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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

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Senate

The Senate was not in session today. Its next meeting will be held on Monday, February 11, 2013, at 2 p.m.

House of Representatives

FRIDAY, FEBRUARY 8, 2013

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. THORNBERRY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 8, 2013.

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Brian Chrzastek, Dominican House of Studies, Washington, D.C., offered the following prayer:

All powerful and ever-living God, mindful of the peace and prosperity enjoyed by this Nation and the sacrifices of those through whom You have bestowed such bounty, hear the prayers of those who continue to seek Your aid: those gathered in the Chambers of this Congress and all those entrusted with its service.

Strengthen the stirrings of Your grace within them; may they advance in fulfillment of the oaths they have taken at the service of Your people. Continue to guide them in the discharge of their duties of office. Help them to attend to the concerns of those whom they represent. Guide them in their deliberations with their fellow Representatives. Though mindful of particular interests, may they ever seek the benefit of all people of this Nation and even that of humanity itself.

May we always strive to realize the good whose possibility You call us to trust.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 8, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 8, 2013 at 10:08 a.m.:

That the Senate agreed to without amendment H. Con. Res. 11.

Appointments:

Congressional-Executive Commission on the People's Republic of China.

World War I Centennial Commission.

United States Holocaust Memorial Council.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

APPOINTMENT OF MEMBERS TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 3, 2013, of the following Members of the House to the Permanent Select Committee on Intelligence:

Mr. THORNBERRY, Texas
Mr. MILLER, Florida
Mr. CONAWAY, Texas
Mr. KING, New York
Mr. LOBIONDO, New Jersey
Mr. NUNES, California
Mr. WESTMORELAND, Georgia
Mrs. BACHMANN, Minnesota

Printed on recycled paper.

Mr. ROONEY, Florida
Mr. HECK, Nevada
Mr. POMPEO, Kansas

APPOINTMENT AS MEMBERS OF THE COMMISSION ON LONG-TERM CARE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 643(c) of the American Taxpayer Relief Act, Public Law 112–240, and the order of the House of January 3, 2013, of the following individuals on the part of the House to the Commission on Long-Term Care:

Ms. Judy Brachman, Bexly, OH
Mr. Stephen Guillard, Chatham, MA
Ms. Grace-Marie Turner, Alexandria, VA

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON ETHICS FOR THE 113TH CONGRESS

Mr. CONAWAY. Mr. Speaker, I submit for publication the Committee on Ethics Rules for the 113th Congress.

FOREWORD

The Committee on Ethics 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 ensure 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, 113th 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 Chair 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 Ethics.

(b) ''Complaint'' means a written allegation of improper conduct against a Member, officer, or employee of the House of Representatives 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) ''Investigate,'' ''Investigating,'' and/or ''Investigation'' mean review of the conduct of a Member, officer or employee of the House of Representatives that is conducted or authorized by the Committee, an investigative subcommittee, or the Chair and Ranking Minority Member of the Committee.

(e) ''Board'' means the Board of the Office of Congressional Ethics.

(f) ''Referral'' means a report sent to the Committee from the Board pursuant to House Rules and all applicable House Resolutions regarding the conduct of a House Member, officer or employee, including any accompanying findings or other supporting documentation.

(g) ''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.

(h) ''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.

(i) ''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.

(j) ''Sanction Hearing'' means a Committee hearing to determine what sanction, if any, to adopt or to recommend to the House of Representatives.

(k) ''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.

(l) ''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.

(m) ''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, including reviews of requests for privately-sponsored travel pursuant to the Committee's travel regulations; 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 Chair 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) Requests for privately-sponsored travel shall be treated like any other request for a written opinion for purposes of paragraphs (g) through (l).

(1) The Committee's Travel Guidelines and Regulations shall govern the request submission and Committee approval process for privately-sponsored travel consistent with House Rules.

(2) A request for privately-sponsored travel of a Member, officer, or employee shall include a completed and signed Traveler Form that attaches the Private Sponsor Certification Form and includes all information required by the Committee's travel regulations. A private sponsor offering officially-connected travel to a Member, officer, or employee must complete and sign a Private Sponsor Certification Form, and provide a copy of that form to the invitee(s).

(3) Any individual who knowingly and willfully falsifies, or who knowingly and willfully fails to file a Traveler Form or Private Sponsor Certification Form may be subject to civil penalties and criminal sanctions pursuant to 18 U.S.C. 1001.

(g) 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.

(h) Where a request is unclear or incomplete, the Office of Advice and Education may seek additional information from the requester.

(i) The Chair 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 Chair or Ranking Minority Member requests a written opinion, or seeks a waiver, extension, or approval pursuant to Rules 3(m), 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.

(j) The Committee shall keep confidential any request for advice from a Member, officer, or employee, as well as any response thereto. Upon request of any Member, officer, or employee who has submitted a written request for an opinion or submitted a request for privately-sponsored travel, the Committee may release to the requesting individual a copy of their own written request for advice or submitted travel forms, any subsequent written communications between such individual and Committee staff regarding the request, and any Committee advisory opinion or travel letter issued to that individual in response. The Committee shall not release any internal Committee staff work product, communications or notes in response to such a request, except as authorized by the Committee.

(k) 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.

(l) 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.

(m) 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.

(n) 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.

(o) 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 reports required to be filed under Title I of the Ethics in Government Act 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) Any reports required to be filed under Title I of the Ethics in Government Act filed by Members of the Board of the Office of Congressional Ethics that are forwarded to the Committee by the Clerk shall not be subject to paragraphs (d) through (q) of this Rule. The Office of Congressional Ethics retains jurisdiction over review of the timeliness and completeness of filings by Members of the Board as the Board's supervising ethics office.

(d) The Chair 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.

(e) 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.

(f) 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 Chair and Ranking Minority Member are authorized to approve requests that the fee be waived based on extraordinary circumstances.

(g) Any late report that is submitted without a required filing fee shall be deemed procedurally deficient and not properly filed.

(h) The Chair 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.

(i) The Chair 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.

(j) The Committee shall designate staff counsel who shall review reports required to be filed under Title I of the Ethics in Government Act 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.

(k) Each report required to be filed under Title I of the Ethics in Government Act shall be reviewed within 60 days after the date of filing.

(l) If the reviewing counsel believes that additional information is required because (1) the report required to be filed under Title I of the Ethics in Government Act 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.

(m) Within the time specified, including any extension granted in accordance with clause (d), a reporting individual who concurs with the Committee's notification that the report required to be filed under Title I of the Ethics in Government Act 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 report required to be filed under Title I of the Ethics in Government Act or an explanatory letter addressed to the Clerk of the House of Representatives.

(n) Any amendment shall be placed on the public record in the same manner as other reports required to be filed under Title I of the Ethics in Government Act. The individual designated by the Committee to review the original report required to be filed under Title I of the Ethics in Government Act shall review any amendment thereto.

(o) Within the time specified, including any extension granted in accordance with clause (d), a reporting individual who does not agree with the Committee that the report required to be filed under Title I of the Ethics in Government Act 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.

(p) The Committee shall be the final arbiter of whether any report required to be filed under Title I of the Ethics in Government Act requires clarification or amendment.

(q) 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 report required to be filed under Title I of the Ethics in Government Act 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 Tuesday of each month, except when the House of Representatives is not meeting on that day. When the Committee Chair determines that there is sufficient reason, meetings may be called on additional days. A regularly scheduled meeting need not be held when the Chair determines there is no business to be considered.

(b) The Chair 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 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 Chair.

(f) Insofar as practicable, notice for any Committee or subcommittee meeting shall be provided at least seven days in advance of the meeting. The Chair 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 the individual 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 the employment or duties with the Committee of such individual without specific prior approval from the Chair 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 Chair and Ranking Minority Member each may appoint one individual as a shared staff member from the respective personal staff of the Chair or Ranking Minority Member to perform service for the Committee. Such shared staff may assist the Chair or Ranking Minority Member on any subcommittee on which the Chair or Ranking Minority Member 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 Ethics, 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. This rule shall not prohibit the Chair or Ranking Minority Member from disclosing to the Board of the Office of Congressional Ethics the existence of a Committee investigation, the name of the Member, officer or employee of the House who is the subject of that investigation, and a brief statement of the scope of that investigation in a written request for referral pursuant to Rule 17A(k). Such disclosures will only be made subject to written confirmation from the Board that the information provided by Chair or Ranking Minority Member will be kept confidential by the Board.

(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) Except as provided in Rule 17A, 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 Chair 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 Chair 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 Chair 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 Chair 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 the Committee or 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 such Member is the respondent.

(e) A member of the Committee may seek disqualification 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, the Chair 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) Adopting or amending 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) Adopting a recommendation to the House of Representatives that a sanction be imposed.

(7) Adopting a report relating to the conduct of a Member, officer, or employee.

(8) Issuing 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) 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.

(c) 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.

(d) 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 such Member believes the information is submitted in good faith and warrants the review and consideration of the Committee;

(3) the Committee, on its own initiative, undertakes an investigation;

(4) a Member, officer, or employee is convicted in a Federal, State, or local court of a felony;

(5) the House of Representatives, by resolution, authorizes or directs the Committee to undertake an inquiry or investigation; or

(6) a referral from the Board is transmitted to the Committee.

(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 such Member 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 CHAIR AND RANKING MINORITY MEMBER

(a) Whenever information offered as a complaint is submitted to the Committee, the Chair 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 Chair 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 Chair 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 Chair 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 Chair or Ranking Minority Member has placed on the agenda the issue of whether to establish an investigative subcommittee.

(d) If the Chair 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 Chair 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 Chair 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 5 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 the respondent 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 relevant to the case from other sources prior to the establishment of an investigative subcommittee only when so directed by the Chair 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.

RULE 17A. REFERRALS FROM THE BOARD OF THE OFFICE OF CONGRESSIONAL ETHICS

(a) The Committee has exclusive jurisdiction over the interpretation, administration, and enforcement of the Code of Official Conduct pursuant to clause 1(g) of House Rule X. Receipt of referrals from the Board under this rule does not limit the Committee's discretion to address referrals in any way through the appropriate procedures authorized by Committee Rules. The Committee shall review the report and findings transmitted by the Board without prejudice or presumptions as to the merit of the allegations.

(b)(1) Whenever the Committee receives either (A) a referral containing a written report and any findings and supporting documentation from the Board; or (B) a referral from the Board pursuant to a request under Rule 17A(k), the Chair shall have 45 calendar days or 5 legislative days after the date the referral is received, whichever is later, to make public the report and findings of the Board unless the Chair and Ranking Minority Member jointly decide, or the Committee votes, to withhold such information for not more than one additional 45-day period.

(2) At least one calendar day before the Committee makes public any report and findings of the Board the Chair shall notify in writing the Board and the Member, officer, or employee who is the subject of the referral of the impending public release of

these documents. At the same time, the Chair shall transmit a copy of any public statement on the Committee's disposition of the matter and any accompanying Committee report to the individual who is the subject of the referral.

(3) All public statements and reports and findings of the Board that are required to be made public under this Rule shall be posted on the Committee's website.

(c) If the OCE report and findings are withheld for an additional 45-day period pursuant to paragraph (b)(1), the Chair shall—

(1) make a public statement on the day of such decision or vote that the matter referred from the Board has been extended; and

(2) make public the written report and findings pursuant to paragraph (b) upon the termination of such additional period.

(d) If the Board transmits a report with a recommendation to dismiss or noting a matter as unresolved due to a tie vote, and the matter is extended for an additional period as provided in paragraph (b), the Committee is not required to make a public statement that the matter has been extended pursuant to paragraph (b)(1).

(e) If the Committee votes to dismiss a matter referred from the Board, the Committee is not required to make public the written report and findings of the Board pursuant to paragraph (c) unless the Committee's vote is inconsistent with the recommendation of the Board. A vote by the Committee to dismiss a matter is not considered inconsistent with a report from the Board that the matter is unresolved by the Board due to a tie vote.

(f) Except as provided by paragraph (g):

(1) If the Committee establishes an investigative subcommittee respecting any matter referred by the Board, then the report and findings of the Board shall not be made public until the conclusion of the investigative subcommittee process. The Committee shall issue a public statement noting the establishment of an investigative subcommittee, which shall include the name of the Member, officer, or employee who is the subject of the inquiry, and shall set forth the alleged violation.

(2) If any such investigative subcommittee does not conclude its review within one year after the Board's referral, then the Committee shall make public the report of the Board no later than one year after the referral. If the investigative subcommittee does not conclude its review before the end of the Congress in which the report of the Board is made public, the Committee shall make public any findings of the Board on the last day of that Congress.

(g) If the vote of the Committee is a tie or the Committee fails to act by the close of any applicable period(s) under this rule, the report and the findings of the Board shall be made public by the Committee, along with a public statement by the Chair explaining the status of the matter.

(h)(1) If the Committee agrees to a request from an appropriate law enforcement or regulatory authority to defer taking action on a matter referred by the Board under paragraph (b)—

(A) The Committee is not required to make public the written report and findings of the Board pursuant to paragraph (c), except that if the recommendation of the Board is that the matter requires further review, the Committee shall make public the written report of the Board but not the findings; and

(B) The Committee shall make a public statement that it is deferring taking action on the matter at the request of such law enforcement or regulatory authority within one day (excluding weekends and public holidays) of the day that the Committee agrees to the request.

(2) If the Committee has not acted on the matter within one year of the date the public statement described in paragraph (h)(1)(B) is released, the Committee shall make a public statement that it continues to defer taking action on the matter. The Committee shall make a new statement upon the expiration of each succeeding one-year period during which the Committee has not acted on the matter.

(i) The Committee shall not accept, and shall return to the Board, any referral from the Board within 60 days before a Federal, State, or local election in which the subject of the referral is a candidate.

(j) The Committee may postpone any reporting requirement under this rule that falls within that 60-day period until after the date of the election in which the subject of the referral is a candidate. For purposes of calculating any applicable period under this Rule, any days within the 60-day period before such an election shall not be counted.

(k)(1) At any time after the Committee receives written notification from the Board of the Office of Congressional Ethics that the Board is undertaking a review of alleged conduct of any Member, officer, or employee of the House at a time when the Committee is investigating, or has completed an investigation of the same matter, the Committee may so notify the Board in writing and request that the Board cease its review and refer the matter to the Committee for its consideration immediately. The Committee shall also notify the Board in writing if the Committee has not reached a final resolution of the matter or has not referred the matter to the appropriate Federal or State authorities by the end of any applicable time period specified in Rule 17A (including any permissible extension).

(2) The Committee may not request a second referral of the matter from the Board if the Committee has notified the Board that it is unable to resolve the matter previously requested pursuant to this section. The Board may subsequently send a referral regarding a matter previously requested and returned by the Committee after the conclusion of the Board's review process.

RULE 18. COMMITTEE-INITIATED INQUIRY OR INVESTIGATION

(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 the duties or the discharge of the responsibilities of such individual. The Chair 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. The Chair and Ranking Minority Member may also jointly take appropriate action consistent with Committee Rules to resolve the matter.

(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 investigation into such person's own conduct shall be considered 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)(1) 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.

(2) Not later than 30 days after a Member of the House is indicted or otherwise formally charged with criminal conduct in any Federal, State or local court, the Committee shall either initiate an inquiry upon a majority vote of the members of the Committee or submit a report to the House describing its reasons for not initiating an inquiry and describing the actions, if any, that the Committee has taken in response to the allegations.

RULE 19. INVESTIGATIVE SUBCOMMITTEE

(a)(1) Upon the establishment of an investigative subcommittee, the Chair 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 Chair and Ranking Minority Member of the Committee. At the time of appointment, the Chair shall designate one member of the subcommittee to serve as the Chair and the Ranking Minority Member shall designate one member of the subcommittee to serve as the ranking minority member of the investigative subcommittee. The Chair 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.

(2) The respondent shall be notified of the membership of the investigative subcommittee and shall have 10 days after such notice is transmitted to object to the participation of any subcommittee member. Such objection shall be in writing and must be on the grounds that the subcommittee member cannot render an impartial and unbiased decision. The members of the Committee shall engage in a collegial discussion regarding such objection. The subcommittee member against whom the objection is made shall be the sole judge of any disqualification and may choose to seek disqualification from participating in the inquiry pursuant to Rule 9(e).

(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 Chair 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 Chair 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 Chair or subcommittee member designated by the Chair 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 Chair of the subcommittee or other presiding member at any investigative subcommittee proceeding shall rule upon any question of admissibility or relevance 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. A 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 inquiry.

(e) Upon completion of the inquiry, 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 concise 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 therefore, 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 anytime 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 the 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 Chair 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 Chair 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 Chair 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 Chair of the investigative subcommittee to the Chair and Ranking Minority Member of the Committee.

RULE 23. ADJUDICATORY HEARINGS

(a) If a Statement of Alleged Violation is transmitted to the Chair and Ranking Minority Member pursuant to Rule 22, and no waiver pursuant to Rule 26(b) has occurred,

the Chair shall designate the members of the Committee who did not serve on the investigative subcommittee to serve on an adjudicatory subcommittee. The Chair and Ranking Minority Member of the Committee shall be the Chair 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 10 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 members of the Committee shall engage in a collegial discussion regarding such objection. The member against whom the objection is made shall be the sole judge of any disqualification and may choose to seek disqualification from serving on the subcommittee pursuant to Rule 9(e).

(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) 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. A subpoena for documents may specify terms of return other than at a meeting or hearing of the subcommittee. 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)(1)–(4), (6)–(7) 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 respondent's counsel have the right to inspect, review, copy, or photograph books, papers, documents, photographs, or other tangible objects that committee counsel intends to use as evidence against the respondent in an adjudicatory hearing. The respondent shall be given access to such evidence, and shall be provided the names of witnesses committee 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 5 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) No later than two weeks or 5 legislative days after the Chair of the Committee designates members to serve on an adjudicatory subcommittee, whichever is later, the Chair of the adjudicatory subcommittee shall establish a schedule and procedure for the hearing and for prehearing matters. The procedures may be changed either by the Chair of the adjudicatory subcommittee or by a majority vote of the members of the subcommittee. If the Chair makes prehearing rulings upon any question of admissibility or relevance of evidence, motion, procedure, or any other matter, the Chair shall make available those rulings to all subcommittee members at the time of the ruling.

(j) 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 Chair of the subcommittee or other presiding member at an adjudicatory subcommittee hearing shall rule upon any question of admissibility or relevance 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 ruling to the members present at that proceeding. A 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 Chair 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.

(k) Unless otherwise provided, the order of an adjudicatory hearing shall be as follows:

(1) The Chair and Ranking Minority Member of the subcommittee shall open the hearing with equal time and during which time, the Chair shall state the adjudicatory subcommittee's authority to conduct the hearing and the purpose of the hearing.

(2) The Chair 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 relevant 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) and other evidence offered by the Committee counsel,

(ii) witnesses and other evidence offered by the respondent,

(iii) rebuttal witnesses, as permitted by the Chair.

(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 Chair's discretion. Subcommittee members may then question witnesses. Unless otherwise directed by the Chair, questions by Subcommittee members shall be conducted under the five-minute rule.

(5) The Chair 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 Chair.

(l) A subpoena to a witness to appear at a hearing shall be served sufficiently in advance of that witness' scheduled appearance to allow the witness a reasonable period of time, as determined by the Chair of the adjudicatory subcommittee, to prepare for the hearing and to employ counsel.

(m) Each witness appearing before the subcommittee shall be furnished a printed copy of the Committee rules, the relevant provisions of the Rules of the House of Representatives applicable to the rights of witnesses, and a copy of the Statement of Alleged Violation.

(n) 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 Chair or Committee member designated by the Chair to administer oaths.

(o) 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. Committee counsel or respondent's counsel may move the adjudicatory subcommittee to make a finding that there is no material fact at issue. If the adjudicatory subcommittee finds that there is no material fact at issue, the burden of proof will be deemed satisfied.

(p) 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.

(q) 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 the respondent's 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 respondent's 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 respondent's 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 respondent's 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 Chair 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 Chair and Ranking Minority Member of the subcommittee, and outside counsel, if any.

(i) Statements or information derived solely from a respondent or respondent's 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 the respondent 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 Chair 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 Chair 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 the witness' own deposition or other testimony taken in executive session, or, with the approval of the Chair 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 a majority 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.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM FOR THE 113TH CONGRESS

Mr. ISSA. Mr. Speaker, pursuant to House Rule XI, the Committee on Oversight and Government Reform adopted its rules for the 113th Congress on January 22, 2013, and I submit them now for publication in the Congressional Record.

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 Oversight and Government Reform and its subcommittees as well as to the respective chairs and ranking minority members.

RULE 2—MEETINGS

The regular meetings of the full committee shall be held on the second Thursday 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 pursuant to the provisions of House Rule XI, clause 2(c)(2). Subcommittees shall meet at the call of the subcommittee chairs. Every member of the committee, 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 for which the presence of a majority of the committee is otherwise required. If the chairman is not present at any meeting of the committee or subcommittee, the ranking member of the majority party on the committee who is present shall preside at that meeting.

(b) The chairman of the full committee may, at the request of a subcommittee chair, make a temporary assignment of any member of the full 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 minority members of the committee.

RULE 4—COMMITTEE REPORTS

(a) Bills and resolutions approved by the full committee shall be reported by the chairman pursuant to House Rule XIII, clauses 2–4.

(b) A proposed investigative or oversight report shall not be considered in the committee unless the proposed report has been available to the members of the 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 the committee. If hearings have been held on the matter reported upon, every reasonable effort shall be made to have such hearings printed and available to the members of the committee before the consideration of the proposed report in the committee.

(c) Every investigative or oversight report shall be approved by a majority vote of the committee at a meeting at which a quorum is present. If at the time of approval of such a report a member of the committee gives notice of intent to file supplemental, minority, or additional views that member shall be entitled to file such views following House Rule XI, clause 2(l) and Rule XIII, clause 3(a)(1).

(d) Only those investigative or oversight 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—RECORD VOTES

(a) 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.

(b) Pursuant to House Rule XI, clause 2(h)(4), the chairman 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 and to 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. After consultation with the ranking minority member, the chairman shall take reasonable steps to notify members on the resumption of proceedings on any postponed record vote.

RULE 6—SUBCOMMITTEES; REFERRALS

(a) There shall be five standing subcommittees with appropriate party ratios. The chairman shall assign members to the subcommittees. Minority party assignments shall be made only with the concurrence of the ranking minority member. The subcommittees shall have the following fixed jurisdictions:

(1) The Subcommittee on Federal Workforce, U.S. Postal Service and the Census—Legislative jurisdiction over the federal civil service, the U.S. Postal Service, and the Census Bureau;

(2) The Subcommittee on Government Operations—Legislative jurisdiction over government management and accounting measures, the economy, efficiency, and management of government operations and activities, procurement, federal property, public information, including the Freedom of Information Act and Federal Advisory Committee Act, federal records (including the National Archives and Records Administration and the Presidential Records Act) federal information technology and data standards, grant reform, the relationship between the federal government and states and municipalities, including unfunded mandates;

(3) The Subcommittee on National Security—Oversight jurisdiction over national security, homeland security, foreign operations, immigration, emergency management, and criminal justice. The Subcommittee also has legislative jurisdiction over drug policy;

(4) The Subcommittee on Economic Growth, Job Creation, and Regulatory Affairs—Oversight jurisdiction over regulatory affairs, impediments to economic growth and job creation, monetary policy, banking, infrastructure, and tax policy. The Subcommittee also has legislative jurisdiction over federal paperwork reduction, data quality, and the Office of Information and Regulatory Affairs; and

(5) The Subcommittee on Energy Policy, Health Care and Entitlements—Oversight jurisdiction over federal health care policy, food and drug safety, energy policy, solvency of federal entitlement programs.

(b) 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 re-referred or discharged by the chairman when, in his judgment, the subcommittee is not able to complete its work or cannot reach agreement therein.

(c) The chairman and the ranking minority member of the full 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 7—SUBCOMMITTEE SCHEDULING

(a) Each subcommittee 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 may meet or hold a hearing at the same time as a meeting or hearing of the full committee.

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

(d) Each subcommittee chair shall notify the chairman of any hearing plans at least two weeks before the date of commencement of the 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 the chair is advised thereof, witnesses whom the minority members may request.

RULE 8—STAFF

(a) 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 committee.

(b) 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 or she may assign.

RULE 9—HEARINGS

(a) A committee member may question witnesses only when recognized by the chairman for that purpose. In accordance with House Rule XI, clause 2(j)(2), the five-minute rule shall apply during the questioning of witnesses in a hearing. 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.

(e) 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.

(f) Witnesses appearing before the committee shall so far as practicable, submit written statements at least 24 hours before their appearance. Witnesses appearing in a non-governmental capacity 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.

(g) The chairman 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?''.

RULE 10—COMMITTEE RECORDS, OPEN MEETINGS, TRANSPARENCY

(a) The committee staff shall maintain in the committee offices a complete record of committee actions from the current Congress including a record of the roll call 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.

(b) 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.

(c) Meetings for the transaction of business and hearings of the committee shall be open to the public or closed in accordance with the Rules of the House of Representatives.

(d) The chairman of the full committee shall maintain an official website on behalf of the committee for the purpose of furthering the committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to committee members and other members of the House. To the greatest extent practicable, the chairman shall ensure that committee records are made available on the committee's official website in appropriate formats.

(e) The ranking minority member of the full committee is authorized to maintain a similar official website on behalf of the committee minority for the same purpose, including communicating information about the activities of the minority to committee members and other members of the House.

RULE 11—AUDIO AND VISUAL COVERAGE OF COMMITTEE PROCEEDINGS

(a) An open meeting or hearing of the committee 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 Rules. Any such coverage shall conform to 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 Oversight and 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 by internet broadcast, other than through the Committee Broadcast System shall be currently accredited to the Radio and Television Correspondents' Galleries. If the Committee Broadcast System is not available, the chairman may, with the concurrence of the ranking minority member, direct staff to provide coverage in a manner that is fair and nonpartisan and in accordance with House Rule XI, clause 4.

RULE 12—ADDITIONAL DUTIES 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 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 the ranking minority member, a budget for the Committee;

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

(g) Offer motions under clause 1 of Rule XXII of the Rules of the House (motion to request or agree to a conference) whenever the chairman considers it appropriate.

RULE 13—CONSIDERATION OF CERTAIN BILLS AND RESOLUTIONS

(a) The determination of the subject matter of commemorative stamps and new semi-postal issues is properly for consideration by the Postmaster General and 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.

(b) The consideration of bills designating facilities of the United States Postal Service shall be conducted so as to minimize the time spent on such matters by the committee and the House of Representatives.

(c) The Chairman shall not request to have scheduled any resolution for consideration under suspension of the Rules, which expresses appreciation, commends, congratulates, celebrates, recognizes the accomplishments of, or celebrates the anniversary of an entity, event, group, individual, institution, team or government program; or acknowledges or recognizes a period of time for such purposes.

RULE 14—PANELS AND TASK FORCES

(a) The chairman of the full 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 full 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 full committee. The ranking minority member of the full committee 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.

RULE 15—DEPOSITION AUTHORITY

(a) The chairman of the full committee, upon consultation with the ranking minority member of the full committee, may order the taking of depositions, under oath and pursuant to notice or subpoena.

(b) Notices for the taking of depositions shall specify the date, time, and place of examination (if other than within the committee offices). Depositions shall be taken under oath administered by a member or a person otherwise authorized to administer oaths.

(c) Consultation with the ranking minority member shall include three business days notice before any deposition is taken. All members shall also receive three business days notice that a deposition has been scheduled.

(d) Witnesses may be accompanied at a deposition by counsel to advise them of their rights. No one may be present at depositions except members, committee staff designated by the chairman or ranking minority member of the full committee, an official reporter, the witness, and the witness's counsel. Observers or counsel for other persons, or for agencies under investigation, may not attend.

(e) At least one member of the committee shall be present at each deposition taken by the committee, unless the witness to be deposed agrees in writing to waive this requirement.

(f) A deposition shall be conducted by any member or staff attorney designated by the chairman or ranking minority member. When depositions are conducted by committee staff attorneys, there shall be no more than two committee staff attorneys permitted to question a witness per round. One of the committee staff attorneys shall be designated by the chairman and the other by the ranking minority member. Other committee staff members designated by the chairman or ranking minority member may attend, but may not pose questions to the witness.

(g) Questions in the deposition shall be propounded in rounds, alternating between

the majority and minority. A single round shall not exceed 60 minutes per side, unless the members or staff attorneys conducting the deposition agree to a different length of questioning. In each round, a member or committee staff attorney designated by the chairman shall ask questions first, and the member or committee staff attorney designated by the ranking minority member shall ask questions second.

(h) Any objection made during a deposition must be stated concisely and in a non-argumentative and non-suggestive manner. The witness may refuse to answer a question only to preserve a privilege. When the witness has objected and refused to answer a question to preserve a privilege, the full committee chairman may rule on any such objection after the deposition has adjourned. If the chairman overrules any such objection and thereby orders a witness to answer any question to which a privilege objection was lodged, such ruling shall be filed with the clerk of the committee and shall be provided to the members and the witness no less than three days before the reconvened deposition. If a member of the committee appeals in writing the ruling of the chairman, the appeal shall be preserved for committee consideration. A deponent who refuses to answer a question after being directed to answer by the chairman in writing may be subject to sanction, except that no sanctions may be imposed if the ruling of the chairman is reversed on appeal.

(i) Committee staff shall ensure that the testimony is either transcribed or electronically recorded or both. If a witness's testimony is transcribed, the witness or the witness's counsel shall be afforded an opportunity to review a copy. No later than five days thereafter, the witness may submit suggested changes to the chairman. Committee staff may make any typographical and technical changes. Substantive changes, modifications, clarifications, or amendments to the deposition transcript submitted by the witness must be accompanied by a letter signed by the witness requesting the changes and a statement of the witness's reasons for each proposed change. Any substantive changes, modifications, clarifications, or amendments shall be included as an appendix to the transcript conditioned upon the witness signing the transcript.

(j) The individual administering the oath, if other than a member, shall certify on the transcript that the witness was duly sworn. The transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall be filed, together with any electronic recording, with the clerk of the Committee in Washington, DC. Depositions shall be considered to have been taken in Washington, DC, as well as the location actually taken once filed there with the clerk of the Committee for the Committee's use. The chairman and the ranking minority member of the full committee shall be provided with a copy of the transcripts of the deposition at the same time.

(k) The chairman and ranking minority member of the full committee shall consult regarding the release of depositions. If either objects in writing to a proposed release of a deposition or a portion thereof, the matter shall be promptly referred to the full committee for resolution.

(l) A witness shall not be required to testify unless the witness has been provided with a copy of the committee's rules.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon on Tuesday, February 12, 2013, for morning-hour debate.

There was no objection.

Thereupon (at 11 o'clock and 4 minutes a.m.), under its previous order, the House adjourned until Tuesday, February 12, 2013, at noon.

RULES AND REPORTS SUBMITTED PURSUANT TO THE CONGRESSIONAL REVIEW ACT

Pursuant to 5 U.S.C. 801(d), executive communications [final rules] submitted to the House pursuant to 5 U.S.C. 801(a)(1) during the period of July 23, 2012, through January 3, 2013, shall be treated as though received on February 8, 2013. Original dates of transmittal, numberings, and referrals to committee of those executive communications remain as indicated in the Executive Communication section of the relevant CONGRESSIONAL RECORD.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

237. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Escrow Requirements Under the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2013-0001] (RIN: 3170-AA16) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

238. A letter from the Deputy 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; Big Skate in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC405) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

239. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the State of New Jersey [Docket No.: 111220786-1781-01] (RIN: 0648-XC404) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

240. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 120306154-2241-02] (RIN: 0648-XC382) received January 22. 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

241. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Extension of Emergency Fishery Closure Due to the Presence of the Toxin That Causes Paralytic Shellfish Poisoning (PSP) [Docket No.: 050613158-5262-03] (RIN: 0648-BB59) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

242. A letter from the Acting Deputy 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; 2012 Commercial Accountability Measure and Closure for Atlantic Wahoo [Docket No.: 100812345-2142-03] (RIN: 0648-XC381) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

243. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Recreational Accountability Measures [Docket No.: 111128700-2405-02] (RIN: 0648-BB66) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

244. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Available for the State of New York To Reopen Fishery [Docket No.: 111220786-1781-01] (RIN: 0648-XC391) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

245. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; 2013 Atlantic Shark Commercial Fishing [Docket No.: 120706221-2705-02] (RIN: 0648-XC106) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

246. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2012 Summer Flounder, Scup, and Black Sea Bass Specifications; Correction [Docket No.: 111220786-2728-03] (RIN: 0648-XA795) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SMITH of New Jersey (for himself, Ms. MENG, and Mr. KING of New York):

H.R. 592. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that houses of worship are eligible for certain disaster relief and emergency assistance on terms equal to other eligible private nonprofit facilities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCKEON (for himself, Mrs. HARTZLER, Mr. BROOKS of Alabama, Mr. HUNTER, Mr. THORNBERRY, Mrs. WALORSKI, Mr. WILSON of South Carolina, Mr. RIGELL, Mr. JONES, Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. TURNER, Mr. MILLER of Florida, Mr. PALAZZO, Mrs. NOEM, Mr. AUSTIN SCOTT of Georgia, Mr. HECK of Nevada, Mr. RUNYAN, Mr. SALMON, Mr. BISHOP of Utah, Mr. LOBIONDO, Mr. ROGERS of Alabama, Mr. COFFMAN, Mr. SHUSTER, and Mr. KLINE):

H.R. 593. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to modify the discretionary spending limits to take into account savings resulting from the reduction in the number of Federal employees; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Budget, House Administration, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS (for himself and Mr. ENGEL):

H.R. 594. A bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008; to the Committee on Energy and Commerce.

By Mr. BUTTERFIELD (for himself, Mr. PAYNE, Mr. BISHOP of Georgia, Mr. LEWIS, Mr. WATT, Mr. AL GREEN of Texas, Ms. BASS, Mr. CLYBURN, Mr. CLEAVER, Mr. JONES, Mr. MCINTYRE, Mr. MEEKS, Ms. LEE of California, Ms. BROWN of Florida, Mr. CUMMINGS, Mr. CONYERS, Ms. EDWARDS, Mr. ELLISON, Mr. JEFFRIES, Mr. HASTINGS of Florida, Mrs. CHRISTENSEN, Mr. RUSH, Ms. CLARKE, Mr. BRADY of Pennsylvania, Mr. GRIJALVA, and Ms. WILSON of Florida):

H.R. 595. A bill to amend title 38, United States Code, to provide equity for tuition and fees for individuals entitled to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs who are pursuing programs of education at institutions of higher learning, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GOSAR (for himself, Mr. THOMPSON of California, Mr. HECK of Nevada, Mr. POLIS, Mr. TIPTON, Ms. DEGETTE, Mr. COFFMAN, Mr. COSTA, Mr. DENHAM, Mr. BLUMENAUER, Mr. AMODEI, Mr. DEFAZIO, Mr. SIMPSON, Mr. BEN RAY LUJÁN of New Mexico, Mr. SCHWEIKERT, and Mrs. KIRKPATRICK):

H.R. 596. A bill to promote the development of renewable energy on public lands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. HONDA):

H.R. 597. A bill to establish a commission to study how Federal laws and policies affect United States citizens living in foreign countries; to the Committee on Oversight and Government Reform, and in addition to the Committees on Financial Services, Ways and Means, the Judiciary, House Administration, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO:

H.R. 598. A bill to amend title 5, United States Code, to give members of the United States Capitol Police the option to delay mandatory retirement until age 60; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. BLUMENAUER, Mr. DEFAZIO, Mr. HOLT, Mr. HONDA, Ms. LEE of California, Ms. MCCOLLUM, Mr. MCGOVERN, Mrs. NAPOLITANO, Ms. PINGREE of Maine, Mr. RANGEL, Ms. SLAUGHTER, Mr. FARR, and Mr. ELLISON):

H.R. 599. A bill to prohibit the transfer of defense articles and defense services to the governments of foreign countries that are engaging in gross violations of internationally-recognized human rights, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HIGGINS (for himself, Mr. LEVIN, Mr. CONYERS, Ms. SLAUGHTER, Mr. DINGELL, Ms. MOORE, and Mr. RYAN of Ohio):

H.R. 600. A bill to amend the Federal Water Pollution Control Act to provide assistance for nutrient removal technologies to States in the Great Lakes System; to the Committee on Transportation and Infrastructure.

By Mr. MARKEY (for himself and Mr. BLUMENAUER):

H.R. 601. A bill to direct the Secretary of the Interior to establish an annual production incentive fee with respect to Federal onshore and offshore lands that are subject to a lease for production of oil or natural gas under which production is not occurring, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida:

H.R. 602. A bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes; to the Committee on Veterans' Affairs.

By Ms. NORTON:

H.R. 603. A bill to amend the District of Columbia Home Rule Act to establish the Office of the District Attorney for the District of Columbia, headed by a locally elected and independent District Attorney, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. PINGREE of Maine:

H.R. 604. A bill to amend title 38, United States Code, to provide for the eligibility under the Post-9/11 Educational Assistance Program of certain individuals with service-connected disabilities who transfer to reserve components before discharge from the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. POSEY:

H.R. 605. A bill to exclude insurance companies from the Federal Depository Insurance Corporation's ''orderly liquidation authority''; to the Committee on Financial Services.

By Mr. REED (for himself, Ms. MENG, Mr. NADLER, Mr. GIBSON, Mr. HANNA, Mr. CROWLEY, Mr. COLLINS of New York, Mr. ISRAEL, Mr. TONKO, Mr. OWENS, Mr. ENGEL, Mr. MAFFEI, Mr. BISHOP of New York, Ms. CLARKE, Ms. SLAUGHTER, Mr. GRIMM, Mr. MEEKS, Mr. KING of New York, Mr. HIGGINS, Mrs. CAROLYN B. MALONEY of New York, Mr. RANGEL, Mrs. LOWEY, Mr. JEFFRIES, Mr. SERRANO, Ms. VELÁZQUEZ, Mr. SEAN PATRICK MALONEY of New York, and Mrs. MCCARTHY of New York):

H.R. 606. A bill to designate the facility of the United States Postal Service located at 815 County Road 23 in Tyrone, New York, as the ''Specialist Christopher Scott Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. THORNBERRY:

H.R. 607. A bill to delay until 2016 provisions of the Patient Protection and Affordable Care Act scheduled to take effect in 2014 or 2015 and to delay the application of sequestration until 2014; to the Committee on the Budget, and in addition to the Committees on Education and the Workforce, Ways and Means, the Judiciary, Natural Resources, Rules, Appropriations, House Administration, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. ROYBAL-ALLARD introduced a bill (H.R. 608) for the relief of Maria Eva Duran, Jessica Duran Cortes, Daniel Ivan Duran Cortes, and Jose Antonio Duran Cortes; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of New Jersey:

H.R. 592.

Congress has the power to enact this legislation pursuant to the following:

article 1, section 8 of the Constitution

By Mr. MCKEON:

H.R. 593.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress ''to provide for the common Defence'', ''to raise and support Armies'', ''to provide and maintain a Navy'' and ''to make Rules for the Government and Regulation of the land and naval Forces'' as enumerated in Article I, section 8 of the United States Constitution.

By Mr. BURGESS:

H.R. 594.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce, as enumerated by Article I, Section 8, Clause 3 of the United States Constitution. In addition, clause 7 of Section 9 of Article I of the Constitution, provides Congress the authority to control the expenditures of the federal government via appropriations.

By Mr. BUTTERFIELD:

H.R. 595.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carryinginto execution their powers enumerated under Article I.

By Mr. GOSAR:

H.R. 596.

Congress has the power to enact this legislation pursuant to the following:

This bill addresses management of federal land. Accordingly, we turn to the following constitutional authority:

Article IV, Section 3, Clause 2.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Currently, the federal government possesses approximately 1.8 billion acres of land. The U.S. Constitution specifically addresses the relationship of the federal government to lands. Article IV, §3, Clause 2—the Property Clause—gives Congress plenary power and full authority over federal property. The U.S. Supreme Court has described Congress's power to legislate under this Clause as ''without limitation.'' This bill falls squarely within the express Constitutional power set forth in the Property Clause.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 597.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. CAPUANO:

H.R. 598.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec.5, Clause 2: ''Each House may determine the Rules of its Proceedings . . .''

By Mr. GRIJALVA:

H.R. 599.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. HIGGINS:

H.R. 600.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. MARKEY:

H.R. 601.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MILLER of Florida:

H.R. 602.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of The Constitution of the United States

By Ms. NORTON:

H.R. 603.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Ms. PINGREE of Maine:

H.R. 604.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution

By Mr. POSEY:

H.R. 605.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. REED:

H.R. 606.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. THORNBERRY:

H.R. 607.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1, 12, 13, 14, and 18.

Congress has the responsibility to raise, arm, and support Armies and maintain a Navy. Congress has the power to make all Law which shall be necessary and proper for carrying into execution these responsibilities.

Ms. ROYBAL-ALLARD:

H.R. 608.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. SALMON, Mr. BUCSHON, Ms. PINGREE of Maine, Mr. BENISHEK, Mr. BISHOP of Georgia, Mr. VARGAS, and Mrs. BLACK.

H.R. 147: Mr. MILLER of Florida, Mr. WHITFIELD, Mr. HENSARLING, Mr. HULTGREN, and Mr. FRELINGHUYSEN.

H.R. 164: Mr. KINGSTON, Mr. PASTOR of Arizona, and Ms. SHEA-PORTER.

H.R. 181: Ms. LORETTA SANCHEZ of California.

H.R. 199: Ms. SCHAKOWSKY.

H.R. 201: Ms. SCHAKOWSKY.

H.R. 220: Mr. COLE.

H.R. 239: Mr. RADEL and Mr. BENTIVOLIO.

H.R. 258: Mr. BILIRAKIS and Mr. PASTOR of Arizona.

H.R. 273: Mr. WESTMORELAND, Mr. PITTENGER, and Mr. MULVANEY.

H.R. 292: Ms. CHU.

H.R. 309: Mr. HUIZENGA of Michigan and Mr. JONES.

H.R. 311: Mr. DAINES.

H.R. 317: Mr. RIGELL.

H.R. 322: Mr. KINGSTON.

H.R. 324: Mrs. CHRISTENSEN and Ms. JACKSON LEE.

H.R. 351: Mr. AMASH, Mr. BROUN of Georgia, and Mr. MCINTYRE.

H.R. 367: Mr. GRAVES of Georgia, Mr. KINGSTON, and Mr. ROTHFUS.

H.R. 377: Mr. SIRES and Mr. SEAN PATRICK MALONEY of New York.

H.R. 416: Mr. GRIFFIN of Arkansas, Mr. GARRETT, Mr. NUNNELEE, Mr. PEARCE, Mr. BURGESS, Mr. SCHWEIKERT, Mr. NUGENT, and Mr. BILIRAKIS.

H.R. 419: Mr. CHABOT and Mr. BILIRAKIS.

H.R. 435: Mr. STIVERS and Mr. VALADAO.

H.R. 498: Mr. FITZPATRICK and Ms. BASS.

H.R. 503: Mr. BARR.

H.R. 515: Ms. BASS, Mr. CARSON of Indiana, and Mr. POLIS.

H.R. 548: Mr. PASTOR of Arizona.

H.R. 568: Mr. ISSA.

H.R. 582: Mrs. BACHMANN, Mr. MILLER of Florida, Mrs. HARTZLER, Mr. MULLIN, and Mr. CRENSHAW.

H. Res. 30: Mr. RUNYAN, Ms. SHEA-PORTER, Ms. KUSTER, Mr. YOUNG of Alaska, Mr. FARR, Mr. SEAN PATRICK MALONEY of New York, Mr. MCDERMOTT, Mr. LANGEVIN, Ms. DELAURO, Mr. WALZ, Mr. LARSON of Connecticut, Mr. TONKO, Ms. KAPTUR, Mr. MARKEY, and Mr. HONDA.

H. Res. 35: Mr. MILLER of Florida.

H. Res. 41: Mr. RANGEL and Mr. CAPUANO.

H. Res. 50: Mr. CARTWRIGHT.

H. Res. 59: Mr. COHEN, Mr. MEEKS, and Mr. CARSON of Indiana.