

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. RES. 458

To provide for the appointment of a committee to receive and to report evidence with respect to articles of impeachment against Judge G. Thomas Porteous, Jr.

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IN THE SENATE OF THE UNITED STATES

MARCH 17, 2010

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to

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## RESOLUTION

To provide for the appointment of a committee to receive and to report evidence with respect to articles of impeachment against Judge G. Thomas Porteous, Jr.

1       *Resolved*, That pursuant to Rule XI of the Rules of  
2 Procedure and Practice in the Senate When Sitting on Im-  
3 peachment Trials, the Presiding Officer shall appoint a  
4 committee of twelve senators to perform the duties and  
5 to exercise the powers provided for in the rule.

6       SEC. 2. The majority and minority leader shall each  
7 recommend six members, including a chairman and vice  
8 chairman, respectively, to the Presiding Officer for ap-  
9 pointment to the committee.

1        SEC. 3. The committee shall be deemed to be a stand-  
2 ing committee of the Senate for the purpose of reporting  
3 to the Senate resolutions for the criminal or civil enforce-  
4 ment of the committee's subpoenas or orders, and for the  
5 purpose of printing reports, hearings, and other docu-  
6 ments for submission to the Senate under Rule XI.

7        SEC. 4. During proceedings conducted under Rule XI  
8 the chairman of the committee is authorized to waive the  
9 requirement under the Rules of Procedure and Practice  
10 in the Senate When Sitting on Impeachment Trials that  
11 questions by a Senator to a witness, a manager, or counsel  
12 shall be reduced to writing and put by the Presiding Offi-  
13 cer.

14        SEC. 5. In addition to a certified copy of the tran-  
15 script of the proceedings and testimony had and given be-  
16 fore it, the committee is authorized to report to the Senate  
17 a statement of facts that are uncontested and a summary,  
18 with appropriate references to the record, of evidence that  
19 the parties have introduced on contested issues of fact.

20        SEC. 6. (a) The actual and necessary expenses of the  
21 committee, including the employment of staff at an annual  
22 rate of pay, and the employment of consultants with prior  
23 approval of the Committee on Rules and Administration  
24 at a rate not to exceed the maximum daily rate for a  
25 standing committee of the Senate, shall be paid from the

1 contingent fund of the Senate from the appropriation ac-  
2 count “Miscellaneous Items” upon vouchers approved by  
3 the chairman of the committee, except that no voucher  
4 shall be required to pay the salary of any employee who  
5 is compensated at an annual rate of pay.

6 (b) In carrying out its powers, duties, and functions  
7 under this resolution, the committee is authorized, in its  
8 discretion and with the prior consent of the Government  
9 department or agency concerned and the Committee on  
10 Rules and Administration, to use on a reimbursable, or  
11 nonreimbursable, basis the services of personnel of any  
12 such department or agency.

13 SEC. 7. The committee appointed pursuant to section  
14 one of this resolution shall terminate no later than 60 days  
15 after the pronouncement of judgment by the Senate on  
16 the articles of impeachment.

17 SEC. 8. The Secretary shall notify the House of Rep-  
18 resentatives and counsel for Judge G. Thomas Porteous,  
19 Jr. of this resolution.

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