

receive assignment to a second Subcommittee until, in order of seniority, all Members of the Committee have chosen assignments to one Subcommittee, and no Member shall receive assignment to a third Subcommittee until, in order of seniority, all Members have chosen assignments to two Subcommittees.

(c) 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 is a Member of such Subcommittee.

NOMINATIONS

Rule 9. 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 a statement of his financial interests, including those of his spouse, his minor children, and other members of his immediate household, on a form approved by the Committee, which shall be sworn to by the nominee as to its completeness and accuracy. A statement of every nominee's financial interest shall be made available to the public on a form approved by the Committee unless the Committee in executive session determines that special circumstances require a full or partial exception to this rule.

INVESTIGATIONS

Rule 10. (a) Neither the Committee nor any of its Subcommittees may undertake an investigation or preliminary inquiry unless specifically authorized by a majority of all the Members of the Committee.

(b) A witness called to testify in an investigation or inquiry shall be informed of the matter or matters under investigation, given a copy of these rules, given the opportunity to make a brief and relevant oral statement before or after questioning, and be permitted to have counsel of his or her choosing 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.

(c) For purposes of this rule, the terms "investigation" and "preliminary inquiry" shall not include a review or study undertaken pursuant to paragraph 8 of Rule XXVI of the Standing Rules of the Senate or an initial review of any allegation of wrongdoing intended to determine whether there is substantial credible evidence that would warrant a preliminary inquiry or an investigation.

SWORN TESTIMONY

Rule 11. Witnesses in Committee or Subcommittee hearings may be required to give testimony under oath whenever 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.

SUBPOENAS

Rule 12. No subpoena for the attendance of a witness or for the production of any document, memorandum, record, or other material may be issued unless authorized by a majority of all the Members of the Committee, except that a resolution adopted pursuant to Rule 10(a) may authorize the Chairman, with the concurrence of the Ranking Minority Member, to issue subpoenas within the scope of the authorized investigation.

CONFIDENTIAL TESTIMONY

Rule 13. No confidential testimony taken by or any report of the proceedings of a closed Committee or Subcommittee meeting shall be made public, in whole or in part or by way of summary, unless authorized by a

majority of all the Members of the Committee at a business meeting called for the purpose of making such a determination.

DEFAMATORY STATEMENTS

Rule 14. Any person whose name is mentioned or who is specifically identified in, or who believes that testimony or other evidence presented at, an open Committee or Subcommittee hearing tends to defame him or otherwise adversely affect his reputation may file with the Committee for its consideration and action a sworn statement of facts relevant to such testimony or evidence.

BROADCASTING OF HEARINGS OR MEETINGS

Rule 15. Any meeting or hearing by the Committee or any Subcommittee which is open to the public may be covered in whole or in part by television broadcast, radio broadcast, or still photography. Photographers and reporters using mechanical recording, filming, or broadcasting devices shall position their equipment so as not to interfere with the seating, vision, and hearing of Members and staff on the dais or with the orderly process of the meeting or hearing.

AMENDING THE RULES

Rule 16. These rules may be amended only by vote of a majority of all the Members of the Committee in a business meeting of the Committee: Provided, That no vote may be taken on any proposed amendment unless such amendment is reproduced in full in the Committee agenda for such meeting at least three days in advance of such meeting.

COMMITTEE ON ARMED SERVICES RULES OF PROCEDURE

Mr. LEVIN. Mr. President, in compliance with rule XXVI of the Standing Rules of the Senate, I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Committee on Armed Services, as approved by the committee on February 26, 2009.

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

RULES OF PROCEDURE OF THE COMMITTEE ON ARMED SERVICES

1. Regular Meeting Day.—The Committee shall meet at least once a month when Congress is in session. The regular meeting days of the Committee shall be Tuesday and Thursday, unless the Chairman, after consultation with the Ranking Minority Member, directs otherwise.

2. Additional Meetings.—The Chairman, after consultation with the Ranking Minority Member, may call such additional meetings as he deems necessary.

3. Special Meetings.—Special meetings of the Committee may be called by a majority of the members of the Committee in accordance with paragraph 3 of Rule XXVI of the Standing Rules of the Senate.

4. Open Meetings.—Each meeting of the Committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee or a subcommittee thereof on the same subject for a period of no more than fourteen (14) calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated below in clauses (a) through (f) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee or subcommittee when it is determined that the matters to be

discussed or the testimony to be taken at such meeting or meetings—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

5. Presiding Officer.—The Chairman shall preside at all meetings and hearings of the Committee except that in his absence the Ranking Majority Member present at the meeting or hearing shall preside unless by majority vote the Committee provides otherwise.

6. Quorum.—(a) A majority of the members of the Committee are required to be actually present to report a matter or measure from the Committee. (See Standing Rules of the Senate 26.7(a)(1)).

(b) Except as provided in subsections (a) and (c), and other than for the conduct of hearings, nine members of the Committee, including one member of the minority party; or a majority of the members of the Committee, shall constitute a quorum for the transaction of such business as may be considered by the Committee.

(c) Three members of the Committee, one of whom shall be a member of the minority party, shall constitute a quorum for the purpose of taking sworn testimony, unless otherwise ordered by a majority of the full Committee.

(d) Proxy votes may not be considered for the purpose of establishing a quorum.

7. Proxy Voting.—Proxy voting shall be allowed on all measures and matters before the Committee. The vote by proxy of any member of the Committee may be counted for the purpose of reporting any measure or matter to the Senate if the absent member casting such vote has been informed of the matter on which the member is being recorded and has affirmatively requested that he or she be so recorded. Proxy must be given in writing.

8. Announcement of Votes.—The results of all rollcall votes taken in any meeting of the Committee on any measure, or amendment thereto, shall be announced in the Committee report, unless previously announced by the Committee. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the Committee who was present at such meeting. The Chairman, after consultation with the Ranking Minority Member,

may hold open a rollcall vote on any measure or matter which is before the Committee until no later than midnight of the day on which the Committee votes on such measure or matter.

9. Subpoenas.—Subpoenas for attendance of witnesses and for the production of memoranda, documents, records, and the like may be issued, after consultation with the Ranking Minority Member, by the Chairman or any other member designated by the Chairman, but only when authorized by a majority of the members of the Committee. The subpoena shall briefly state the matter to which the witness is expected to testify or the documents to be produced.

10. Hearings.—(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 thereof, at least 1 week in advance of such hearing, unless the Committee or subcommittee determines that good cause exists for beginning such hearings at an earlier time.

(b) Hearings may be initiated only by the specified authorization of the Committee or subcommittee.

(c) Hearings shall be held only in the District of Columbia unless specifically authorized to be held elsewhere by a majority vote of the Committee or subcommittee conducting such hearings.

(d) The Chairman of the Committee or subcommittee shall consult with the Ranking Minority Member thereof before naming witnesses for a hearing.

(e) Witnesses appearing before the Committee shall file with the clerk of the Committee a written statement of their proposed testimony prior to the hearing at which they are to appear unless the Chairman and the Ranking Minority Member determine that there is good cause not to file such a statement. Witnesses testifying on behalf of the Administration shall furnish an additional 50 copies of their statement to the Committee. All statements must be received by the Committee at least 48 hours (not including weekends or holidays) before the hearing.

(f) Confidential testimony taken or confidential material presented in a closed hearing of the Committee or subcommittee or any report of the proceedings of such hearing shall not be made public in whole or in part or by way of summary unless authorized by a majority vote of the Committee or subcommittee.

(g) Any witness summoned to give testimony or evidence at a public or closed hearing of the Committee or subcommittee may be accompanied by counsel of his own choosing who shall be permitted at all times during such hearing to advise such witness of his legal rights.

(h) Witnesses providing unsworn testimony to the Committee may be given a transcript of such testimony for the purpose of making minor grammatical corrections. Such witnesses will not, however, be permitted to alter the substance of their testimony. Any question involving such corrections shall be decided by the Chairman.

11. Nominations.—Unless otherwise ordered by the Committee, nominations referred to the Committee shall be held for at least seven (7) days before being voted on by the Committee. Each member of the Committee shall be furnished a copy of all nominations referred to the Committee.

12. Real Property Transactions.—Each member of the Committee shall be furnished with a copy of the proposals of the Secretaries of the Army, Navy, and Air Force, submitted pursuant to 10 U.S.C. 2662 and with a copy of the proposals of the Director of the Federal Emergency Management Agency, submitted pursuant to 50 U.S.C. App. 2285, regarding the proposed acquisition or disposi-

tion of property of an estimated price or rental of more than \$50,000. Any member of the Committee objecting to or requesting information on a proposed acquisition or disposal shall communicate his objection or request to the Chairman of the Committee within thirty (30) days from the date of submission.

13. Legislative Calendar.—(a) The clerk of the Committee shall keep a printed calendar for the information of each Committee member showing the bills introduced and referred to the Committee and the status of such bills. Such calendar shall be revised from time to time to show pertinent changes in such bills, the current status thereof, and new bills introduced and referred to the Committee. A copy of each new revision shall be furnished to each member of the Committee.

(b) Unless otherwise ordered, measures referred to the Committee shall be referred by the clerk of the Committee to the appropriate department or agency of the Government for reports thereon.

14. Except as otherwise specified herein, the Standing Rules of the Senate shall govern the actions of the Committee. Each subcommittee of the Committee is part of the Committee, and is therefore subject to the Committee's rules so far as applicable.

15. Powers and Duties of Subcommittees.—Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it. Subcommittee chairmen, after consultation with Ranking Minority Members of the subcommittees, shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and subcommittee meetings or hearings whenever possible.

TRIBUTE TO HIRAM RHODES REVELS

Mr. COCHRAN. Mr. President, yesterday marked the 139th anniversary of the seating of Hiram Rhodes Revels, as a United States Senator from the State of Mississippi. He was the first African-American to serve as a U.S. Senator.

Senator Revels was born in Fayetteville, NC. His father was a Baptist preacher, his mother was of Scottish descent. He moved north to complete his education at Beech Grove Quaker Seminary in Liberty, IN. In 1862, Hiram Revels recruited soldiers to serve in the Union Army and became Chaplain for a Black regiment in Mississippi.

Senator Revels began his political career after the war as an alderman in Natchez, MS. In 1869, he won a seat in the reconstructed Mississippi State Senate. One of the primary tasks of the newly elected State senate was to fill U.S. Senate seats in preparation for the State's return to the Union. In 1870, the new Mississippi State Legislature elected Hiram Revels to fill a term due to expire in 1871.

During his service in the United States Senate he worked on education issues. Upon his return to Mississippi, he became the first president of Alcorn State University.

During Black History Month it is appropriate that Hiram Rhodes Revels be remembered for his leadership and sig-

nificant contributions to Mississippi and our Nation.

Mr. President, I ask unanimous consent that the Biographical history of Mr. Revels and a New York Times article be printed in the RECORD.

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

Revels, Hiram Rhodes, a Senator from Mississippi; born in Fayetteville, Cumberland County, NC, on September 27, 1827; attended Beech Grove Quaker Seminary in Liberty, Ind., Darke County Seminary in Ohio, and Knox College, Galesburg, Ill.; barber; ordained a minister in the African Methodist Episcopal Church at Baltimore, Md., in 1845; carried on religious work in Indiana, Illinois, Kansas, Kentucky, Tennessee, and Missouri; accepted a pastorate in Baltimore, Md., in 1860; at the outbreak of the Civil War assisted in recruiting two regiments of African American troops in Maryland; served in Vicksburg, Miss., as chaplain of a Negro regiment, and organized African American churches in that State; established a school for freedmen in St. Louis, Mo., in 1863; after the war, served in churches in Kansas, Kentucky and Louisiana before settling in Natchez, Miss., in 1866; elected alderman in 1868; member, Mississippi State senate 1870; elected as a Republican to the United States Senate; presented his credentials upon the readmission of Mississippi to representation on February 23, 1870; took the oath of office on February 25, 1870, after the Senate resolved a challenge to his credentials, and served from February 23, 1870 until March 3, 1871; first African American Senator; secretary of State ad interim of Mississippi in 1873; president of Alcorn University (formerly Oakland College), Rodney, Miss., 1871-1874, 1876-1882; moved to Holly Springs, Marshall County, Miss., and continued his religious work; editor, Southwestern Christian Advocate, official newspaper of A.M.E. Church 1876-1882; in retirement after 1882, taught theology at Shaw University, Holly Springs, Miss.; died from a paralytic stroke in Aberdeen, Miss., January 16, 1901; interment in Hill Crest Cemetery, Holly Springs, Miss.

[From the New York Times, Feb. 25, 1870]

THE COLORED MEMBER ADMITTED TO HIS SEAT IN THE SENATE

WASHINGTON, Feb. 25.—Mr. Revels, the colored Senator from Mississippi, was sworn in and admitted to his seat this afternoon at 4:40 o'clock. There was not an inch of standing or sitting room in the galleries, so densely were they packed; and to say that the interest was intense gives but a faint idea of the feeling which prevailed throughout the entire proceeding. Mr. Vickers, of Maryland, opened the debate to-day, arguing against the admission, on the ground that Revels had not been a citizen for nine years, and therefore was not eligible. Mr. Wilson followed on the other side, and was succeeded by Mr. Casserly, who took a new departure and arraigned the entire reconstruction policy, charging that all the Southern Senators were put in their seats by the force of the bayonets of the regular army. This aroused Mr. Drake to a white heat, and provoked him to utter remarks and to make personal allusions to Mr. Casserly which were certainly in bad taste, and in no way pertinent to the subject before the body. Mr. Sumner made the closing speech for the Republican side of the question. It was brief, pithy and eloquent. Then came Mr. Stockton in deference of his party. He was boisterous and commonplace, and his speech was much better suited to the stump than to the Senate. He argued