

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. RES. 324

Disapproving the manner in which Representative Sensenbrenner has responded to the minority party's request under rule XI of the House of Representatives for an additional day of oversight hearings on the reauthorization of the USA PATRIOT Act and the manner in which such hearing was conducted.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2005

Mr. NADLER submitted the following resolution; which was laid on the table

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## RESOLUTION

Disapproving the manner in which Representative Sensenbrenner has responded to the minority party's request under rule XI of the House of Representatives for an additional day of oversight hearings on the reauthorization of the USA PATRIOT Act and the manner in which such hearing was conducted.

Whereas Representative Sensenbrenner willfully and intentionally violated the Rules of the House of Representatives by abusing and exceeding his powers as chairman;

Whereas subsequent to receiving a request for an additional day of hearings by members of the minority party pursuant to rule XI, Representative Sensenbrenner scheduled such hearing on less than 48 hours notice;

Whereas such hearing occurred on Representative Sensenbrenner's directive at 8:30 a.m., on Friday, June 10, 2005, a date when the House was not in session and votes were not scheduled;

Whereas Representative Sensenbrenner directed his staff to require that the witnesses' written testimony be made available on less than 18 hours notice;

Whereas, during the course of the hearing, Representative Sensenbrenner made several false and disparaging comments about members of the minority party in violation of rule XVII;

Whereas, Representative Sensenbrenner failed to allow members of the committee to question each witness for a period of five minutes in violation of rule XI;

Whereas Representative Sensenbrenner refused on numerous and repeated occasions throughout the hearing to recognize members of the minority party attempting to raise points of order;

Whereas when Representative Nadler and Representative Jackson-Lee sought recognition to raise a point of order, Representative Sensenbrenner refused to recognize Representative Nadler or Representative Jackson-Lee, and intentionally and wrongfully adjourned the committee without obtaining or seeking either unanimous consent or a vote of the committee members present in violation of rule XVI;

Whereas subsequent to Representative Sensenbrenner's improper adjournment of the hearing, his staff turned off the microphones and the electronic transmission of the proceedings, and instructed the court reporter to stop taking transcription, even though the committee hearing

had not been properly adjourned, and members of the minority party and invited witnesses continued to speak; and

Whereas Representative Sensenbrenner willfully trampled the right of the minority to meaningfully hold an additional day of hearings in violation of the Rules of the House of Representatives, and brought discredit upon the House of Representatives: Now, therefore, be it

1       *Resolved*, That—

2               (1) the House strongly condemns the manner in  
3       which Representative Sensenbrenner has responded  
4       to the minority party's request for an additional day  
5       of oversight hearings on the reauthorization of the  
6       USA PATRIOT Act, and the manner in which such  
7       hearing was conducted; and

8               (2) the House instructs Representative Sensen-  
9       brenner, in consultation with Representative Con-  
10      yers, to schedule a further day of hearings with wit-  
11      nesses requested by members of the minority party  
12      concerning the reauthorization of the USA PA-  
13      TRIOT Act.

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