

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 witness, 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.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. JONES of Ohio (at the request of Mr. HOYER) until 5 p.m. today.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WASSERMAN SCHULTZ) to

revise and extend their remarks and include extraneous material.)

Ms. WOOLSEY, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mrs. JONES of Ohio, for 5 minutes, today.

Mr. SARBANES, for 5 minutes, today.

#### SENATE ENROLLED BILLS SIGNED

The SPEAKER announced her signature to enrolled bills of the Senate of the following titles:

S. 229. An act to redesignate a Federal building in Albuquerque, New Mexico, as the "Raymond G. Murphy Department of Veterans Affairs Medical Center".

S. 801. An act to designate a United States courthouse located in Fresno, California, as the "Robert E. Coyle United States Courthouse".

#### ADJOURNMENT

Mr. SERRANO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 23 minutes a.m.), the House adjourned until today, Thursday, June 28, 2007, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2322. A letter from the Administrator, Risk Management Agency, Department of Agriculture, transmitting the Department's final rule — Common Crop Insurance Regulations; Mint Crop Insurance Provisions (RIN: 0563-AC03) received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2323. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2324. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations — received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2325. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2326. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations — received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2327. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Immunology and Microbiology Devices; Classification of Gene Expression

Profiling Test System for Breast Cancer Prognosis [Docket No. 2007N-0136] received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2328. A letter from the National ESA Listing Coordinator, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species: Final Listing Determination for Puget Sound Steelhead [Docket No. 070123015-7086-02; I.D. 031006D] (RIN: 0648-AU43) received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2329. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries in the Western Pacific; Bottomfish and Seamount Groundfish Fisheries; Closed Season [Docket No. 070418089-7089-01; I.D. 040507G] (RIN: 0648-AV49) received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2330. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 070213033-7033-01] (RIN: 0648-XA23) received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2331. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States and in the Western Pacific; Modifications of the West Coast Commercial Salmon Fishery [Docket No. 060427113-6113-01] (RIN: 0648-XA16) received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2332. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper/Groupers Resources of the South Atlantic; Trip Limit Reduction [Docket No. 060525140-6221-02] (RIN: 0648-XA21) received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2333. A letter from the Clerk of the Court, United States Court of Appeals for the Seventh Circuit, transmitting an opinion of the United States Court of Appeals for the Seventh Circuit (No.06-3676 — United States v. Georgia L. Thompson (April 20, 2007)); to the Committee on the Judiciary.

2334. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting notification that the Secretary of the Army supports the authorization and plans to implement the flood damage reduction project for Chesterfield, Missouri; to the Committee on Transportation and Infrastructure.

2335. A letter from the Assistant Secretary, Transportation Security Administration, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at Key West International Airport and the Florida Keys Marathon Airport will be equal to or greater than the level that would be provided at the airport by TSA Transportation Security Officers, pursuant to 49 U.S.C. 44920(d); to the Committee on Homeland Security.

2336. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification that the Department in-

tends to use FY 2007 IMET funds for Sudan, pursuant to Public Law 110-5, section 520; jointly to the Committees on Foreign Affairs and Appropriations.

2337. A letter from the Associate Administrator, Environmental Protection Agency, transmitting the Agency's report entitled, "Environmental Protection and Border Security on the U.S.-Mexico Border, Tenth Report of the Good Neighbor Environmental Board to the President and the Congress of the United States"; jointly to the Committees on Transportation and Infrastructure and Energy and Commerce.

2338. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting a legislative proposal that would enhance the Department of Justice's ability to pursue its core missions of protecting Americans from violent crime and preventing acts of terrorism; jointly to the Committees on the Judiciary, Energy and Commerce, Financial Services, Natural Resources, Transportation and Infrastructure, Ways and Means, and Agriculture.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RANGEL: Committee on Ways and Means. H.R. 2776. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; with an amendment (Rept. 110-214). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MICHAUD (for himself, Mr. FILLNER, Mr. HALL of New York, Ms. CORRINE BROWN of Florida, Mr. SALAZAR, Mr. RODRIGUEZ, Ms. HERSETH SANDLIN, Ms. BERKLEY, Mr. MAHONEY of Florida, Mr. LOEBSACK, Mr. BOSWELL, Mr. MCNERNEY, Mr. ARCURI, Mr. PATRICK MURPHY of Pennsylvania, Mr. DONNELLY, Mr. MITCHELL, Mr. WALZ of Minnesota, and Mr. HARE):

H.R. 2874. A bill to amend title 38, United States Code, to make certain improvements in the provision of health care to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KAGEN (for himself, Mr. KIND, Mr. RYAN of Wisconsin, Mr. OBEY, Ms. BALDWIN, Ms. MOORE of Wisconsin, Mr. PETRI, and Mr. SENSENBRENNER):

H.R. 2875. A bill to amend title XVIII of the Social Security Act to provide for a technical correction to the amendments made by section 422 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003; to the Committee on Ways and Means.

By Mr. SPACE:

H.R. 2876. A bill to permit the interstate distribution of State-inspected meat under appropriate circumstances; to the Committee on Agriculture.

By Mr. SULLIVAN (for himself, Mr. TOWNS, and Mr. HALL of Texas):

H.R. 2877. A bill to provide for a program of research, development, and demonstration on natural gas vehicles; to the Committee on Science and Technology.