vouchers authorized by the committee involved, signed by the chairman of the committee, except as provided in paragraph (e), and approved by the Committee on House Administration.

(e) Notwithstanding any provision of law, rule of the House, or other authority, from noon on January 3 of the first session of a Congress until the election by the House of the committee concerned in that Congress, payments under this paragraph shall be made on vouchers signed by—

(1) the member of the committee who served as chairman of the committee at the expiration of the preceding Congress; or

(2) if the chairman is not a Member, Delegate, or Resident Commissioner in the present Congress, then the ranking member of the committee as it was constituted at the expiration of the preceding Congress who is a member of the majority party in the present Congress.

(f)(1) The authority of a committee to incur expenses under this paragraph shall expire upon adoption by the House of a primary expense resolution for the committee.

(2) Amounts made available under this paragraph shall be expended in accordance with regulations prescribed by the Committee on House Administration.

(3) This clause shall be effective only insofar as it is not inconsistent with a resolution reported by the Committee on House Administration and adopted by the House after the adoption of these rules.

TRAVEL

8. (a) Local currencies owned by the United States shall be made available to the committee and its employees engaged in carrying out their official duties outside the United States or its territories or possessions. Appropriated funds, including those authorized under this clause and clauses 6 and 8, may not be expended for the purpose of defraying expenses of members of a committee or its employees in a country where local currencies are available for this purpose.

(b) The following conditions shall apply with respect to travel outside the United States or its territories or possessions:

(1) A member or employee of a committee may not receive or expend local currencies for subsistence in a country for a day at a rate in excess of the maximum per diem set forth in applicable Federal law.

(2) A member or employee shall be reimbursed for his expenses for a day at the lesser of—

(A) the per diem set forth in applicable Federal law; or

(B) the actual, unreimbursed expenses (other than for transportation) he incurred during that day.

(3) Each member or employee of a committee shall make to the chairman of the committee an itemized report showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and funds expended for any other official purpose and shall summarize in these categories the total foreign currencies or appropriated funds expended. Each report shall be filed with the chairman of the committee not later than 60 days following the completion of travel for use in complying with reporting requirements in applicable Federal law and shall be open for public inspection.

(c)(1) In carrying out the activities of a committee outside the United States in a country where local currencies are unavailable, a member or employee of a committee may not receive reimbursement for expenses (other than for transportation) in excess of the maximum per diem set forth in applicable Federal law.

(2) A member or employee shall be reimbursed for his expenses for a day, at the lesser of—

(A) the per diem set forth in applicable Federal law; or

(B) the actual unreimbursed expenses (other than for transportation) he incurred during that day.

(3) A member or employee of a committee may not receive reimbursement for the cost of any transportation in connection with

travel outside the United States unless the member or employee actually paid for the transportation.

(d) The restrictions respecting travel outside the United States set forth in paragraph (c) also shall apply to travel outside the United States by a Member, Delegate, Resident Commissioner, officer, or employee of the House authorized under any standing rule.

COMMITTEE STAFFS

9. (a)(1) Subject to subparagraph (2) and paragraph (f), each standing committee may appoint, by majority vote, not more than 30 professional staff members to be compensated from the funds provided for the appointment of committee staff by primary and additional expense resolutions. Each professional staff member appointed under this subparagraph shall be assigned to the chairman and the ranking minority member of the committee, as the committee considers advisable.

(2) Subject to paragraph (f) whenever a majority of the minority party members of a standing committee (other than the Committee on Standards of Official Conduct or the Permanent Select Committee on Intelligence) so request, not more than 10 persons (or one-third of the total professional committee staff appointed under this clause, whichever is fewer) may be selected, by majority vote of the minority party members, for appointment by the committee as professional staff members under subparagraph (1). The committee shall appoint persons so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of a person so selected are unacceptable, a majority of the minority party members may select another person for appointment by the committee to the professional staff until such appointment is made. Each professional staff member appointed under this subparagraph shall be assigned to such committee business as the minority party members of the committee consider advisable.

(b)(1) The professional staff members each standing committee—

(A) may not engage in any work other than committee business during congressional working hours; and

(B) may not be assigned a duty other than one pertaining to committee business.

(2)(A) Subparagraph (1) does not apply to staff designated by a committee as "associate" or "shared" staff who are not paid exclusively by the committee, provided that the chairman certifies that the compensation paid by the committee for any such staff is commensurate with the work performed for the committee in accordance with clause 8 of Rule XXIII.

(B) The use of any "associate" or "shared" staff by a committee other than the Committee on Appropriations shall be subject to the review of, and to any terms, conditions, or limitations established by, the Committee on House Administration in connection with the reporting of any primary or additional expense resolution.

(c) Each employee on the professional or investigative staff of a standing committee shall be entitled to pay at a single gross per annum rate, to be fixed by the chairman and that does not exceed the maximum rate of pay as in effect from time to time under applicable provisions of law.

(d) Subject to appropriations hereby authorized, the Committee on Appropriations may appoint by majority vote such staff as it determines to be necessary (in addition to the clerk of the committee and assistants for the minority). The staff appointed under this paragraph, other than minority assistants, shall possess such qualifications as the committee may prescribe.

(e) A committee may not appoint to its staff an expert or other personnel detailed or assigned from a department or agency of the Government except with the written permission of the Committee on House Administration.

(f) If a request for the appointment of a minority professional staff member under paragraph (a) is made when no vacancy exists for such an appointment, the committee nevertheless may appoint under paragraph (a) a person selected by the minority and acceptable to the committee. A person so appointed shall serve as an additional member of the professional staff of the committee until such a vacancy occurs (other than a vacancy in the position of head of the professional staff, by whatever title designated), at which time that person is considered as appointed to that vacancy. Such a person shall be paid from the applicable accounts of the House described in clause 1(i)(1) of Rule X. If such a vacancy occurs on the professional staff when seven or more persons have been so appointed who are eligible to fill that vacancy, a majority of the minority party members shall designate which of those persons shall fill the vacancy.

(g) Each staff member appointed pursuant to a request by minority party members under paragraph (a), and each staff member appointed to assist minority members of a committee pursuant to an expense resolution described in paragraph (a) of clause 6, shall be accorded equitable treatment with respect to the fixing of the rate of pay, the assignment of work facilities, and the accessibility of committee records.

(h) Paragraph (a) may not be construed to authorize the appointment of additional professional staff members of a committee pursuant to a request under paragraph (a) by the minority party members of that committee if 10 or more professional staff members provided for in paragraph (a)(1) who are satisfactory to a majority of the minority party members are otherwise assigned to assist the minority party members.

(i) Notwithstanding paragraph (a)(2), a committee may employ nonpartisan staff, in lieu of or in addition to committee staff designated exclusively for the majority or minority party, by an affirmative vote of a majority of the members of the majority party and of a majority of the members of the minority party.

* * * * * * *

Rule XI

PROCEDURES OF COMMITTEES AND UNFINISHED BUSINESS

IN GENERAL

1. (a)(1)(A) The Rules of the House are the rules of its committees and subcommittees so far as applicable.

(B) Each subcommittee is a part of its committee and is subject to the authority and direction of that committee and to its rules, so far as applicable.

(2)(A) In a committee or subcommittee—

(i) a motion to recess from day to day, or to recess subject to the call of the Chair (within 24 hours), shall be privileged; and

(ii) a motion to dispense with the first reading (in full) of a bill or resolution shall be privileged if printed copies are available.

(B) A motion accorded privilege under this subparagraph shall be decided without debate.

(b)(1) Each committee may conduct at any time such investigations and studies as it considers necessary or appropriate in the exercise of its responsibilities under Rule X. Subject to the adoption of expense resolutions as required by clause 6 of Rule X, each committee may incur expenses, including travel expenses, in connection with such investigations and studies.

(2) A proposed investigative or oversight report shall be considered as read in committee if it has been available to the members for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day).

(3) A report of an investigation or study conducted jointly by more than one committee may be filed jointly, provided that each of the committees complies independently with all requirements for approval and filing of the report.

(4) After an adjournment sine die of the last regular session of a Congress, an investigative or oversight report may be filed with the Clerk at any time, provided that a member who gives timely notice of intention to file supplemental, minority, or additional views shall be entitled to not less than seven calendar days in which to submit such views for inclusion in the report.

(c) Each committee may have printed and bound such testimony and other data as may be presented at hearings held by the committee or its subcommittees. All costs of stenographic services and transcripts in connection with a meeting or hearing of a committee shall be paid from the applicable accounts of the House described in clause 1(i)(1) of Rule X.

(d)(1) Each committee shall submit to the House not later than January 2 of each odd-numbered year a report on the activities of that committee under this Rule and Rule X during the Congress ending at noon on January 3 of such year.

(2) Such report shall include separate sections summarizing the legislative and oversight activities of that committee during that Congress.

(3) The oversight section of such report shall include a summary of the oversight plans submitted by the committee under clause 2(d) of Rule X, a summary of the actions taken and recommendations made with respect to each such plan, a summary of any additional oversight activities undertaken by that committee, and any recommendations made or actions taken thereon.

(4) After an adjournment sine die of the last regular session of a Congress, the chairman of a committee may file an activities re-

port under subparagraph (1) with the Clerk at any time and without approval of the committee, provided that—

(A) a copy of the report has been available to each member of the committee for at least seven calendar days; and

(B) the report includes any supplemental, minority, or additional views submitted by a member of the committee.

ADOPTION OF WRITTEN RULES

2. (a)(1) Each standing committee shall adopt written rules governing its procedure. Such rules—

(A) shall be adopted in a meeting that is open to the public unless the committee, in open session and with a quorum present, determines by record vote that all or part of the meeting on that day shall be closed to the public;

(B) may not be inconsistent with the Rules of the House or with those provisions of law having the force and effect of Rules of the House; and

(C) shall in any event incorporate all of the succeeding provisions of this clause to the extent applicable.

(2) Each committee shall submit its rules for publication in the Congressional Record not later than 30 days after the committee is elected in each odd-numbered year.

(3) A committee may adopt a rule providing that the chairman be directed to offer a motion under clause 1 of Rule XXII whenever the chairman considers it appropriate.

REGULAR MEETING DAYS

(b) Each standing committee shall establish regular meeting days for the conduct of its business, which shall be not less frequent than monthly. Each such committee shall meet for the consideration of a bill or resolution pending before the committee or the transaction of other committee business on all regular meeting days fixed by the committee unless otherwise provided by written rule adopted by the committee.

ADDITIONAL AND SPECIAL MEETINGS

(c)(1) The chairman of each standing committee may call and convene, as he considers necessary, additional and special meetings of the committee for the consideration of a bill or resolution pending before the committee or for the conduct of other committee business, subject to such rules as the committee may adopt. The committee shall meet for such purpose under that call of the chairman.

(2) Three or more members of a standing committee may file in the offices of the committee a written request that the chairman call a special meeting of the committee. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If the chairman does not call the requested special meeting within three calendar days after the filing of the request (to be held within seven calendar days after the filing of the request) a majority of the members of the committee may file in the offices of the committee their written notice that a

special meeting of the committee will be held. The written notice shall specify the date and hour of the special meeting and the measure or matter to be considered. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered. Only the measure or matter specified in that notice may be considered at that special meeting.

TEMPORARY ABSENCE OF CHAIRMAN

(d) A member of the majority party on each standing committee or subcommittee thereof shall be designated by the chairman of the full committee as the vice chairman of the committee or subcommittee, as the case may be, and shall preside during the absence of the chairman from any meeting. If the chairman and vice chairman of a committee or subcommittee are not present at any meeting of the committee or subcommittee, the ranking majority member who is present shall preside at that meeting.

COMMITTEE RECORDS

(e)(1)(A) Each committee shall keep a complete record of all committee action which shall include—

(i) in the case of a meeting or hearing transcript, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved; and

(ii) a record of the votes on any question on which a record vote is demanded.

(B)(i) Except as provided in subdivision (B)(ii) and subject to paragraph (k)(7), the result of each such record vote shall be made available by the committee for inspection by the public at reasonable times in its offices. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting.

(ii) The result of any record vote taken in executive session in the Committee on Standards of Official Conduct may not be made available for inspection by the public without an affirmative vote of a majority of the members of the committee.

(2)(A) Except as provided in subdivision (B), all committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as its chairman. Such records shall be the property of the House, and each Member, Delegate, and the Resident Commissioner shall have access thereto.

(B) A Member, Delegate, or Resident Commissioner, other than members of the Committee on Standards of Official Conduct, may not have access to the records of that committee respecting the conduct of a Member, Delegate, Resident Commissioner, officer, or em-

ployee of the House without the specific prior permission of that committee.

(3) Each committee shall include in its rules standards for availability of records of the committee delivered to the Archivist of the United States under Rule VII. Such standards shall specify procedures for orders of the committee under clause 3(b)(3) and clause 4(b) of Rule VII, including a requirement that nonavailability of a record for a period longer than the period otherwise applicable under that Rule shall be approved by vote of the committee.

(4) Each committee shall make its publications available in electronic form to the maximum extent feasible.

PROHIBITION AGAINST PROXY VOTING

(f) A vote by a member of a committee or subcommittee with respect to any measure or matter may not be cast by proxy.

OPEN MEETINGS AND HEARINGS

(g)(1) Each meeting for the transaction of business, including the markup of legislation, by a standing committee or subcommittee thereof (other than the Committee on Standards of Official Conduct or its subcommittee) shall be open to the public, including to radio, television, and still photography coverage, except when the committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of the meeting on that day shall be in executive session because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, would tend to defame, degrade, or incriminate any person, or otherwise would violate a law or rule of the House. Persons, other than members of the committee and such noncommittee Members, Delegates, Resident Commissioner, congressional staff, or departmental representatives as the committee may authorize, may not be present at a business or markup session that is held in executive session. This subparagraph does not apply to open committee hearings, which are governed by clause 4(a)(1) of Rule X or by subparagraph (2).

(2)(A) Each hearing conducted by a committee or subcommittee (other than the Committee on Standards of Official Conduct or its subcommittees) shall be open to the public, including to radio, television, and still photography coverage, except when the committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would violate a law or rule of the House.

(B) Notwithstanding the requirements of subdivision (A), in the presence of the number of members required under the rules of the committee for the purpose of taking testimony, a majority of those present may—

(i) agree to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger national security, would compromise sensitive law enforcement information, or would violate clause 2(k)(5); or

(ii) agree to close the hearing as provided in clause 2(k)(5).

(C) A Member, Delegate, or Resident Commissioner may not be excluded from nonparticipatory attendance at a hearing of a committee or subcommittee (other than the Committee on Standards of Official Conduct or its subcommittees) unless the House by majority vote authorizes a particular committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members, Delegates, and the Resident Commissioner by the same procedures specified in this subparagraph for closing hearings to the public.

(D) The committee or subcommittee may vote by the same procedure described in this subparagraph to close one subsequent day of hearing, except that the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence, and the subcommittees thereof, may vote by the same procedure to close up to five additional, consecutive days of hearings.

(3) The chairman of each committee (other than the Committee on Rules) shall make public announcement of the date, place, and subject matter of a committee hearing at least one week before the commencement of the hearing. If the chairman of the committee, with the concurrence of the ranking minority member, determines that there is good cause to begin a hearing sooner, or if the committee so determines by majority vote in the presence of the number of members required under the rules of the committee for the transaction of business, the chairman shall make the announcement at the earliest possible date. An announcement made under this subparagraph shall be published promptly in the Daily Digest and made available in electronic form.

(4) Each committee shall, to the greatest extent practicable, require witnesses who appear before it to submit in advance written statements of proposed testimony and to limit their initial presentations to the committee to brief summaries thereof. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness.

(5)(A) Except as provided in subdivision (B), a point of order does not lie with respect to a measure reported by a committee on the ground that hearings on such measure were not conducted in accordance with this clause.

(B) A point of order on the ground described in subdivision (A) may be made by a member of the committee that reported the measure if such point of order was timely made and improperly disposed of in the committee.

(6) This paragraph does not apply to hearings of the Committee on Appropriations under clause 4(a)(1) of Rule X.

QUORUM REQUIREMENTS

(h)(1) A measure or recommendation may not be reported by a committee unless a majority of the committee is actually present.

(2) Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence, which may not be less than two.

(3) Each committee (other than the Committee on Appropriations, the Committee on the Budget, and the Committee on Ways and Means) may fix the number of its members to constitute a quorum for taking any action other than one for which the presence of a majority of the committee is otherwise required, which may not be less than one-third of the members.

(4)(A) Each committee may adopt a rule authorizing the chairman of a committee or subcommittee—

(i) to postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment; and

(ii) to resume proceedings on a postponed question at any time after reasonable notice.

(B) A rule adopted pursuant to this subparagraph shall provide that when proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

LIMITATION ON COMMITTEE SITTINGS

(i) A committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

CALLING AND QUESTIONING OF WITNESSES

(j)(1) Whenever a hearing is conducted by a committee on a measure or matter, the minority members of the committee shall be entitled, upon request to the chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(2)(A) Subject to subdivisions (B) and (C), each committee shall apply the five-minute rule during the questioning of witnesses in a hearing until such time as each member of the committee who so desires has had an opportunity to question each witness.

(B) A committee may adopt a rule or motion permitting a specified number of its members to question a witness for longer than five minutes. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

(C) A committee may adopt a rule or motion permitting committee staff for its majority and minority party members to question a witness for equal specified periods. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

HEARING PROCEDURES

(k)(1) The chairman at a hearing shall announce in an opening statement the subject of hearing.

(2) A copy of the committee rules and of this clause shall be made available to each witness on request.

(3) Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

(5) Whenever it is asserted that the evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person or it is asserted by a witness that the evidence or testimony that the witness would give at hearing may tend to defame, degrade or incriminate the witness—

(A) notwithstanding paragraph (g)(2), such testimony or evidence shall be presented in executive session if, in the presence of the number of members required under the rules of the committee for the purpose of taking testimony, the committee determines by vote of a majority of those present that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the committee shall proceed to receive such testimony in open session only if the committee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

In either case the committee shall afford such person an opportunity voluntarily to appear as a witness, and receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (5), the chairman shall receive and the committee shall dispose of requests to subpoena additional witnesses.

(7) Evidence or testimony taken in executive session, and proceedings conducted in executive session, may be released or used in public sessions only when authorized by the committee, a majority being present.

(8) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinence of testimony and evidence adduced at its hearing.

(9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee.

SUPPLEMENTAL, MINORITY, OR ADDITIONAL VIEWS

(l) If at the time of approval of a measure or matter by a committee (other than the Committee on Rules) a member of the committee gives notice of intention to file supplemental, minority, or additional views for inclusion in the report to the House thereon, that member shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sun-

days, and legal holidays except when the House is in session on such a day) to file such views, in writing and signed by that member, with the clerk of the committee.

POWER TO SIT AND ACT; SUBPOENA POWER

(m)(1) For the purpose of carrying out any of its functions and duties under this Rule and Rule X (including any matters referred to it under clause 2 of Rule XII), a committee or subcommittee is authorized (subject to subparagraph (2)(A))—

(A) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings as it considers necessary; and

(B) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it considers necessary.

(2) The chairman of the committee, or a member designated by the chairman, may administer oaths to witnesses.

(3)(A)(i) Except as provided in subdivision (A)(ii), a subpoena may be authorized and issued by a committee or subcommittee under subparagraph (1)(B) in the conduct of an investigation or series of investigations or activities only when authorized by the committee or subcommittee, a majority being present. The power to authorize and issue subpoenas under subparagraph (1)(B) may be delegated to the chairman of the committee under such rules and under such limitations as the committee may prescribe. Authorized subpoenas shall be signed by the chairman of the committee or by a member designated by the committee.

(ii) In the case of a subcommittee of the Committee on Standards of Official Conduct, a subpoena may be authorized and issued only by an affirmative vote of a majority of its members.

(B) A subpoena duces tecum may specify terms of return other than at a meeting or hearing of the committee or subcommittee authorizing the subpoena.

(C) Compliance with a subpoena issued by a committee or subcommittee under subparagraph (1)(B) may be enforced only as authorized or directed by the House.

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AUDIO AND VISUAL COVERAGE OF COMMITTEE PROCEEDINGS

4. (a) The purpose of this clause is to provide a means, in conformity with acceptable standards of dignity, propriety, and decorum, by which committee hearings or committee meetings that are open to the public may be covered by audio and visual means—

(1) for the education, enlightenment, and information of the general public, on the basis of accurate and impartial news coverage, regarding the operations, procedures, and practices of the House as a legislative and representative body, and regarding the measures, public issues, and other matters before the House and its committees, the consideration thereof, and the action taken thereon; and

(2) for the development of the perspective and understanding of the general public with respect to the role and function of the House under the Constitution as an institution of the Federal Government.

(b) In addition, it is the intent of this clause that radio and television tapes and television film of any coverage under this clause may not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office.

(c) It is, further, the intent of this clause that the general conduct of each meeting (whether of a hearing or otherwise) covered under authority of this clause by audio or visual means, and the personal behavior of the committee members and staff, other Government officials and personnel, witnesses, television, radio, and press media personnel, and the general public at the hearing or other meeting, shall be in strict conformity with and observance of the acceptable standards of dignity, propriety, courtesy, and decorum traditionally observed by the House in its operations, and may not be such as to—

(1) distort the objects and purposes of the hearing or other meeting or the activities of committee members in connection with that hearing or meeting or in connection with the general work of the committee or of the House; or

(2) cast discredit or dishonor on the House, the committee, or a Member, Delegate, or Resident Commissioner or bring the House, the committee, or a Member, Delegate, or Resident Commissioner into disrepute.

(d) The coverage of committee hearings and meetings by audio and visual means shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of this clause.

(e) Whenever a hearing or meeting conducted by a committee or subcommittee is open to the public, those proceedings shall be open to coverage by audio and visual means. A committee or subcommittee chairman may not limit the number of television or still cameras to fewer than two representatives from each medium (except for legitimate space or safety considerations, in which case pool coverage shall be authorized).

(f) Each committee shall adopt written rules to govern its implementation of this clause. Such rules shall contain provisions to the following effect:

(1) If audio or visual coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(2) The allocation among the television media of the positions or the number of television cameras permitted by a committee or subcommittee chairman in a hearing or meeting room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(3) Television cameras shall be placed so as not to obstruct in any way the space between a witness giving evidence or tes-

timony and any member of the committee or the visibility of that witness and that member to each other.

(4) Television cameras shall operate from fixed positions but may not be placed in positions that obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(5) Equipment necessary for coverage by the television and radio media may not be installed in, or removed from, the hearing or meeting room while the committee is in session.

(6)(A) Except as provided in subdivision (B), floodlights, spotlights, strobelights, and flashguns may not be used in providing any method of coverage of the hearing or meeting.

(B) The television media may install additional lighting in a hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in a hearing or meeting room to the lowest level necessary to provide adequate television coverage of a hearing or meeting at the current state of the art of television coverage.

(7) In the allocation of the number of still photographers permitted by a committee or subcommittee chairman in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If requests are made by more of the media than will be permitted by a committee or subcommittee chairman for coverage of a hearing or meeting by still photography, that coverage shall be permitted on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(8) Photographers may not position themselves between the witness table and the members of the committee at any time during the course of a hearing or meeting.

(9) Photographers may not place themselves in positions that obstruct unnecessarily the coverage of the hearing by the other media.

(10) Personnel providing coverage by the television and radio media shall be currently accredited to the Radio and Television Correspondents' Galleries.

(11) Personnel providing coverage by still photography shall be currently accredited to the Press Photographers' Gallery.

(12) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

PAY OF WITNESSES

5. Witnesses appearing before the House or any of its committees shall be paid the same per diem rate as established, authorized, and regulated by the Committee on House Administration for Members, Delegates, the Resident Commissioner, and employees of the House, plus actual expenses of travel to or from the place of examination. Such per diem may not be paid when a witness has been summoned at the place of examination.

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Rule XII

CALENDARS AND COMMITTEE REPORTS

CALENDARS

1. (a) All business reported by committees shall be referred to one of the following three calendars:

(1) A Calendar of the Committee of the Whole House on the state of the Union, to which shall be referred public bills and public resolutions raising revenue, involving a tax or charge on the people, directly or indirectly making appropriations of money or property or requiring such appropriations to be made, authorizing payments out of appropriations already made, releasing any liability to the United States for money or property, or referring a claim to the Court of Claims.

(2) A House Calendar, to which shall be referred all public bills and public resolutions not requiring referral to the Calendar of the Committee of the Whole House on the state of the Union.

(3) A Private Calendar as provided in clause 5 of Rule XV, to which shall be referred all private bills and private resolutions.

(b) There is established a Calendar of Motions to Discharge Committees as provided in clause 2 of Rule XV.

FILING AND PRINTING OF REPORTS

2. (a)(1) Except as provided in subparagraph (2), all reports of committees (other than those filed from the floor as privileged) shall be delivered to the Clerk for printing and reference to the proper calendar under the direction of the Speaker in accordance with clause 1. The title or subject of each report shall be entered on the Journal and printed in the Congressional Record.

(2) A bill or resolution reported adversely shall be laid on the table unless a committee to which the bill or resolution was referred requests at the time of the report its referral to an appropriate calendar under clause 1 or unless, within three days thereafter, a Member, Delegate, or Resident Commissioner makes such a request.

(b)(1) It shall be the duty of the chairman of each committee to report or cause to be reported promptly to the House a measure or matter approved by the committee and to take or cause to be taken steps necessary to bring the measure or matter to a vote.

(2) In any event, the report of a committee on a measure that has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which a written request for the filing of the report, signed by a majority of the members of the committee, has been filed with the clerk of the committee. The clerk of the committee shall immediately notify the chairman of the filing of such a request. This subparagraph does not apply to a report of the Committee on Rules with respect to a rule, joint rule, or order of business of the House, or to the reporting of a resolution of inquiry addressed to the head of an executive department.

(c) All supplemental, minority, or additional views filed under clause 2(l) of Rule XI by one or more members of a committee shall be included in, and shall be a part of, the report filed by the committee with respect to a measure or matter. When time guaranteed by clause 2(l) of Rule XI has expired (or, if sooner, when all separate views have been received), the committee may arrange to file its report with the Clerk not later than one hour after the expiration of such time. This clause and provisions of clause 2(l) of Rule XI do not preclude the immediate filing or printing of a committee report in the absence of a timely request for the opportunity to file supplemental, minority, or additional views as provided in clause 2(l) of rule XI.

CONTENT OF REPORTS

3. (a)(1) Except as provided in subparagraph (2), the report of a committee on a measure or matter shall be printed in a single volume that—

(A) shall include all supplemental, minority, or additional views that have been submitted by the time of the filing of the report; and

(B) shall bear on its cover a recital that any such supplemental, minority, or additional views (and any material submitted under paragraph (c)(3) or (4)) are included as part of the report.

(2) A committee may file a supplemental report for the correction of a technical error in its previous report on a measure or matter. A supplemental report only correcting errors in the depiction of record votes under paragraph (b) may be filed under this subparagraph and shall not be subject to the requirement in clause 4 concerning the availability of reports.

(b) With respect to each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report. The preceding sentence does not apply to votes taken in executive session by the Committee on Standards of Official Conduct.

(c) The report of a committee on a measure that has been approved by the committee shall include, separately set out and clearly identified, the following:

(1) Oversight findings and recommendations under clause 2(b)(1) of Rule X.

(2) The statement required by section 308(a) of the Congressional Budget Act of 1974, except that an estimate of new budget authority shall include, when practicable, a comparison of the total estimated funding level for the relevant programs to the appropriate levels under current law.

(3) An estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 if timely submitted to the committee before the filing of the report.

(4) A statement of general performance goals and objectives, including outcome-related goals and objectives, for which the measure authorizes funding.

(d) Each report of a committee on a public bill or public joint resolution shall contain the following:

(1) A statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.

(2)(A) An estimate by the committee of the costs that would be incurred in carrying out the bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following that fiscal year (or for the authorized duration of any program authorized by the bill or joint resolution if less than five years);

(B) A comparison of the estimate of costs described in subdivision (A) made by the committee with any estimate of such costs made by a Government agency and submitted to such committee; and

(C) When practicable, a comparison of the total estimated funding level for the relevant programs with the appropriate levels under current law.

(3)(A) In subparagraph (2) the term "Government agency" includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or the government of the District of Columbia.

(B) Subparagraph (2) does not apply to the Committee on Appropriations, the Committee on House Administration, the Committee on Rules, or the Committee on Standards of Official Conduct, and does not apply when a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been included in the report under paragraph (c)(3).

(e)(1) Whenever a committee reports a bill or joint resolution proposing to repeal or amend a statute or part thereof, it shall include in its report or in an accompanying document—

(A) the text of a statute or part thereof that is proposed to be repealed; and

(B) a comparative print of any part of the bill or joint resolution proposing to amend the statute and of the statute or part thereof proposed to be amended, showing by appropriate typographical devices the omissions and insertions proposed.

(2) If a committee reports a bill or joint resolution proposing to repeal or amend a statute or part thereof with a recommendation that the bill or joint resolution be amended, the comparative print required by subparagraph (1) shall reflect the changes in existing law proposed to be made by the bill or joint resolution as proposed to be amended.

(f)(1) A report of the Committee on Appropriations on a general appropriation bill shall include—

(A) a concise statement describing the effect of any provision of the accompanying bill that directly or indirectly changes the application of existing law; and

(B) a list of all appropriations contained in the bill for expenditures not previously authorized by law for the period concerned (except classified intelligence or national security programs, projects, or activities) along with a statement of the last year for which such expenditures were authorized, the level of

expenditures authorized for that year, the actual level of appropriations in the bill for such expenditures.

(2) Whenever the Committee on Appropriations reports a bill or joint resolution including matter specified in clause 1(b) (2) or (3) of Rule X, it shall include—

(A) in the bill or joint resolution, separate headings for "Rescissions" and "Transfers of Unexpended Balances" and

(B) in the report of the committee, a separate section listing such rescissions and transfers.

(g) Whenever the Committee on Rules reports a resolution proposing to repeal or amend a standing rule of the House, it shall include in its report or in an accompanying document—

(1) the text of any rule or part thereof that is proposed to be repealed; and

(2) a comparative print of any part of the resolution proposing to amend the rule and of the rule or part thereof proposed to be amended, showing by appropriate typographical devices the omissions and insertions proposed.

(h)(1) It shall not be in order to consider a bill or joint resolution reported by the Committee on Ways and Means that proposes to amend the Internal Revenue Code of 1986 unless—

(A) the report includes a tax complexity analysis prepared by the Joint Committee on Internal Revenue Taxation in accordance with section 4022(b) of the Internal Revenue Service Restructuring and Reform Act of 1998; or

(B) the chairman of the Committee on Ways and Means causes such a tax complexity analysis to be printed in the Congressional Record before consideration of the bill or joint resolution.

(2)(A) It shall not be in order to consider a bill or joint resolution reported by the Committee on Ways and Means that proposes to amend the Internal Revenue Code of 1986 unless—

(i) the report includes a macroeconomic impact analysis;

(ii) the report includes a statement from the Joint Committee on Internal Revenue Taxation explaining why a macroeconomic impact analysis is not calculable; or

(iii) the chairman of the Committee on Ways and Means causes a macroeconomic impact analysis to be printed in the Congressional Record before consideration of the bill or joint resolution.

(B) In subdivision (A), the term "macroeconomic impact analysis" means—

(i) an estimate prepared by the Joint Committee on Internal Revenue Taxation of the changes in economic output, employment, capital stock, and tax revenues expected to result from enactment of the proposal; and

(ii) a statement from the Joint Committee on Internal Revenue Taxation identifying the critical assumptions and the source of data underlying that estimate.

AVAILABILITY OF REPORTS

4. (a)(1) Except as specified in subparagraph (2), it shall not be in order to consider in the House a measure or matter reported by a committee until the third calendar day (excluding Saturdays,

Sundays, or legal holidays except when the House is in session on such a day) on which each report of a committee on that measure or matter has been available to Members, Delegates, and the Resident Commissioner.

(2) Subparagraph (1) does not apply to—

(A) a resolution providing a rule, joint rule, or order of business reported by the Committee on Rules considered under clause 6;

(B) a resolution providing amounts from the applicable accounts described in clause 1(i)(1) of Rule X reported by the Committee on House Administration considered under clause 6 of Rule X;

(C) a resolution presenting a question of the privileges of the House reported by any committee;

(D) a measure for the declaration of war, or the declaration of a national emergency, by Congress; and

(E) a measure providing for the disapproval of a decision, determination, or action by a Government agency that would become, or continue to be, effective unless disapproved or otherwise invalidated by one or both Houses of Congress. In this subdivision the term "Government agency" includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or of the government of the District of Columbia.

(b) A committee that reports a measure or matter shall make every reasonable effort to have its hearings thereon (if any) printed and available for distribution to Members, Delegates, and the Resident Commissioner before the consideration of the measure or matter in the House.

(c) A general appropriation bill reported by the Committee on Appropriations may not be considered in the House until the third calendar day (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such a day) on which printed hearings of the Committee on Appropriations thereon have been available to Members, Delegates, and the Resident Commissioner.

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The Chairman and Ranking Minority Member of the Committee serve as ex officio Members of the Subcommittees. (See paragraph (e) of this Rule).