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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113<sup>th</sup> CONGRESS, FIRST SESSION

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No. 12

## House of Representatives

The House met at 1 p.m. and was called to order by the Speaker pro tempore (Mr. UPTON).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
January 29, 2013.

I hereby appoint the Honorable FRED UPTON to act as Speaker pro tempore on this day.

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

### PRAAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

We thank You once again that we, Your creatures, can come before You and ask guidance for the men and women of this assembly. Send Your Spirit of peace as they visit their families and constituencies back home. May their ears and hearts be open to listen to the hopes and needs of those whom they represent.

Bless the people of this great Nation with wisdom, knowledge and understanding, that they might responsibly participate in our American democracy by making their interests known to their Representatives.

Please keep all who work for the people's House in good health, that they might faithfully fulfill the great responsibility given them in their service to the work of the Capitol.

Bless us this day and every day, and may all that is done here be done for Your greater honor and glory.

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.

### ADJOURNMENT TO FRIDAY, FEBRUARY 1, 2013

The SPEAKER pro tempore. Without objection, when the House adjourns today, it shall adjourn to meet at 11 a.m. on Friday, February 1, 2013; and further when the House adjourns on that day, it shall adjourn to meet at 2 p.m. on Monday, February 4, 2013.

There was no objection.

### 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, January 28, 2013.  
Hon. JOHN A. BOEHNER,  
*Speaker, 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 January 28, 2013 at 5:05 p.m.:

Appointments:  
Social Security Advisory Board.  
Congressional Award Board.  
Commission on Security and Cooperation in Europe.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

### 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, January 29, 2013.  
Hon. JOHN A. BOEHNER,  
*Speaker, 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 January 29, 2013 at 9:12 a.m.:

That the Senate passed without amendment H.R. 152.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

### PUBLICATION OF COMMITTEE RULES

#### RULES OF THE COMMITTEE ON HOMELAND SECURITY FOR THE 113TH CONGRESS

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
Washington DC, January 28, 2013.

Hon. JOHN A. BOEHNER,  
*Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to clause 2(a) of rule XI of the Rules of the House of Representatives, I submit the Rules of the Committee on Homeland Security for the 113th Congress for publication in the Congressional Record. On January 23, 2013, the Committee on Homeland Security met in open session and adopted these Committee Rules by unanimous consent, a quorum being present.

Sincerely,

MICHAEL T. McCUAUL,  
*Chairman.*

#### RULE I.—GENERAL PROVISIONS.

(A) *Applicability of the Rules of the U.S. House of Representatives.*—The Rules of the

This symbol represents the time of day during the House proceedings, e.g.,  1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

U.S. House of Representatives (the “House”) are the rules of the Committee on Homeland Security (the “Committee”) and its subcommittees insofar as applicable.

(B) *Applicability to Subcommittees.*—Except where the terms “Full Committee” and “subcommittee” are specifically mentioned, the following rules shall apply to the Committee’s subcommittees and their respective Chairmen and Ranking Minority Members to the same extent as they apply to the Full Committee and its Chairman and Ranking Minority Member.

(C) *Appointments by the Chairman.*—Clause 2(d) of Rule XI of the House shall govern the designation of a Vice Chairman of the Full Committee.

(D) *Recommendation of Conferees.*—Whenever the Speaker of the House is to appoint a conference committee on a matter within the jurisdiction of the Full Committee, the Chairman shall recommend to the Speaker of the House conferees from the Full Committee. In making recommendations of Minority Members as conferees, the Chairman shall do so with the concurrence of the Ranking Minority Member of the Committee.

(E) *Motions to Disagree.*—The Chairman is authorized to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

(F) *Committee Website.*—The Chairman shall maintain an official Committee web site for the purposes of furthering the Committee’s legislative and oversight responsibilities, including communicating information about the Committee’s activities to Committee Members, other Members, and the public at large. The Ranking Minority Member may maintain a similar web site for the same purposes. The official Committee web site shall display a link on its home page to the web site maintained by the Ranking Minority Member.

(G) *Activity Report.*—Not later than January 2 of each year, the Committee shall submit to the House a report on the activities of the Committee. After adjournment sine die of a regular session of Congress, or after December 15, whichever occurs first, the Chair may file the report with the Clerk at any time and without approval of the Committee provided that a copy of the report has been available to each Member of the Committee for at least seven calendar days and the report includes any supplemental, minority, or additional views submitted by a Member of the Committee.

#### RULE II.—COMMITTEE PANELS.

(A) *Designation.*—The Chairman of the Full Committee, with the concurrence of the Ranking Minority Member, may designate a panel of the Committee consisting of Members of the Committee to inquire into and take testimony on a matter or matters that warrant enhanced consideration and to report to the Committee.

(B) *Duration.*—No panel appointed by the Chairman shall continue in existence for more than six months after the appointment.

(C) *Party Ratios and Appointment.*—Consistent with the party ratios established by the Majority party, all Majority members of the panels shall be appointed by the Chairman of the Committee, and all Minority members shall be appointed by the Ranking Minority Member of the Committee. The Chairman of the Committee shall choose one of the Majority Members so appointed who does not currently chair another Subcommittee of the Committee to serve as Chairman of the panel. The Ranking Minority Member of the Committee shall similarly choose the Ranking Minority Member of the panel.

(D) *Ex Officio Members.*—The Chairman and Ranking Minority Member of the Full Com-

mittee may serve as ex-officio Members of each committee panel but are not authorized to vote on matters that arise before a committee panel and shall not be counted to satisfy the quorum requirement for any purpose other than taking testimony.

(E) *Jurisdiction.*—No panel shall have legislative jurisdiction.

(F) *Applicability of Committee Rules.*—Any designated panel shall be subject to all Committee Rules herein.

#### RULE III.—SUBCOMMITTEES.

(A) *Generally.*—The Full Committee shall be organized into the following six standing subcommittees and shall have specific responsibility for such measures or matters as the Chairman refers to it:

(1) Subcommittee on Counterterrorism and Intelligence

(2) Subcommittee on Border and Maritime Security

(3) Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies

(4) Subcommittee on Oversight and Management Efficiency

(5) Subcommittee on Transportation Security

(6) Subcommittee on Emergency Preparedness, Response and Communications

(B) *Selection and Ratio of Subcommittee Members.*—The Chairman and Ranking Minority Member of the Full Committee shall select their respective Members of each subcommittee. The ratio of Majority to Minority Members shall be comparable to the Full Committee, except that each subcommittee shall have at least two more Majority Members than Minority Members.

(C) *Ex Officio Members.*—The Chairman and Ranking Minority Member of the Full Committee shall be ex officio members of each subcommittee but are not authorized to vote on matters that arise before each subcommittee. The Chairman and Ranking Minority Member of the Full Committee shall only be counted to satisfy the quorum requirement for the purpose of taking testimony and receiving evidence.

(D) *Powers and Duties of Subcommittees.*—Except as otherwise directed by the Chairman of the Full Committee, each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Full Committee on all matters within its purview. Subcommittee Chairmen shall set hearing and meeting dates only with the approval of the Chairman of the Full Committee. To the greatest extent practicable, no more than one meeting and hearing should be scheduled for a given time.

(E) *Special Voting Provision.*—If a tie vote occurs in a Subcommittee on the question of forwarding any measure to the Full Committee, the measure shall be placed on the agenda for Full Committee consideration as if it had been ordered reported by the Subcommittee without recommendation.

#### RULE IV.—TIME OF MEETINGS.

(A) *Regular Meeting Date.*—The regular meeting date and time for the transaction of business of the Full Committee shall be at 10:00 a.m. on the first Wednesday that the House is in Session each month, unless otherwise directed by the Chairman.

(B) *Additional Meetings.*—At the discretion of the Chairman, additional meetings of the Committee may be scheduled for the consideration of any legislation or other matters pending before the Committee or to conduct other Committee business. The Committee shall meet for such purposes pursuant to the call of the Chairman.

(C) *Consideration.*—Except in the case of a special meeting held under clause 2(c)(2) of House Rule XI, the determination of the

business to be considered at each meeting of the Committee shall be made by the Chairman.

#### RULE V.—NOTICE AND PUBLICATION.

(A) *Notice.*—

(1) *Hearings.*—Pursuant to clause 2(g)(3) of rule XI of the Rules of the House of Representatives, the Chairman of the Committee shall make public announcement of the date, place, and subject matter of any hearing before the Full Committee or subcommittee, which may not commence earlier than one week after such notice. However, if the Chairman of the Committee, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the hearing sooner, or if the Committee so determines by majority vote, a quorum being present for the transaction of business, the Chairman shall make the announcement at the earliest possible date. The names of all witnesses scheduled to appear at such hearing shall be provided to Members no later than 48 hours prior to the commencement of such hearing.

(2) *Meetings and Briefings.*—The date, time, place and subject matter of any meeting, other than a hearing or a regularly scheduled meeting, may not commence earlier than the third day on which Members have notice thereof except in the case of a special meeting called under clause 2(c)(2) of House Rule XI. These notice requirements may be waived if the Chairman with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the meeting or briefing sooner or if the Committee so determines by majority vote, a quorum being present for the transaction of business.

(a) Copies of any measure or matter to be considered for approval by the Committee at any meeting, including any mark, print or amendment in the nature of a substitute shall be provided to the Members at least 48 hours in advance. Any substitute amendment in the nature of a substitute shall be provided to the Members at least 24 hours in advance.

(b) At least 48 hours prior to the commencement of a meeting for the markup of a measure or matter, the text of such measure or matter, including any mark, print or amendment in the nature of a substitute, shall be made publicly available in electronic form and posted on the official Committee web site. Any substitute amendment in the nature of a substitute shall be made publicly available in electronic form at least 24 hours prior to the commencement of a meeting for the markup of a measure or matter.

(c) Not later than 24 hours after concluding a meeting to consider a measure or matter, the text of such measure or matter as ordered forwarded or reported, including any amendments adopted or defeated, shall be made publicly available in electronic form and posted on the official Committee web site.

(3) *Publication.*—The meeting or hearing announcement shall be promptly published in the Daily Digest portion of the Congressional Record. To the greatest extent practicable, meeting announcements shall be entered into the Committee scheduling service of the House Information Resources.

#### RULE VI.—OPEN MEETINGS AND HEARINGS; BROADCASTING.

(A) *Open Meetings.*—All meetings and hearings of the Committee shall be open to the public including to radio, television, and still photography coverage, except as provided by rule XI of the Rules of the House or when the Committee, in open session and with a majority present, determines by recorded vote that all or part of the remainder

of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security, compromise sensitive law enforcement information, tend to defame, degrade or incriminate a witness, or violate any law or rule of the House of Representatives.

(B) *Broadcasting*.—Whenever any hearing or meeting conducted by the Committee is open to the public, the Committee shall permit that hearing or meeting to be covered by television broadcast, internet broadcast, print media, and still photography, or by any of such methods of coverage, in accordance with the provisions of clause 4 of rule XI of the Rules of the House. Operation and use of any Committee operated broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of rule XI and all other applicable rules of the Committee and the House. Priority shall be given by the Committee to members of the Press Galleries. Pursuant to clause 2(e) of rule XI of the Rules of the House of Representatives, the Committee shall, to the greatest extent practicable, provide audio and video coverage of each hearing or meeting in a manner that allows the public to easily listen to and view the proceedings and shall maintain the recordings of such coverage in a manner that is easily accessible to the public.

(C) *Transcripts*.—A transcript shall be made of the testimony of each witness appearing before the Committee during a Committee hearing. All transcripts of meetings or hearings that are open to the public shall be made available.

#### RULE VII.—PROCEDURES FOR MEETINGS AND HEARINGS.

(A) *Opening Statements*.—At any meeting of the Committee, the Chairman and Ranking Minority Member shall be entitled to present oral opening statements of five minutes each. Other Members may submit written opening statements for the record. The Chairman presiding over the meeting may permit additional opening statements by other Members of the Full Committee or of that subcommittee, with the concurrence of the Ranking Minority Member.

(B) *The Five-Minute Rule*.—The time any one Member may address the Committee on any bill, motion, or other matter under consideration by the Committee shall not exceed five minutes, and then only when the Member has been recognized by the Chairman, except that this time limit may be extended when permitted by unanimous consent.

(C) *Postponement of Vote*.—The Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman may resume proceedings on a postponed vote at any time, provided that all reasonable steps have been taken to notify Members of the resumption of such proceedings, including circulation of notice by the Clerk of the Committee, or other designee of the Chair. 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.

(D) *Contempt Procedures*.—No recommendation that a person be cited for contempt of Congress shall be forwarded to the House unless and until the Full Committee has, upon notice to all its Members, met and considered the alleged contempt. The person to be cited for contempt shall be afforded, upon notice of at least 72 hours, an opportunity to state why he or she should not be held in contempt prior to a vote of the Full Committee, with a quorum being present, on the question whether to forward such recommendation to the House. Such statement shall be, in the discretion of the Chairman, either in writing or in person before the Full Committee.

(E) *Record*.—Members may have 10 business days to submit to the Chief Clerk of the Committee their statements for the record, and, in the case of a hearing, additional questions for the hearing record to be directed towards a witness at the hearing.

#### RULE VIII.—WITNESSES.

##### (A) *Questioning of Witnesses*.

(1) Questioning of witnesses by Members will be conducted under the five-minute rule unless the Committee adopts a motion permitted by clause 2(j)(2) of House rule XI.

(2) In questioning witnesses under the five-minute rule, the Chairman and the Ranking Minority Member shall first be recognized. In a subcommittee meeting or hearing, the Chairman and Ranking Minority Member of the Full Committee are then recognized. All other Members that arrive before the commencement of the meeting or hearing will be recognized in the order of seniority on the Committee, alternating between Majority and Minority Members. Committee Members arriving after the commencement of the hearing shall be recognized in order of appearance, alternating between Majority and Minority Members, after all Members present at the beginning of the hearing have been recognized. Each Member shall be recognized at least once before any Member is given a second opportunity to question a witness.

(3) The Chairman, in consultation with the Ranking Minority Member, or the Committee by motion, may permit an extension of the period of questioning of a witness beyond five minutes but the time allotted must be equally apportioned to the Majority party and the Minority and may not exceed one hour in the aggregate.

(4) The Chairman, in consultation with 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 period of time, but the time allotted must be equally apportioned to the Majority and Minority staff and may not exceed one hour in the aggregate.

(B) *Minority Witnesses*.—Whenever a hearing is conducted by the Committee upon any measure or matter, the Minority party Members on the Committee shall be entitled, upon request to the Chairman by a majority of those Minority Members before the completion of such hearing, to call witnesses selected by the Minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(C) *Oath or Affirmation*.—The Chairman of the Committee or any Member designated by the Chairman, may administer an oath to any witness.

##### (D) *Statements by Witnesses*.

(1) Consistent with the notice given, witnesses shall submit a prepared or written statement for the record of the proceedings (including, where practicable, an electronic copy) with the Clerk of the Committee no less than 48 hours in advance of the witness's appearance before the Committee. Unless the 48 hour requirement is waived or otherwise modified by the Chairman, after consultation with the Ranking Minority Member, the failure to comply with this requirement may result in the exclusion of the written testimony from the hearing record and/or the barring of an oral presentation of the testimony. The Clerk of the Committee shall provide any such prepared or written statement submitted to the Clerk prior to the hearing

to the Members of the Committee prior to the commencement of the hearing.

(2) To the greatest extent practicable, the written testimony of each witness appearing in a non-governmental capacity shall include a curriculum vita and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years by the witness or by an entity represented by the witness. Such disclosures shall be made publicly available, with appropriate redactions to protect the privacy of the witness, in electronic form not later than one day after the witness appears.

#### RULE IX.—QUORUM.

*Quorum Requirements*.—Two Members shall constitute a quorum for purposes of taking testimony and receiving evidence. One-third of the Members of the Committee shall constitute a quorum for conducting business, except for (1) reporting a measure or recommendation; (2) closing Committee meetings to the public, pursuant to Committee Rule IV; (3) authorizing the issuance of subpoenas; and (4) any other action for which an actual majority quorum is required by any rule of the House of Representatives or by law. The Chairman's staff shall consult with the Ranking Minority Member's staff when scheduling meetings and hearings, to ensure that a quorum for any purpose will include at least one Minority Member of the Committee.

#### RULE X.—DECORUM.

(A) *Breaches of Decorum*.—The Chairman may punish breaches of order and decorum, by censure and exclusion from the hearing; and the Committee may cite the offender to the House for contempt.

(B) *Access to Dais*.—Access to the dais before, during, and after a hearing, markup, or other meeting of the Committee shall be limited to Members and staff of the Committee. Subject to availability of space on the dais, Committee Members' personal staff may be present on the dais during a hearing if their employing Member is seated on the dais and during a markup or other meeting if their employing Member is the author of a measure or amendment under consideration by the Committee, but only during the time that the measure or amendment is under active consideration by the Committee, or otherwise at the discretion of the Chairman, or of the Ranking Minority Member for personal staff employed by a Minority Member.

(C) *Wireless Communications Use Prohibited*.—During a hearing, mark-up, or other meeting of the Committee, ringing or audible sounds or conversational use of cellular telephones or other electronic devices is prohibited in the Committee room.

#### RULE XI.—REFERRALS TO SUBCOMMITTEES.

*Referral of Bills and Other Matters by Chairman*.—Except for bills and other matters retained by the Chairman for Full Committee consideration, each bill or other matter referred to the Full Committee shall be referred by the Chairman to one or more subcommittees within two weeks of receipt by the Committee. In referring any measure or matter to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Full Committee. Bills or other matters referred to subcommittees may be reassigned or discharged by the Chairman.

#### RULE XII.—SUBPOENAS.

(A) *Authorization*.—Pursuant to clause 2(m) of rule XI of the House, a subpoena may be authorized and issued under the seal of the House and attested by the Clerk of the

House, and may be served by any person designated by the Full Committee for the furtherance of an investigation with authorization by—

(1) a majority of the Full Committee, a quorum being present; or

(2) the Chairman of the Full Committee, after consultation with the Ranking Minority Member of the Full Committee, during any period for which the House has adjourned for a period in excess of 3 days pursuant to a concurrent resolution when, in the opinion of the Chairman of the Full Committee, authorization and issuance of the subpoena is necessary to obtain the material or testimony set forth in the subpoena. The Chairman of the Full Committee shall notify Members of the Committee of the authorization and issuance of a subpoena under this rule as soon as practicable, but in no event later than one week after service of such subpoena.

(B) *Disclosure.*—Provisions may be included in a subpoena with the concurrence of the Chairman and the Ranking Minority Member of the Full Committee, or by the Committee, to prevent the disclosure of the Full Committee's demands for information when deemed necessary for the security of information or the progress of an investigation, including but not limited to prohibiting the revelation by witnesses and their counsel of Full Committee's inquiries.

(C) *Subpoena duces tecum.*—A subpoena duces tecum may be issued whose return to the Committee Clerk shall occur at a time and place other than that of a regularly scheduled meeting.

(D) *Affidavits and Depositions.*—The Chairman of the Full Committee, in consultation with the Ranking Minority Member of the Full Committee, or the Committee may authorize the taking of an affidavit or deposition with respect to any person who is subpoenaed under these rules but who is unable to appear in person to testify as a witness at any hearing or meeting. Notices for the taking of depositions shall specify the date, time and place of examination. Depositions shall be taken under oath administered by a Member or a person otherwise authorized by law to administer oaths. Prior consultation with the Ranking Minority Member of the Full Committee shall include written notice three business days before any deposition is scheduled to provide an opportunity for Minority staff to be present during the questioning.

#### RULE XIII.—COMMITTEE STAFF.

(A) *Generally.*—Committee staff members are subject to the provisions of clause 9 of House Rule X and must be eligible to be considered for routine access to classified information.

(B) *Staff Assignments.*—For purposes of these rules, Committee staff means the employees of the Committee, detailers, fellows, or any other person engaged by contract or otherwise to perform services for, or at the request of, the Committee. All such persons shall be either Majority, Minority, or shared staff. The Chairman shall appoint, determine remuneration of, supervise, and may remove Majority staff. The Ranking Minority Member shall appoint, determine remuneration of, supervise, and may remove Minority staff. In consultation with the Ranking Minority Member, the Chairman may appoint, determine remuneration of, supervise and may remove shared staff that is assigned to service of the Committee. The Chairman shall certify Committee staff appointments, including appointments by the Ranking Minority Member, as required.

(C) *Divulgance of Information.*—Prior to the public acknowledgement by the Chairman or the Committee of a decision to initiate an

investigation of a particular person, entity, or subject, no member of the Committee staff shall knowingly divulge to any person any information, including non-classified information, which comes into his or her possession by virtue of his or her status as a member of the Committee staff, if the member of the Committee staff has a reasonable expectation that such information may alert the subject of a Committee investigation to the existence, nature, or substance of such investigation, unless authorized to do so by the Chairman or the Committee.

#### RULE XIV.—COMMITTEE MEMBER AND COMMITTEE STAFF TRAVEL.

(A) *Approval of Travel.*—Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, travel to be reimbursed from funds set aside for the Committee for any Committee Member or Committee staff shall be paid only upon the prior authorization of the Chairman. Travel may be authorized by the Chairman for any Committee Member or Committee staff only in connection with official Committee business, such as the attendance of hearings conducted by the Committee and meetings, conferences, site visits, and investigations that involve activities or subject matters under the general jurisdiction of the Full Committee.

(1) *Proposed Travel by Majority Party Committee Members and Committee Staff.*—In the case of proposed travel by Majority party Committee Members or Committee staff, before such authorization is given, there shall be submitted to the Chairman in writing the following: (a) the purpose of the travel; (b) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made; (c) the location of the event for which the travel is to be made; (d) the estimated total cost of the travel; and (e) the names of Members and staff seeking authorization. On the basis of that information, the Chairman shall determine whether the proposed travel is for official Committee business, concerns a subject matter under the jurisdiction of the Full Committee, and is not excessively costly in view of the Committee business proposed to be conducted.

(2) *Proposed Travel by Minority Party Committee Members and Committee Staff.*—In the case of proposed travel by Minority party Committee Members or Committee staff, the Ranking Minority Member shall provide to the Chairman a written representation setting forth the information specified in items (a), (b), (c), (d) and (e) of subparagraph (1) and his or her determination that such travel complies with the other requirements of subparagraph (1).

(B) *Foreign Travel.*—All Committee Members and Committee staff requests for foreign travel must include a written representation setting forth the information specified in items (a), (b), (c), (d) and (e) of subparagraph (A)(1) and be submitted to the Chairman not fewer than ten business days prior to the start of the travel. Within thirty days of the conclusion of any such foreign travel authorized under this rule, there shall be submitted to the Chairman a written report summarizing the information gained as a result of the travel in question, or other Committee objectives served by such travel. The requirements of this section may be waived or abridged by the Chairman.

(C) *Compliance with Committee Travel Policy and Guidelines.*—Travel must be in accordance with the Committee Travel Policy and Guidelines, as well as with House Rules, the Travel Guidelines and Regulations and any additional guidance set forth by the Committee on Ethics and the Committee on House Administration. Committee Members

and staff shall follow these rules, policies, guidelines, and regulations in requesting and proceeding with any Committee-related travel.

#### RULE XV.—CLASSIFIED AND CONTROLLED UNCLASSIFIED INFORMATION.

(A) *Security Precautions.*—Committee staff offices, including Majority and Minority offices, shall operate under strict security precautions administered by the Security Officer of the Committee. A security officer shall be on duty at all times during normal office hours. Classified documents and controlled unclassified information (CUI)—formerly known as sensitive but unclassified (SBU) information—may be destroyed, discussed, examined, handled, reviewed, stored, transported and used only in an appropriately secure manner in accordance with all applicable laws, executive orders, and other governing authorities. Such documents may be removed from the Committee's offices only in furtherance of official Committee business. Appropriate security procedures, as determined by the Chairman in consultation with the Ranking Minority Member, shall govern the handling of such documents removed from the Committee's offices.

(B) *Temporary Custody of Executive Branch Material.*—Executive branch documents or other materials containing classified information in any form that were not made part of the record of a Committee hearing, did not originate in the Committee or the House, and are not otherwise records of the Committee shall, while in the custody of the Committee, be segregated and maintained by the Committee in the same manner as Committee records that are classified. Such documents and other materials shall be returned to the Executive branch agency from which they were obtained at the earliest practicable time.

(C) *Access by Committee Staff.*—Access to classified information supplied to the Committee shall be limited to Committee staff members with appropriate security clearances and a need-to-know, as determined by the Chairman or Ranking Minority Member, and under the direction of the Majority or Minority Staff Directors.

(D) *Maintaining Confidentiality.*—No Committee Member or Committee staff shall disclose, in whole or in part or by way of summary, to any person who is not a Committee Member or authorized Committee staff for any purpose or in connection with any proceeding, judicial or otherwise, any testimony given before the Committee in executive session. Classified information and controlled unclassified information (CUI) shall be handled in accordance with all applicable laws, executive orders, and other governing authorities and consistently with the provisions of these rules and Committee procedures.

(E) *Oath.*—Before a Committee Member or Committee staff may have access to classified information, the following oath (or affirmation) shall be executed:

I do solemnly swear (or affirm) that I will not disclose any classified information received in the course of my service on the Committee on Homeland Security, except as authorized by the Committee or the House of Representatives or in accordance with the Rules of such Committee or the Rules of the House.

Copies of the executed oath (or affirmation) shall be retained by the Clerk of the Committee as part of the records of the Committee.

(F) *Disciplinary Action.*—The Chairman shall immediately consider disciplinary action in the event any Committee Member or Committee staff member fails to conform to

the provisions of these rules governing the disclosure of classified or unclassified information. Such disciplinary action may include, but shall not be limited to, immediate dismissal from the Committee staff, criminal referral to the Justice Department, and notification of the Speaker of the House. With respect to Minority staff, the Chairman shall consider such disciplinary action in consultation with the Ranking Minority Member.

**RULE XVI.—COMMITTEE RECORDS.**

(A) *Committee Records.*—Committee Records shall constitute all data, charts and files in possession of the Committee and shall be maintained in accordance with clause 2(e) of House Rule XI.

(B) *Legislative Calendar.*—The Clerk of the Committee shall maintain a printed calendar for the information of each Committee Member showing any procedural or legislative measures considered or scheduled to be considered by the Committee, and the status of such measures and such other matters as the Committee determines shall be included. The calendar shall be revised from time to time to show pertinent changes. A copy of such revisions shall be made available to each Member of the Committee upon request.

(C) *Members Right To Access.*—Members of the Committee and of the House shall have access to all official Committee Records. Access to Committee files shall be limited to examination within the Committee offices at reasonable times. Access to Committee Records that contain classified information shall be provided in a manner consistent with these rules.

(D) *Removal of Committee Records.*—Files and records of the Committee are not to be removed from the Committee offices. No Committee files or records that are not made publicly available shall be photocopied by any Member.

(E) *Executive Session Records.*—Evidence or testimony received by the Committee in executive session shall not be released or made available to the public unless agreed to by the Committee. Members may examine the Committee's executive session records, but may not make copies of, or take personal notes from, such records.

(F) *Availability of Committee Records.*—The Committee shall keep a complete record of all Committee action including recorded votes and attendance at hearings and meetings. Information so available for public inspection shall include a description of each amendment, motion, order, or other proposition, including the name of the Member who offered the amendment, motion, order, or other proposition, and the name of each Member voting for and each Member voting against each such amendment, motion, order, or proposition, as well as the names of those Members present but not voting. Such record shall be made available to the public at reasonable times within the Committee offices and also made publicly available in electronic form and posted on the official Committee web site within 48 hours of such record vote.

(G) *Separate and Distinct.*—All Committee records and files must be kept separate and distinct from the office records of the Members serving as Chairman and Ranking Minority Member. Records and files of Members' personal offices shall not be considered records or files of the Committee.

(H) *Disposition of Committee Records.*—At the conclusion of each Congress, non-current records of the Committee shall be delivered to the Archivist of the United States in accordance with Rule VII of the Rules of the House.

(I) *Archived Records.*—The records of the Committee at the National Archives and

Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the Rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee. The Chairman shall consult with the Ranking Minority Member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the Rule.

**RULE XVII.—COMMITTEE RULES.**

(A) *Availability of Committee Rules in Electronic Form.*—Pursuant to clause 2(a) of rule XI of the Rules of the House of Representatives, the Committee shall make its rules publicly available in electronic form and posted on the official Committee web site and shall submit such rules for publication in the Congressional Record not later than 30 days after the Chairman of the Committee is elected in each odd-numbered year.

(B) *Changes to Committee Rules.*—These rules may be modified, amended, or repealed by the Full Committee provided that a notice in writing of the proposed change has been given to each Member at least 48 hours prior to the meeting at which action thereon is to be taken and such changes are not inconsistent with the Rules of the House of Representatives.

**ADJOURNMENT**

The SPEAKER pro tempore. Without objection, the House stands adjourned until 11 a.m. on Friday, February 1, 2013.

There was no objection.

Accordingly (at 1 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until Friday, February 1, 2013, at 11 a.m.

**EXECUTIVE COMMUNICATIONS, ETC.**

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

128. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Contracting Activity Updates (DFARS Case 2012-D045) (RIN: 0750-AH81) received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

129. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; New Qualifying Country-Poland (DFARS Case 2012-D049) (RIN: 0750-AH82) received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

130. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Definition of Cost or Pricing Data (DFARS Case 2011-D040) (RIN Number: 0750-AH49) received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

131. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory

Commission, transmitting the Commission's final rule — Determining the Technical Adequacy of Probabilistic Risk Assessment for Risk-Informed License Amendment Requests After Initial Fuel Load received January 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

132. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Amendments to Existing Validated End User Authorizations: Advanced Micro Devices China, Inc., Lam Research Corporation, SK hynix Semiconductor (China) Ltd., and SK hynix Semiconductor (Wuxi) Ltd. In the People's Republic of China; Clarification of scope of entries in Supplement No. 7 to Part 748 of the EAR [Docket No.: 121220730-2730-01] (RIN: 0694-AF84) received January 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

133. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Removal of Persons From the Entity List Based on Removal Request; Implementation of Entity List Annual Review Changes; and Implementation of Modifications and Corrections to the Entity List [Docket No.: 121113624-2624-01] (RIN: 0694-AF82) received January 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

134. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTc 12-186, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

135. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTc 12-188, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

136. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTc 12-155, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

137. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTc 12-159, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

138. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTc 12-142, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

139. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTc 12-164, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

140. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTc 12-089, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

141. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTc 12-174, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

142. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTc 12-120, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.