(3) Notice. Notice of, and the agenda for, any business meeting or markup shall be provided to each member and made available to the public at least 72 hours prior to such meeting or markup.

II. CONSIDERATION OF BUDGET RESOLUTIONS

(1) Amendment Consideration Generally. If the chair of the committee makes proposed legislative text of a budget resolution available to all senators by five days prior to the start of a meeting or markup to consider the resolution, during that meeting or markup:

(a) It shall not be in order to consider a first degree amendment unless the amendment has been submitted to the chief clerk by 5:00 p.m. two days prior to the start of the meeting or markup, except that a first degree amendment in the nature of a substitute offered by the chair of the committee shall not be required to be filed in advance;

(b) It shall not be in order to consider a second degree amendment unless the amendment has been submitted to the chief clerk by 5:00 p.m. on the day prior to the start of the meeting or markup; and

(c) It shall not be in order to consider a side-by-side amendment unless the amendment has been submitted to the chief clerk by 5:00 p.m. prior to the start of the meeting or markup, and the amendment is filed in relation to a particular first degree amendment that is considered by the committee.

(2) Amendments with No Force or Effect. During consideration of a budget resolution, it shall not be in order to consider an amendment that would have no force or effect if adopted.

III. ORDER OF RECOGNITION

Those members who are present at the start of any meeting of the committee including conduct hearings shall be recognized in order of seniority based on time served as a member of the committee. Any members arriving after the start of the meeting shall be recognized, in order of appearance, after the most junior member.

IV. QUORUMS AND VOTING

(1) Definition of Quorum. Except as provided in paragraphs (2) and (3) of this section, a quorum for the transaction of committee business shall consist of not less than one-third of the membership of the entire committee: Provided, that proxies shall not be counted in making a quorum.

(2) Reporting. A majority of the committee shall constitute a quorum for reporting budget resolutions, legislative measures, or recommendations. Provided, that proxies shall not be counted in making a quorum.

(3) Testimony. For the purpose of taking sworn or unsworn testimony, a quorum of the committee shall consist of one Senator.

(4) Polling Authority. (a) The committee may poll—

(i) Internal committee matters including those pertaining to the committee’s staff, records, and budget;

(ii) steps in an investigation, including issuance of subpoenas, applications for immunity, orders, and requests for documents from agencies; and

(iii) other committee business that the committee designates for polling at a meeting except that the committee may not vote by poll on reporting to the Senate any measure, matter, or recommendation, and may not vote by poll on closing a meeting or hearing to the public.

(b) To conduct a poll, the chair shall circulate polling sheets to each member specifying the matter being polled and the time limit for the poll. If any member shall fail to return the responses, the matter shall be held for a meeting rather than being polled. The chief clerk shall keep a record of polls; if the committee determines by record vote in open session of a majority of the members of the committee present that the polled matter is one of those concerning the committee’s staff, records, and budget in the nature of a substitute offered by the chair of the committee shall not be required to be filed in advance; and

V. PROXIES

When a record vote is taken in the committee on any amendment, or any other question, a quorum being present, a member who is unable to attend the meeting may vote by proxy if the absent member has handed to the chair of the committee the written statement of which the vote is being recorded and has affirmatively requested to be so recorded; except that no member may vote by proxy during the deliberations on budget resolutions unless a member is experiencing a health issue and the chair and ranking member agree to allow that member to vote by proxy on amendments to a budget resolution.

VI. HEARINGS AND HEARING PROCEDURES

(1) Notice. The committee shall make public announcement of the date, time, place, and subject matter of any hearing to be conducted by the committee and shall also publish in the Congressional Record notice of any hearing to be conducted by the committee. A hearing of the committee that would have no force or effect if adopted.

(2) Witness Testimony Deadline. At least 24 hours prior to the scheduled start time of the hearing, a witness appearing before the committee shall file a written statement of proposed testimony, including visual exhibits intended for display during testimony, with the chief clerk or the committee, who is responsible for circulating the proposed testimony to all members at the same time. The requirement that a witness submit testimony 24 hours prior to a hearing may be waived by the chair and the ranking member, following their determination that there is good cause for the failure of compliance.

(3) Witness Testimony Time Limit. Oral statements of witnesses shall be based upon their filed statements but shall be limited to 5 minutes duration. This period may be limited or extended at the discretion of the chair presiding at the hearings.

VII. COMMITTEE REPORTS

(1) Report Generally. When the committee has ordered a recommendation reported, following final action, the report thereon shall be filed in the Senate at the earliest practicable time.

(2) Supplemental Report. A member of the committee, who gives notice of an intention to file supplemental, minority, or additional views at the time of final committee approval of a measure or measure, shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the committee. Such views shall then be circulated on the committee report and printed in the same volume, as a part thereof, and their inclusions shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

VIII. USE OF DISPLAY MATERIALS IN COMMITTEE HEARINGS

(1) Committee members may use the electronic display system provided in the committee hearing room or physical graphic displays during any meetings or hearings of the committee. Physical graphic displays are limited to the following: Charts, photographs, or renderings.

Size: no larger than 36 inches by 48 inches.

Location: The displays may be displayed at the member’s seat or at the rear of the committee room.

SENATE COMMITTEE ON VETERANS’ AFFAIRS RULES OF PROCEDURE

Mr. TESTER, Mr. President, the Committee on Veterans’ Affairs has adopted rules governing its proceedings for the 118th Congress. Pursuant to rules XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Ranking Member MORAN, I
ask unanimous consent that a copy of the committee rules be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON VETERANS’ AFFAIRS
RULES OF PROCEDURE 118TH CONGRESS
I. MEETINGS
(A) Unless otherwise ordered, the Committee shall meet on the first Wednesday of each month. The Chairman may, upon proper notice, call such additional meetings as deemed necessary.
(B) Except as provided in subparagraphs (b) and (d) of paragraph 5 of rule XXVI of the Standing Rules of the Senate, members of the Committee shall be open to the public. The Committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceedings of each meeting whether or not such meeting or any part thereof is closed to the public.
(C) The Chairman of the Committee, or the Ranking Majority Member present in the absence of the Chairman, or such other Member as the Chairman may designate, shall preside over all meetings.
(D) Except as provided in rule XXVI of the Standing Rules of the Senate, no meeting of the Committee shall be scheduled except by major party committees or the majority leader, in accordance with the authorizations of the Chairman of the Committee.
(E) The Committee shall name the office designated by the Committee on Rules and Administration of the time, place, and purpose of each meeting. In the event the such meeting is canceled, the Committee shall immediately notify such designated office.
(F) Written or electronic notice of a Committee meeting, accompanied by an agenda enumerating the items of business to be considered shall be sent to all Committee Members at least 72 hours (not counting Saturdays, Sundays, and federal holidays) in advance of each meeting. In the event that the giving of such 72-hour notice is prevented by unforeseen requirements or Committee business, the Committee staff shall communicate notice by the quickest appropriate means to Members or appropriate staff assistants of Members and an agenda shall be furnished prior to the meeting.
(G) To the second sentence of this paragraph, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless a written or electronic copy of such amendment has been delivered to each Member of the Committee at least 24 hours (not counting Saturdays, Sundays, and federal holidays) before the meeting at which the amendment is to be proposed. This paragraph may be waived by a majority vote of the Members of the Committee. Any Member may apply only one 24-hour written notice has been provided in accordance with paragraph (F).

II. QUORUMS
(A) Subject to the provisions of paragraph (B), the Committee shall constitute a quorum for the reporting or approving of any measure or matter or recommendation. Seven Members of the Committee shall constitute a quorum for all purposes of transacting any other business.
(B) In order to transact any business at a Committee meeting, at least one Member of the majority party shall be present. If, however, meeting cannot be transacted because of the absence of such a Member, the matter shall lay over for a calendar day. If the chairman of the majority party is not present, then obtained, business may be transacted by the appropriate quorum.

C. One Member shall constitute a quorum for the purpose of receiving testimony.

III. VOTING
(A) Votes may be cast by proxy. A proxy shall be written and may be conditioned by personal instruction. A proxy shall be valid only for the day given.
(B) There shall be a complete record kept of all Committee actions. Such record shall contain the votes by each Member of the Committee on any question on which a roll call vote is requested.

IV. HEARINGS AND HEARING PROCEDURES
(A) Except as specifically otherwise provided, the rules governing meetings shall govern hearings.
(B) At least one week in advance of the date of any hearing, the Committee shall undertake, consistent with the provisions of paragraph 4 of rule XXVI of the Standing Rules of the Senate, to make public announcements of the date, place, time, and subject matter of such hearing.
(C) (1) Each witness who is scheduled to testify at a hearing of the Committee shall submit 40 copies of such witness’ testimony to the Committee; or, if in 48 hours (not counting Saturdays, Sundays, and federal holidays) before the witness’ scheduled appearance at the hearing.
(2) Any witness who fails to meet the deadline specified in paragraph (1) shall not be permitted to present testimony but may be seated to take questions from Committee members. If no quorum consists of the Majority and Ranking Minority Member determine there is good cause for the witness’ failure to meet the deadline or it is in the Committee’s interest to permit such action, and, at their discretion.
(D) The presiding Member at any hearing is authorized to limit the time allotted to each witness appearing before the Committee.
(E) The Chairman, with the concurrence of the Majority Member of the Committee, is authorized to subpoena the attendance of witnesses and the production of memoranda, documents, records, and any other materials. If the Chairman or a Committee staff member designated by the Chairman has not received from the Majority Member or a Committee staff member designated by the Majority Member notice of the Majority Member’s intention to subpoena the attendance of witnesses or the production of any materials, the Chairman is authorized following the end of the 48-hour period involved to subpoena the same without the Majority Member’s concurrence. Regardless of whether a subpoena has been served in the Majority Member, the subpoena may be authorized by vote of the Members of the Committee.
(F) Except as specified in Committee Rule VII (requiring oaths, under certain circumstances, at hearings to confirm Presidential nominations), witnesses at hearings to confirm Presidents or other Federal civilian officials of extraordinary character; (2) A Member of the United States House of Representatives or of a service branch, or a military official of the Armed Forces of the United States on official Military service of an extraordinarily distinguished character; (3) An Administrator of Veterans’ Affairs, a Secretary of Veterans Affairs, a Secretary of Defense or of a service branch, or a military official of the Armed Forces of the United States on official Military service of an extraordinarily distinguished character; (4) An individual who, as determined by the Committee, has performed outstanding service for veterans.
(B) Each Member of the Congressional delegation representing the State in which the designation facility is located must indicate in writing such Member’s support of the proposal to name such facility after such individual. The delegation is subject to Senate, in a statement of his or her background and financial interests, including the financial interests and political contributions of his or her spouse and children living in the nominee’s household, on a form approved by the Committee, which shall be sworn to as to its completeness and accuracy. The Committee shall be open to the public.

VIII. NOMINATION OF DEPARTMENT OF VETERANS AFFAIRS FACILITIES
It is the policy of the Committee that a Department of Veterans Affairs facility may be named only after a deceased individual and only under the following circumstances:
(A) Such individual was: (1) A veteran who(i) was instrumental in the construction or the operation of the facility to be named, or (ii) was a recipient of the Medal of Honor or, as determined by the Committee, an extraordinary individual;
(B) A Member of the United States House of Representatives or of a service branch, or a military official of the Armed Forces of the United States on official Military service of an extraordinarily distinguished character;
(C) An Administrator of Veterans’ Affairs, a Secretary of Veterans Affairs, a Secretary of Defense or of a service branch, or a military official of the Armed Forces of the United States on official Military service of an extraordinarily distinguished character;
(D) An individual who, as determined by the Committee, has performed outstanding service for veterans.

Any Committee meeting or hearing which the individual is nominated and which is to be made public, and information concerning the financial and other background of the individual, to be made public when the Committee determines that such information bears directly on the nomination of the individual to the position to which the individual is nominated.

Any Committee action on a nomination, including hearings or a meeting to consider a motion to recommend the nomination, shall not occur until at least five days (not counting Saturdays, Sundays, and federal holidays) after the nominee submits with respect to the current pending nomination the form required by this rule unless the Chairman, with the concurrence of the Majority Member, waives this waiting period.
(C) The pertinent State department or chapter of each Congressionally chartered veterans' organization having a national membership of at least 500,000 must indicate in writing its support of such proposal. Under certain circumstances, the Committee may grant a waiver to accept written support from pertinent chapters or posts of chartered veterans' organizations in lieu of the State department.

(D) The above criteria for naming a VA facility shall be also used for the purpose of determining the presence of a quorum. Unless further limited, a proxy shall be exercised only upon the date for which it is given and upon the items published in the agenda for that date.

(a) The Committee shall be comprised of a full Committee and the Subcommittees set forth by the majority of all the Members of the Committee. The Committee, the full Committee, or the Subcommittees may by unanimous consent, or suspension.

IX. AMENDMENTS TO THE RULES

The rules of the Committee may be changed, modified, amended, or suspended at any time provided that no less than a majority of the entire membership so determine at a regular meeting with due notice or at a meeting specifically called for that purpose. The rules governing quorums for reporting legislative matters shall govern rules changes, modification, amendments, or suspension.

SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES RULES OF PROCEDURE

Mr. MANCHIN. Mr. President, in accordance with XXVI, paragraph 2, of the Standing Rules of the Senate, I submit the rules governing the procedure of the Committee on Energy and Natural Resources for publication in the CONGRESSIONAL RECORD.

I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

GENERAL RULES

Rule 1. The Standing Rules of the Senate, as supplemented by these rules, are adopted as the rules of the Committee and its Subcommittees.

MEETINGS OF THE COMMITTEE

Rule 2. (a) The Committee shall meet on the third Thursday of each month while the Congress is in session for the purpose of conducting business, unless, for the convenience of Members, the Chairman shall set some other day for a meeting. Additional meetings may be held at the discretion of the Chairman if he or she may deem necessary.

(b) Hearings of any Subcommittee may be called by the Chairman of such Subcommittee, provided that no Subcommittee hearing, other than a field hearing, shall be held concurrently with a full Committee meeting or hearing, unless a majority of the Committee consents in such concurrent hearing.

OPEN HEARINGS AND MEETINGS

Rule 3. (a) All hearings and business meetings of the Committee and all the hearings of any of its Subcommittees shall be open to the public unless the Committee or Subcommittee involved, by majority vote of all Members of the Committee or such Subcommittee, orders the hearing or meeting to be closed in accordance with paragraph 5(b) of Rule XXVI of the Standing Rules of the Senate.

(b) A transcript shall be kept of each hearing of the Committee or any Subcommittee.

(c) No member of the Committee or any Subcommittee shall be required to testify under oath, other than a field hearing, unless a majority of the Committee consents in such concurrent hearing.

HEARING PROCEDURES

Rule 4. (a) Public notice shall be given of the date, place, and subject matter of any hearing to be held by the Committee or any Subcommittee at least one week in advance of such hearing unless the Chairman of the full Committee or the Subcommittee involved, or the Committee or the Subcommittee, in consultation with the full Committee, determines that the hearing is non-controversial or that special circumstances require expedited procedures and a majority of all the Members of the Committee or the Subcommittee are so notified.

(b) Each witness who is to appear before the Committee or any Subcommittee shall, at least 24 hours before the hearing, file with the Chairman of the Committee or any Subcommittee a written statement of his or her testimony in as many copies as the Chairman of the Committee or Subcommittee prescribes.

(c) Each witness shall be given an opportunity to raise questions and be heard by the Chairman of the Committee or any Subcommittee involved at least 24 hours before the hearing unless the Chairman or Ranking Member determine otherwise.

(d) No staff member may question a witness at a hearing.

BUSINESS MEETING PROCEDURES

Rule 5. (a) A legislative measure, nomination, or other matter shall be included on the agenda of the full Committee or any Subcommittee at least one week prior to such meeting. Nothing in this rule shall be construed to limit the authority of the Chairman or the Chairman of the Committee to include a legislative measure, nomination, or other matter on the Committee agenda in the absence of such request.

(b) The agenda for any business meeting of the Committee shall be provided to each Member and made available to the public at least three days prior to such meeting, and no new item may be added after the agenda is so published except by the approval of a majority of all the Members of the Committee.

(c) Each Member shall be limited to five minutes for the purpose of conducting a hearing or making a brief and relevant oral statement before or during Committee consideration. Any Member who did not vote on any roll call shall have the opportunity to have his or her position recorded in the appropriate Committee record or Committee report.

(d) The Committee vote to report a measure shall be taken upon the request of the Chairman, or the Ranking Member, of the Committee.

SUBCOMMITTEES

Rule 6. (a) A committee or Subcommittee shall report a measure unless the Committee or the Subcommittee involved concurs. A vote is the subject of a hearing shall be required to be taken by ballot, in writing, unless the Committee or any Subcommittee shall prescribe otherwise.

(b) Any Member of the Committee may sit with any Subcommittee during its hearings, but shall not have the authority to vote on any matters before the Subcommittee unless he or she is a Member of such Subcommittee.

NOMINATIONS

Rule 7. At any hearing to confirm a Presidential nomination, the testimony of the nominee and, at the request of any Member, any other witness shall be under oath. Every nominee shall submit the financial disclosures report filed pursuant to title I of the Ethics in Government Act of 1978. Such report is made available to the public.

INVESTIGATIONS

Rule 8. (a) Neither the Committee nor any of its Subcommittees may undertake an investigation unless specifically authorized by the Chairman and the Ranking Minority Member for a majority of all the Members of the Committee.

(b) A witness called to testify in an investigation shall be informed of the matter under investigation. Any witness shall be required to testify under oath, unless the Chairman or the Ranking Minority Member, or the Chairman of the Committee or any Subcommittee, determines that the hearing is non-controversial or that special circumstances require expedited procedures.

(c) All witnesses shall be afforded a right to counsel or to have the opportunity to have counsel have the opportunity to have counsel present, during his or her testimony at any public or closed hearing, or at any unsworn interview, to advise the witness of his or her legal rights.

(d) For purposes of this rule, the term “investigation” shall not include a review or study undertaken pursuant to rule 8 of Rule XXVI of the Standing Rules of the Senate or a preliminary inquiry, undertaken at the direction of the Chairman or the Ranking Minority Member, intended to determine whether there is substantial credible evidence that would warrant an investigation.

SWORN TESTIMONY

Rule 11. Witnesses in Committee or Subcommittee hearings may be required to give testimony under oath. The Chairman or Ranking Minority Member of the Committee or Subcommittee deems such to be necessary. If one or more witnesses at a hearing are required to testify under oath, all witnesses at such hearing shall be required to testify under oath.