

PERMANENT SELECT COMMITTEE ON INTELLIGENCE

118th CONGRESS

A RESOLUTION

COMMITTEE RESOLUTION 118-01

**Resolution to Adopt the Rules of the Permanent Select Committee
on Intelligence for the 118th Congress**

**Be it resolved, that the rules of the Permanent Select Committee on
Intelligence for the 118th Congress are hereby adopted, as follows:**

**RULES OF
THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES HOUSE OF REPRESENTATIVES
118TH CONGRESS**

**CHAIRMAN MICHAEL R. TURNER
RANKING MINORITY MEMBER JIM HIMES**

Adopted on _____

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RULE 1. – GENERAL PROVISIONS.

(A) *Applicability of the Rules of the U.S. House of Representatives.* – The Rules of the U.S. House of Representatives (the “House”) are the rules of the Permanent Select Committee on Intelligence (the “Committee”) and its subcommittees insofar as applicable.

(B) *Applicability to Subcommittees.* – Except when the terms “Full Committee” and “Subcommittee” are specifically mentioned, the following rules shall apply to the Committee’s subcommittees and their respective Chairs and ranking minority members to the same extent as they apply to the full Committee and its Chair and Ranking Minority Member.

(C) *Changes in Rules.* – These rules may be modified, amended, waived, or repealed by a vote of the full Committee. A notice, in writing, of the proposed change or waiver shall be given to each member at least 48 hours prior to any meeting at which action on the proposed rule change or waiver is to be taken.

(D) *Committee Website.* – The Chair shall maintain an official Committee website for the purposes of furthering the Committee’s legislative and oversight responsibilities, including communicating information about the Committee’s activities to the Committee Members, other members, and the public at large. The Ranking Minority Member may maintain a similar website for the same purposes. The official Committee website shall display a link on its homepage to the website maintained by the Ranking Minority Member.

(E) *Activity Report.* – The Committee shall submit a report to the House on the activities of the Committee in accordance with clause 1(d) of rule XI of the Rules of the House of Representatives.

RULE 2. – LEGISLATIVE CALENDAR AND COMMITTEE MEETINGS.

(A) *Legislative Calendar.*

(1) *Generally.* The Chief Clerk or other Committee staff designated by the Chair, under the direction of the Staff Director, shall maintain a calendar that lists:

- (a) The legislative measures introduced and referred to the Committee;
- (b) The status of such measures; and
- (c) Such other matters that the Committee may require.

(2) *Revisions to the Calendar.* The calendar shall be revised from time to time to show pertinent changes. A copy of such revision shall be furnished to each Member of the Committee upon request.

(3) *Consultation with Appropriate Government Entities.* Unless otherwise directed by the Committee, legislative measures referred to the Committee may be referred by the Chief Clerk to the appropriate department or agency of the Government for reports thereon.

(B) *Full Committee Regular Meeting.* The regular meeting day of the Committee for the transaction of Committee business shall be the first Thursday on which the House of

Representatives is in session of each month, unless otherwise directed by the Chair. The Chair of the Committee is authorized to dispense with a regular meeting or to change the date thereof when circumstances warrant.

(C) *Additional and Special Meetings.* The Chair of the Committee may call and convene additional meetings when circumstances warrant. A special meeting of the Committee may be requested by Members of the Committee pursuant to the provisions of House Rule XI, clause 2(c)(2) and clause 2(m)(1).

(D) *Subcommittee Meetings.* Except as otherwise directed by the Chair 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 jurisdiction and/or referred to it. Insofar as possible, meetings of the subcommittees shall not conflict with meetings of the full Committee. A subcommittee Chair shall set meeting dates only after consultation with and approval of the Chair of the full Committee.

(E) *Subcommittee Field Hearings.* The Chair of the Committee, at the request of a subcommittee Chair, may make a temporary assignment of any Member of the Committee to such subcommittee for the purpose of constituting a quorum at and participating in any public hearing by such subcommittee to be held outside of Washington, D.C. A Member appointed to such temporary position shall not be a voting member. The Chair of the Committee shall give reasonable notice of such temporary assignment to the Ranking Minority Member of the Committee and of the respective subcommittee.

(F) *Notice of Meetings.*

(1) *Generally.* In the case of any meeting of the Committee, the Chief Clerk of the Committee shall provide reasonable notice to every Member of the Committee. Such notice shall provide the time, place, and subject matter of the meeting, and shall be made consistent with the provisions of clause 2(g)(3) of House Rule XI.

(2) *Hearings.* Except as provided in subsection (4), a Committee hearing may not commence earlier than one week after such notice.

(3) *Business Meetings.* Except as provided in subsection (4), a Committee business meeting may not commence earlier than the third day on which Members have notice thereof (excluding Saturdays, Sundays, and legal holidays when the House is not in session).

(4) *Exception.* A hearing or business meeting may begin sooner than otherwise specified in either of the following circumstances (in which case the Chair shall provide the notice at the earliest possible time):

(a) the Chair, with the concurrence of the Ranking Minority Member, determines there is good cause; or

(b) the Committee determines by majority vote in the presence of the number of Members required under the rules of the Committee for the transaction of business.

(5) *Definition.* For purposes of this rule, “notice” means:

- (a) Written notification; or
- (b) Notification delivered by facsimile transmission, regular mail, or electronic mail.

(G) *Open Meetings.*

(1) *Generally.* Pursuant to House Rule XI, but subject to the limitations of subsections (2) and (3), Committee meetings held for the transaction of business and Committee hearings shall be open to the public.

(2) *Meetings.* Any meeting or portion thereof for the transaction of business, including the markup of legislation, or any hearing or portion thereof, shall be closed to the public if the Committee determines by record vote in open session, with a majority of the Committee present, that disclosure of the matters to be discussed may:

- (a) Endanger national security;
- (b) Compromise sensitive law enforcement information;
- (c) Tend to defame, degrade, or incriminate any person; or
- (d) Otherwise violate any law or Rule of the House.

(3) *Hearings.* The Committee may vote to close a Committee hearing pursuant to clause 11(d)(2) of House Rule X, regardless of whether a majority is present, so long as at least two Members of the Committee are present, one of whom is a Member of the Minority and votes upon the motion.

(4) *Briefings.* Committee briefings shall be closed to the public.

(H) *Broadcasting Meetings.* Whenever a hearing or meeting conducted by the Committee is open to the public, a majority of the Committee may permit that hearing or meeting to be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any such methods of coverage, subject to the provisions and in accordance with the spirit of the purposes enumerated in the Rules of the House of Representatives.

(I) *Quorum.*

(1) *Hearings.* For purposes of taking testimony, or receiving evidence, a quorum shall consist of two Committee Members, at least one of whom is a Member of the Majority.

(2) *Reporting Measures and Recommendations.* For purposes of reporting a measure or recommendation, a quorum shall consist of a majority of the Committee's Members.

(3) *Other Committee Proceedings.* For purposes of the transaction of all other Committee business, other than the consideration of a motion to close a hearing as described in section (G)(3), a quorum shall consist of one-third of the Committee's Members.

RULE 3. – JURISDICTION AND MEMBERSHIP OF THE COMMITTEE AND SUBCOMMITTEES.

(A) *Generally.* The Committee retains jurisdiction of all subjects listed in clause 11(b) of

rule X of the Rules of the House of Representatives.

(1) Creation of subcommittees shall be by majority vote of the Committee.

(2) Subcommittees shall deal with such legislation and oversight of programs and policies as described in section (C).

(3) While subcommittees are provided jurisdictional responsibilities in section (C), the Committee retains the right to exercise oversight and legislative jurisdiction over all subjects within its purview under rule X of the Rules of the House of Representatives.

(B) *Establishment of Subcommittees.* – The Committee shall be organized into the following five subcommittees and each shall have specific responsibility for such legislation and oversight of programs and policies as described in section (C) and as the Committee refers to it:

(1) Subcommittee on the Central Intelligence Agency;

(2) Subcommittee on the National Intelligence Enterprise;

(3) Subcommittee on Defense Intelligence and Overhead Architecture;

(4) Subcommittee on the National Security Agency and Cyber; and

(5) Subcommittee on Oversight and Investigations.

(C) *Subcommittee Jurisdiction.* –

(1) *Subcommittee on the Central Intelligence Agency* – Legislative and oversight responsibilities shall include the programs, policies, budget, and operations of the Central Intelligence Agency; all covert actions of the Intelligence Community; and the collection, exploitation, and dissemination of Human Intelligence (HUMINT).

(2) *Subcommittee on the National Intelligence Enterprise* – Legislative and oversight responsibilities shall include the programs, policies, budget, and operations of the Office of the Director of National Intelligence and the intelligence components of the Department of Energy, Department of Homeland Security (including the U.S. Coast Guard), Department of Justice (including the Drug Enforcement Administration and Federal Bureau of Investigation), Department of State, and Department of Treasury; matters regarding U.S. persons' privacy and civil liberties; counter-intelligence; all domestic activities of the Intelligence Community; and all cross-cutting matters associated with the National Intelligence Enterprise.

(3) *Subcommittee on Defense Intelligence and Overhead Architecture* – Legislative and oversight responsibilities shall include the programs, policies, budget, operations, and intelligence and intelligence-related activities of the Department of Defense, including the Undersecretary of Defense for Intelligence and Security, Defense Intelligence Agency, National Reconnaissance Office, National Geospatial-Intelligence Agency, and the intelligence components of the Military Services (Army, Air Force, Marine Corps, Navy, and Space Force); all activities funded by the Military Intelligence Program; all matters related to the Defense Intelligence Enterprise; and the collection, exploitation, and dissemination of Acoustic Intelligence (ACINT), Geospatial Intelligence (GEOINT), Imagery Intelligence (IMINT), and Measures and Signatures Intelligence (MASINT).

(4) *Subcommittee on the National Security Agency and Cyber* – Legislative

and oversight responsibilities shall include the programs, policies, budget, and operations of the National Security Agency/Central Security Service; the intelligence and intelligence-related activities of U.S. Cyber Command (USCYBERCOM); the collection, exploitation, and dissemination of Communications Intelligence (COMINT), Electronic Intelligence (ELINT), Foreign Instrumentation Signals Intelligence (FISINT), and Signals Intelligence (SIGINT); and all cyber-intelligence activities of the Intelligence Community, including support for the nation's cyber-defense and cyber-offense.

(5) *Subcommittee on Oversight and Investigations* – Oversight responsibilities shall include all matters within the scope of the full Committee's jurisdiction, in concurrence with the relevant subcommittee(s) of jurisdiction; any investigative matters referred by the Chair; and receiving and reviewing whistleblower complaints and other information concerning waste, fraud, or abuse by the Intelligence Community.

(D) *Subcommittee Membership.* –

(1) *Generally.* Each Member of the Committee may be assigned to at least one of the subcommittees.

(2) *Selection and Ratio of Subcommittee Members.* – The Chair and Ranking Minority Member of the full Committee shall select their respective members for each subcommittee. The size and ratio of each subcommittee shall be determined by the Chair, in consultation with the Ranking Minority Member.

(3) *Ex Officio Membership.* In the event that the Chair and Ranking Minority Member of the full Committee do not choose to sit as regular voting members of one or more of the subcommittees, each is authorized to sit as an *ex officio* member of the subcommittees and participate in the work of the subcommittees. When sitting *ex officio*, however, they:

(a) Shall not have a vote in subcommittee hearings or meetings; and

(b) Shall not be counted for purposes of determining a quorum at subcommittee hearings or meetings.

RULE 4. – COMMITTEE WORKING GROUPS.

(A) *Generally.* The Chair, in consultation with the Ranking Minority Member, or the Chair of a subcommittee with the concurrence of the Chair and in consultation with the ranking minority member of that subcommittee, may designate a working group to inquire into and take testimony on a matter that falls within the jurisdiction of the Committee or subcommittee, respectively.

(B) *Selection and Ratio of Working Group Members.* – The Chair and Ranking Minority Member of the full Committee, or subcommittee when applicable, shall select their respective members for each working group. The ratio of Majority to Minority members shall be comparable to the full Committee or respective subcommittee, consistent with the party ratios established by the majority party, except that each working group shall have at least one more majority member than minority members. The Chair, or the Chair of the designating subcommittee, shall choose one of the Majority members so appointed to serve as Chair of the working group. The Ranking Minority Member, or the ranking minority member of the

designating subcommittee, shall similarly appoint the ranking minority member of the working group.

(C) No working group shall have legislative jurisdiction.

RULE 5. – OVERSIGHT AND INVESTIGATIONS.

(A) *Commencing Investigations.* The Committee shall commence investigations only if approved by the Chair, in consultation with the Ranking Minority Member.

(B) *Conducting Investigations.* An authorized investigation may be conducted by Members of the Committee or Committee staff designated by the Chair, in consultation with the Ranking Minority Member, to undertake any such investigation.

(C) *Closing Investigations.* The Chair, upon notice to the Ranking Minority Member, may halt or end a previously authorized investigation at the Chair's discretion.

RULE 6. – COMMITTEE REPORTS.

(A) *Bills and Resolutions.* Each bill or resolution approved by the Committee shall be reported by the Chair of the Committee pursuant to House Rule XIII, clauses 2–4.

(B) *Approval of Investigative and Oversight Reports.* Only those investigative or oversight reports approved by a majority vote of the Committee at a meeting at which a quorum is present may be ordered printed, unless otherwise required by the Rules of the House of Representatives.

(C) *Notice of Investigative and Oversight Reports.* A proposed investigative or oversight report shall not be considered in the Committee unless the proposed report has been available to the Members of the Committee for at least three calendar days (excluding Saturdays, Sundays, and legal holidays, unless the House is in session on such days) before consideration of such proposed report in the Committee. If a hearing has been held on the matter reported upon, every reasonable effort shall be made to have such hearing transcript printed and available to the Members of the Committee before the consideration of the proposed report in the Committee.

(D) *Additional Views.* If, at the time of approval of a report, a Member of the Committee gives notice of intent to file supplemental, minority, additional, or dissenting views, any Member of the Committee shall be entitled to file such views following House Rule XI, clause 2(l) and Rule XIII, clause 3(a)(1).

RULE 7. – HEARING PROCEDURES.

(A) *Generally.* Hearings shall be conducted according the procedures in House Rule XI, clause 2(k). The Chair of the Committee or subcommittee shall make an opening statement as set forth in House Rule XI, clause 2(k)(1). In addition, the Ranking Minority Member of the Committee or subcommittee may make an opening statement.

(B) *Presiding Member.* The Chair of the Committee or a subcommittee shall preside over each meeting and hearing thereof (“the presiding member”).

(C) *The Five-Minute Rule.* Generally, the time any one member may address the Committee, subcommittee, or working group on any measure or matter under consideration shall not exceed five minutes and then only when the member has been recognized by the Chair or subcommittee Chair, as appropriate, except that this time limit may be exceeded by unanimous consent or authorization by the Chair. The five-minute limitation shall not apply to the Chair and the Ranking Minority Member or the Chair and the ranking minority member of a subcommittee or a working group. Upon request from a member, the Chair may afford such member additional time, not to exceed two minutes, for additional remarks that are in rebuttal of remarks made by another Member during a hearing, briefing, or meeting concerning the requesting member’s position or prior statements, as the Chair deems appropriate and necessary.

(D) *Markup.* Prior to Committee or subcommittee markup of legislation, Committee staff should make every reasonable effort to resolve Majority and Minority differences regarding the legislation.

(E) *Amendments.* When a bill or resolution is being considered by the Committee, Members shall provide the Chief Clerk in a timely manner with a sufficient number of written copies of any amendment offered, so as to enable each Member present to receive a copy thereof prior to taking action. A point of order may be made against any amendment not reduced to writing. A copy of each such amendment shall be maintained in the public records of the Committee. Any member, upon request, shall be recognized for not more than five minutes to address the Committee or subcommittee on behalf of an amendment which the member has offered to any pending bill or resolution.

(F) *Voting.* Voting on a measure or matter may be by record vote, division vote, voice vote, or unanimous consent.

(G) *Request for Record Vote.* A record vote of the Members may be directed by the Chair or upon the request of any Member.

(H) *Postponement of Further Proceedings.* In accordance with clause 2(h) of House Rule XI, the Chair is authorized to postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or adopting an amendment. The Chair may resume proceedings on a postponed request at any time after reasonable notice. 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.

(I) *Reporting Record Votes.* Whenever the Committee reports any measure or matter by record vote, the report of the Committee upon such measure or matter shall include a tabulation of the votes cast in favor of, and the votes cast in opposition to, such measure or matter.

(J) *Availability of Record Votes on Committee Website.* In addition to any other requirement of the Rules of the House, the Chair shall make the record votes on any measure or matter on which a record vote is taken, other than a motion to close a Committee hearing, briefing, or meeting, available on the Committee’s website not later than 2 business days after such vote is taken. Such record shall include an unclassified description of the amendment,

motion, order, or other proposition, the name of each Member voting in favor of, and each Member voting in opposition to, such amendment, motion, order, or proposition, and the names of those Members of the Committee present but not voting.

RULE 8. – MOTIONS TO GO TO CONFERENCE.

In accordance with clause 2(a) of House Rule XI, the Chair is authorized and directed to offer a privileged motion to go to conference under clause 1 of House Rule XXII whenever the Chair considers it appropriate.

RULE 9. – PROCEDURES FOR TAKING TESTIMONY OR RECEIVING EVIDENCE.

(A) *Notice.* Adequate notice shall be given to all witnesses appearing before the Committee.

(B) *Oath or Affirmation.* The Chair may require testimony of witnesses to be given under oath or affirmation.

(1) *Administration of Oath or Affirmation.* Upon the determination that a witness shall testify under oath or affirmation, any Member of the Committee designated by the Chair may administer the oath or affirmation.

(2) Witnesses, when sworn, shall subscribe to the following oath:

"Do you solemnly swear (or affirm) that the testimony you will give before this Committee (or subcommittee, or working group) in the matters now under consideration will be the truth, the whole truth, and nothing but the truth?"

(C) *Counsel for the Witness.*

(1) *Generally.* Witnesses before the Committee may be accompanied by counsel, subject to the requirements of subsection (2).

(2) *Role of Counsel for the Witness.* Counsel shall not be allowed to examine witnesses before the Committee, either directly or through cross-examination.

(3) *Counsel Clearances Required.* In the event that a meeting or hearing of the Committee may be closed because the subject to be discussed deals with classified information, counsel accompanying a witness before the Committee must possess the requisite security clearance and provide proof of such clearance to the Committee at least 24 hours prior to the meeting or hearing at which the counsel intends to be present.

(4) *Failure to Obtain Counsel.* Any witness who is unable to obtain counsel should notify the Committee. If such notification occurs at least 24 hours prior to the witness' appearance before the Committee, the Committee shall then endeavor to obtain voluntary counsel for the witness. Failure to obtain counsel, however, will not excuse the witness from appearing and testifying.

(5) *Conduct of Counsel for Witnesses.* Counsel for witnesses appearing before the Committee shall conduct themselves ethically and professionally at all times in their dealings with the Committee.

(a) A majority of Members of the Committee may, should circumstances warrant, find that counsel for a witness before the Committee failed to conduct himself or herself in an ethical or professional manner.

(b) Upon such finding, counsel may be subject to appropriate disciplinary action.

(6) *Temporary Removal of Counsel.*

(a) The Chair may remove counsel during any proceeding before the Committee for failure to act in an ethical and professional manner.

(b) Upon a motion, a majority of the Members of the Committee may vote to overturn the decision of the Chair to remove counsel for a witness.

(D) *Statements by Witnesses.*

(1) *Oral Statements.* The Committee, subcommittees, or working groups may direct and/or provide an opportunity for a witness to make an oral statement, which shall be brief and relevant, at the beginning and/or at the conclusion of the witness' testimony at a hearing or meeting. Each such oral statement shall not exceed five minutes in length, unless otherwise determined by the Chair.

(2) *Written Statements.*

(a) *Generally.* The Committee, subcommittees, or working groups may require each witness who is to appear before it to file with the Chief Clerk of the Committee in advance of his or her appearance a written statement of the proposed testimony and to limit the oral presentation at such appearance to a brief summary of the submitted written statement. The submitted written statement shall be entered for the record of the proceeding.

(i) Any prepared statement to be presented by a witness to the Committee, subcommittees, or working groups shall be submitted to the Committee, subcommittee, or working group in electronic form at least 72 hours in advance of presentation and shall be distributed to all Members of the Committee, subcommittee, or working group as soon as practicable but not less than 24 hours in advance of presentation.

(ii) In the event that the hearing was called with less than 24 hours notice, written statements should be submitted as soon as practicable prior to the hearing.

(b) *Availability of Statements.* Pursuant to clause 2(g)(5) of rule XI of the Rules of the House of Representatives, except as provided for in paragraph (c), written witness

statements submitted for an open meeting or hearing, with appropriate redactions to protect the privacy or security of the witness, shall be made publicly available in electronic form on the Committee website 24 hours before the witness appears, to the extent practicable, but not later than one day after the witness appears.

(c) *Exception.* If a prepared statement contains national security information bearing a classification of Confidential or higher or is from a witness expected to testify at a closed hearing or meeting, the statement shall be made available in the Committee rooms to all Members of the Committee, subcommittee, or working group as soon as practicable but not less than 24 hours in advance of presentation; however, no such statement shall be removed from the Committee offices or made publicly available.

(E) *Questioning of Witnesses.*

(1) *Generally.* Questioning of witnesses before the Committee shall be conducted by Members of the Committee. In the course of any hearing, each Member shall be allowed five minutes for the interrogation of a witness until such time as each Member who so desires has had an opportunity to question the witness. Thereafter, additional rounds for questioning witnesses by Members are within the discretion of the Chair of the Committee, subcommittees, or working groups, as appropriate.

(2) *Exceptions.*

(a) The Chair, in consultation with the Ranking Minority Member, may determine that Committee staff will be authorized to question witnesses at a hearing in accordance with clause (2)(j) of House Rule XI.

(b) The Chair and Ranking Minority Member are each authorized to designate Committee staff to conduct such questioning.

(F) *Objections and Ruling.*

(1) *Generally.* Any objection raised by a witness, or counsel for the witness, shall be ruled upon by the Chair, and such ruling shall be the ruling of the Committee.

(2) *Committee Action.* A ruling by the Chair may be overturned upon a majority vote of the Committee.

(G) *Record of Witness Testimony.*

(1) *Transcript or Recording Required.* A transcript or recording shall be made of the testimony of each witness appearing before the Committee during any hearing of the Committee.

(2) *Opportunity to Inspect.* Any witness testifying before the Committee shall be given a reasonable opportunity to inspect the transcript of the hearing and may be accompanied by counsel to determine whether such testimony was correctly transcribed. Such counsel:

(a) May review the transcript or recording only if he or she has the appropriate security clearances necessary to review any classified aspect of the transcript; and

(b) Should, to the extent possible, be the same counsel that was present for such classified testimony.

(3) *Corrections.*

(a) Pursuant to Rule XI of the House Rules, any corrections the witness desires to make in a transcript shall be limited to technical, grammatical, and typographical corrections.

(b) Corrections may not be made to change the substance of the testimony.

(c) Such corrections shall be submitted in writing to the Committee within 7 days after the transcript is made available to the witnesses.

(d) Any questions arising with respect to such corrections shall be decided by the Chair.

(4) *Copy for the Witness.* At the request of the witness, any portion of the witness' testimony given in executive session shall be made available to that witness if that testimony is subsequently quoted or intended to be made part of a public record. Such testimony shall be made available to the witness at the witness' expense.

(H) *Requests to Testify.*

(1) *Generally.* The Committee will consider requests to testify on any matter or measure pending before the Committee.

(2) *Recommendations for Additional Evidence.* Any person who believes that testimony, other evidence, or commentary, presented at a public hearing may tend to affect adversely that person's reputation may submit to the Committee, in writing:

(a) A request to appear personally before the Committee;

(b) A sworn statement of facts relevant to the testimony, evidence, or commentary; or

(c) Proposed questions for the cross-examination of other witnesses.

(3) *Committee Discretion.* The Committee may take those actions it deems appropriate with respect to such requests.

(I) *Contempt Procedures.* Citations for contempt of Congress shall be forwarded to the

House only if:

(1) Reasonable notice is provided to all Members of the Committee of a meeting to be held to consider any such contempt recommendations;

(2) The Committee has met and considered the contempt allegations;

(3) The subject of the allegations was afforded an opportunity to state, either in writing or in person, why he or she should not be held in contempt; and

(4) The Committee agreed by majority vote to forward the citation recommendations to the House.

(J) Release of Name of Witness.

(1) *Generally.* At the request of a witness scheduled to be heard by the Committee, the name of that witness shall not be released publicly prior to, or after, the witness' appearance before the Committee.

(2) *Exceptions.* Notwithstanding paragraph (1), the Chair may authorize the release to the public of the name of any witness scheduled to appear before the Committee.

RULE 10. – SUBPOENAS.

(A) *Generally.* All subpoenas shall be authorized by the Chair of the full Committee, upon consultation with the Ranking Minority Member, or by vote of the full Committee. A subpoena may be authorized and issued in the conduct of any investigation or series of investigations or activities to require the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as deemed necessary.

(B) *Subpoena Contents.* Any subpoena authorized by the Chair of the full Committee or by the full Committee may compel:

(1) The attendance of witnesses and testimony before the Committee; or

(2) The production of memoranda, documents, records, or any other tangible item.

(C) *Signing of Subpoena.* A subpoena authorized by the Chair of the full Committee or by the full Committee may be signed by the Chair or by any Member of the Committee designated to do so by the full Committee.

(D) *Subpoena Service.* A subpoena authorized by the Chair of the full Committee, or by the full Committee, may be served by any person designated to do so by the Chair.

(E) *Other Requirements.* Each subpoena shall have attached thereto a copy of these rules. All subpoenas must be reviewed by the House Office of General Counsel and signed by the Clerk of the House prior to issuance.

(F) Receipt of Subpoena Records. –

(1) Unless otherwise determined by the Committee or subcommittee, certain information received by the Committee or subcommittee pursuant to a subpoena or request for documents or information not made part of the record at an open hearing shall be deemed to have been received in executive session when the Chair, in the Chair's judgment and after consultation with the Ranking Minority Member of the Committee, deems that in view of all of the circumstances, such as the sensitivity of the information or the confidential nature of the information, such action is appropriate.

(2) All national security information bearing a classification of Confidential or higher which has been received by the Committee or a subcommittee in response to a subpoena request shall be deemed to have been received in executive session and shall be given appropriate safekeeping in accordance with these rules.

RULE 11. – DEPOSITIONS.

(A) *Generally.* – The Chair of the Committee, upon consultation with to the Ranking Minority Member of the Committee, may order the taking of depositions, under oath and pursuant to notice or subpoena. Depositions taken under the authority prescribed in this section shall not be inconsistent with House Rules, resolutions, and orders, including any applicable deposition regulations issued by the Chair of the House Rules Committee and printed in the Congressional Record.

(B) *Notices.* – Notices for the taking of depositions shall specify the date, time, and place of examination. All Members of the Committee shall also receive three calendar days' written notice (excluding Saturdays, Sundays, and legal holidays, unless the House is in session on such days) that a deposition has been scheduled, except in exigent circumstances. Depositions may continue from day to day.

(C) *Oaths.* – Depositions shall be taken under oath administered by a Member or a person otherwise authorized to administer oaths.

(D) *Consultation.* – Consultation with the Ranking Minority Member of the Committee shall include three calendar days' notice (excluding Saturdays, Sundays, and legal holidays unless the House is in session on such days), and a copy of a proposed deposition subpoena, if applicable, before any deposition is taken. Any such subpoena must be authorized pursuant to rule 10 to be issued.

(E) *Attendance.* – Deponents may be accompanied at a deposition by two designated personal, nongovernmental attorneys to advise them of their rights. Only Members, Committee staff designated by the Chair of the Committee or the Ranking Minority Member of the Committee, an official reporter, the deponent, and the deponent's two designated attorneys are permitted to attend. Other persons, including government agency personnel, observers, and counsel for other persons or for agencies under investigation, may not attend.

(F) *Joint Depositions.* – The Chair of the Committee may designate a deposition as part of a joint investigation between committees, and in that case, provide notice to Members of both committees.

(G) *Who May Question.* – A deposition shall be conducted by any Member or counsel designated by the Chair of the Committee or Ranking Minority Member of the Committee. When depositions are conducted by Committee counsel, there shall be no more than two Committee counsel permitted to question a witness per round. One of the Committee counsel shall be designated by the Chair of the Committee and the other by the Ranking Minority Member of the Committee. Other Committee staff members designated by the Chair of the Committee or Ranking Minority Member of the Committee may attend but may not pose questions to the witness.

(H) *Order of Questions.* – Questions in the deposition shall be propounded in rounds, alternating between the majority and minority. A single round shall not exceed 60 minutes per side, unless the Members or counsel conducting the deposition agree to a different length of questioning. In each round, the Member(s) or Committee counsel designated by the Chair of the Committee shall ask questions first, and the Member(s) or Committee counsel designated by the Ranking Minority Member of the Committee shall ask questions second.

(I) *Objections.* – Any objection made during a deposition must be stated concisely and in a non-argumentative and non-suggestive manner. The witness may refuse to answer a question only to preserve a privilege. When the witness has refused to answer a question to preserve a privilege, Members or staff may (a) proceed with the deposition, or (b) either at that time or at a subsequent time, seek a ruling from the Chair either by telephone or otherwise. If the Chair of the Committee overrules any such objection during the deposition, the witness shall be ordered to answer. If following the deposition's recess, the Chair of the Committee overrules any such objection and thereby orders a witness to answer any question to which a privilege objection was lodged, such ruling shall be filed with the clerk of the Committee and shall be provided to the Members and the witness no less than three days before the reconvened deposition. If a Member of the Committee appeals in writing the ruling of the Chair, the appeal shall be preserved for Committee consideration. A deponent who refuses to answer a question after being directed by the Chair in writing, or orally during the proceeding as reflected in the record, may be subject to sanction, except that no sanctions may be imposed if the ruling of the Chair is reversed by the Committee on appeal.

(J) *Record of Testimony.* – Testimony shall be either transcribed or electronically recorded or both. If a witness's testimony is transcribed, the witness or the witness's counsel shall be afforded an opportunity to review a copy. No later than five days after the witness has been notified of the opportunity to review the transcript, the witness may submit suggested changes to the Chair of the Committee. Committee staff may make any typographical and technical changes. Substantive changes, modifications, clarifications, or amendments to the deposition transcript submitted by the witness must be accompanied by a letter signed by the witness requesting the changes and a statement of the witness's reasons for each proposed change. Any substantive changes, modifications, clarifications, or amendments shall be included as an appendix to the transcript conditioned upon the witness signing the transcript.

(K) *Transcription Requirements.* – The individual administering the oath, if other than a Member, shall certify on the transcript that the witness was duly sworn. The transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall be filed, together with any electronic recording, with the Chief Clerk of the Committee in Washington, D.C. Depositions shall be considered to have been taken in Washington, D.C., as well as the location actually taken once filed there with the clerk of the Committee for the Committee's use.

The Chair of the Committee and the Ranking Minority Member of the Committee shall be provided with a copy of the transcripts of the deposition at the same time.

(L) *Release.* – The Chair of the Committee and Ranking Minority Member of the Committee shall consult in advance regarding the release of deposition testimony, transcripts, or recordings, and portions thereof. If either objects in writing to a proposed release of a deposition testimony, transcript or recording, or a portion thereof, the matter shall be promptly referred to the Committee for resolution.

RULE 12. – RECEIPT AND HANDLING OF CLASSIFIED INFORMATION.

(A) *Generally.* In the case of any information that has been classified under established security procedures and submitted to the Committee by any source on an exclusive basis, the Committee shall receive such classified information as executive session material.

(B) *Staff Receipt of Classified Information.* For purposes of receiving classified information, the Committee staff is authorized to accept information on behalf of the Committee. Committee staff shall operate under strict security procedures administered by the Committee Security Director under the direct supervision of the Staff Director, in accordance with the House Permanent Select Committee on Intelligence Security Policy Manual.

(C) *Non-Disclosure of Classified Information.* Any classified information received by the Committee, from any source, shall not be disclosed to any person not a member of the Committee or the Committee staff, or otherwise released, except as provided by the Rules of the House and these rules.

(D) *Security Measures.*

(1) *Strict Security.* The Committee's offices shall operate under strict security procedures administered by the Director of Security and Registry of the Committee under the direct supervision of the Staff Director.

(2) *U.S. Capitol Police Presence Required.* At least one uniformed U.S. Capitol Police officer shall be on duty at all times outside the entrance to Committee offices to control entry of all persons to such offices.

(3) *Identification Required.* Before entering the Committee's offices all persons shall identify themselves to the U.S. Capitol Police officer described in subsection (2) and to any appropriate Member of the Committee or Committee staff.

(4) *Maintenance of Classified Information.* Classified information shall be segregated and maintained in approved security storage locations.

(5) *Examination of Classified Information.* Classified information in the Committee's possession shall be examined in an appropriately secure manner.

(6) *Prohibition on Removal of Classified Information.* Removal of any classified

information from the Committee's offices is strictly prohibited, except as provided by these rules.

(7) *Exception.* Notwithstanding the prohibition set forth in subsection (6), classified information may be removed from the Committee's offices in furtherance of official Committee business. Appropriate security procedures shall govern the handling of any classified information removed from the Committee's offices.

(8) *Security Policy Manual.* A security policy manual shall be maintained by the Security Director in coordination with the Staff Director on behalf of the Chair. All Members and staff shall at all times adhere to the policies set forth in the Committee Security Policy Manual. The Chair may direct changes to the security policy of the Committee, in consultation with the Ranking Minority Member, at any time.

(E) *Registry.*

(1) *Generally.* The Committee shall maintain a registry that:

(a) Provides a brief description of the content of all classified information provided to the Committee by the executive branch that remain in the possession of the Committee; and

(b) Lists by number all such documents.

(2) *Designation by the Staff Director.* The Staff Director shall designate a member of the Committee staff to be responsible for the organization and daily maintenance of such registry.

(3) *Availability.* Such registry shall be available to all Members of the Committee and Committee staff.

RULE 13. – COMMITTEE ACCESS TO CLASSIFIED INFORMATION.

(A) *Obligation to Not Disclose*

(1) *Oath Requirement.* Before any Member of the Committee, or the Committee staff, shall have access to classified information, the following oath shall be executed:

"I do solemnly swear (or affirm) that I will not disclose or cause to be disclosed any classified information received in the course of my service on the House Permanent Select Committee on Intelligence, except when authorized to do so by the Committee or the House of Representatives."

(2) *Non-Disclosure Agreement.* Members of the Committee and the Committee staff shall agree in writing not to divulge or cause to be divulged any classified information which comes into such person's possession while a member of the Committee, to any person not

a Member of the Committee or the Committee staff, except as authorized by the Committee in accordance with the Rules of the House and these rules.

(3) *Copy.* A copy of such executed oath and non-disclosure agreement shall be retained in the files of the Committee.

(B) *Access to Classified Information by Members of the Committee.* All Members of the Committee shall have access to all classified papers and other material received by the Committee from any source, with the exception of any access limitations established pursuant to 50 U.S.C. 3093(c)(2). If the executive branch seeks to limit such access to classified papers and other material in accordance with existing law or policy and makes such request in writing, the Chair, in consultation with the Ranking Minority Member, may agree to restrict member and staff access to certain classified information pursuant to the executive branch's request.

(C) *Access to Classified Information by Staff of the Committee*

(1) *Appropriate Clearances Required.* Committee staff must have the appropriate clearances, as determined by the Chair of the Committee in consultation with the Director of National Intelligence, prior to any access to classified information.

(2) *Need-to-Know Required for Controlled Access Programs (CAPs), Special Access Programs (SAPs), and similarly restricted classified information.* Committee staff shall have access to CAPs, SAPs, and similarly restricted information provided to the Committee on a strict "need-to-know" basis, as determined by the Chair of the Committee, in consultation with the Ranking Minority Member when applicable, and under the Chair's direction by the Staff Director.

(D) *Termination of Access.* In the event of the termination of the Committee, Members and Committee staff must follow any determination by the House of Representatives with respect to the protection of classified information received while a Member of the Committee or as Committee staff.

RULE 14. – COMMITTEE CONTROL OF ACCESS TO CLASSIFIED INFORMATION BY OTHERS

(A) *Access to Classified Information by Non-Committee Members.* Pursuant to the Rules of the House and notwithstanding the provisions of sections (B) and (C), members who are not Members of the Committee may be granted access to such classified information in the possession of the Committee, and be admitted on a non-participatory basis to classified hearings or briefings of the Committee involving discussions of classified information in the following manner:

(1) *Decision of the Chair.* The Chair, in consultation with the Ranking Minority Member, may grant access to the Chair and Ranking Minority Member of any other committee of the House, either at the Chair's invitation or the Chair's approval of the other committee's Chair or Ranking Minority Member's request, to examine classified information in the

possession of the Committee, or to attend Committee hearings or briefings relating to the lawful intelligence or intelligence-related activities of a department or agency of the United States on a non-participatory, case-by-case basis, when the Chair has determined appropriate or necessary to do so.

(a) *Consideration for Access to Classified Information.* Prior to the Chair granting access to the Chair and Ranking Minority Member of any other committee, either through the Chair's invitation or approval of the other committee Chair or Ranking Minority Member's request, the Chair shall consider:

- (i) The sensitivity to the national defense or the confidential conduct of the foreign relations of the United States of the information sought;
- (ii) The likelihood of its being directly or indirectly disclosed;
- (iii) The jurisdictional interest of the member making the request; and
- (iv) Such other concerns, constitutional or otherwise, as may affect the public interest of the United States.

(b) *Consultation Authorized.* Prior to the Chair granting access to any Chair and Ranking Minority Member of any other committee, the Chair may consult the Director of National Intelligence and such other officials it considers necessary.

(c) *Finality of Chair's Decision.* The Chair's decision shall be final. The Chair's decision on whether to grant or deny a request for access shall be documented in writing, a copy of which shall be furnished to the Ranking Minority Member of the Committee, and to the requesting member when applicable. The Security Director of the Committee shall keep a copy of the written determination within the files of the Committee.

(2) *Committee Approval of a Non-Committee Member's Request.*

Notwithstanding the Chair's authority to approve requests for access of the Chair or Ranking Minority Member of any other committee as provided in subsection (1), the Committee shall consider non-committee member requests to examine classified information in the possession of the Committee, or to attend Committee hearings or briefings relating to the lawful intelligence or intelligence-related activities of a department or agency of the United States, and may grant access on a non-participatory, case-by-case basis, when the Committee has determined appropriate or necessary to do so.

(a) *Written Request Required.* Non-committee members who desire to examine classified information in the possession of the Committee, or to attend Committee hearings or briefings must notify the Chief Clerk or Committee staff designated by the Chair. Such notification shall be in writing, and shall state with specificity the justification for the request and the need for access.

(b) *Consideration of Request.* The Committee shall consider each such request by non-committee members at the earliest practicable opportunity. The Committee shall determine, by record vote, what action it deems appropriate under the circumstances, including but not limited to:

- (i) Approving the request, in whole or part;
- (ii) Denying the request;
- (iii) Providing the requested information or material in a different form than that sought by the member; or
- (iv) Making the requested information or material available to all members of the House.

(c) *Committee Consideration.* Prior to making a determination on the request, the Committee shall consider:

- (i) The sensitivity to the national defense or the confidential conduct of the foreign relations of the United States of the information sought;
- (ii) The likelihood of its being directly or indirectly disclosed;
- (iii) The jurisdictional interest of the member making the request; and
- (iv) Such other concerns, constitutional or otherwise, as may affect the public interest of the United States.

(d) *Consultation Authorized.* Prior to the Committee taking action on any request from a non-committee member, the Committee may consult the Director of National Intelligence and such other officials it considers necessary.

(3) *Chair and Ranking Minority Member Consideration of Requests for Previously Granted Materials.* If the Committee has previously granted a non-committee member access to classified information in the possession of the Committee, the Chair and Ranking Minority Member may jointly determine, in writing, what action they deem appropriate for subsequent requests for the same information in the same Congress.

(a) In their determination, the Chair and Ranking Minority Member shall consider the factors described in subsection (2)(c) and may take any action they deem appropriate, including, but not limited to, the actions described in subsection (2)(b).

(b) If the Chair and Ranking Minority Member are unable to reach a joint determination or if they refer a request to the Committee, the Committee shall consider the

request at the earliest practicable opportunity in the manner described in subsection (2).

(4) *Finality of Committee Decision.*

(a) Should the non-committee member making such a request disagree with the determination by the Committee or the determination by the Chair and Ranking Minority Member with respect to an access request or any part thereof pursuant to subsection (2) or (3), that member must notify the Committee in writing of such disagreement.

(b) The Committee shall subsequently consider the matter and decide, by record vote, what further action or recommendation, if any, the Committee will take.

(B) *Access to Classified Information by Designated Members and Staff of the House Committee on Appropriations.* The Chair, in consultation with the Ranking Minority Member, may admit the Chair and Ranking Minority Member of the House Committee on Appropriations, and the Chair and Ranking Minority Member of the Subcommittee on Defense of the Committee on Appropriations, and a designated staffer from the Majority and Minority committee staff of the House Committee on Appropriations and from the Subcommittee on Defense of the Committee on Appropriations to attend closed hearings and briefings of the Committee involving discussions of classified information. Such members and designated staff may also be granted access to classified information in the possession of the Committee incident to such attendance.

(1) *Admission.* The Chair may determine whether to admit the designated members and designated staff to each closed hearing or briefing of the Committee involving discussions of classified information. When admitted, the designated members shall not be counted for quorum purposes and shall not have a vote in any meeting.

(2) *Reciprocity.* The Chair, in consultation with the Ranking Minority Member, may condition access provided under section (B) on reciprocal admission of Members and staff of the Committee to classified hearings and briefings of the Committee on Appropriations and the Subcommittee on Defense of the Committee on Appropriations involving discussions of classified information.

(C) *Access to Classified Information by Designated Members and Staff of the House Committee on Armed Services.* The Chair, in consultation with the Ranking Minority Member, may admit the Chair and Ranking Minority Member, and a designated staff member of the Majority and Minority of the House Committee on Armed Services to closed hearings and briefings of the Committee involving discussions of classified information. Such members and designated staff may also be granted access to classified information in the possession of the Committee incident to such attendance.

(1) *Admission.* The Chair may determine whether to admit the designated members and designated staff to each closed hearing or briefing of the Committee involving discussions of classified information. When admitted, the designated members shall not be counted for quorum purposes and shall not have a vote in any meeting.

(2) *Reciprocity*. The Chair, in consultation with the Ranking Minority Member, may condition access provided under section (C) on reciprocal admission of Members and staff of the Committee to classified hearings and briefings of the Committee on Armed Services involving discussions of classified information.

(D) *Calling Information to the Attention of the House*. Pursuant to Section 501 of the National Security Act of 1947 (50 U.S.C. 3091), and to the Rules of the House, the Committee shall call to the attention of the House those matters requiring the attention of the House on the basis of the following provisions:

(1) *By Request of a Committee Member*. At the request of any Member of the Committee to call to the attention of the House, the Committee shall meet at the earliest practicable opportunity to consider and make a determination.

(3) *Factors to be Considered*. Prior to making a determination on the request, the Committee shall consider the following factors, among any others it deems appropriate:

(a) The effect of the matter in question on the national defense or the foreign relations of the United States;

(b) Whether the matter in question involves sensitive intelligence sources and methods;

(c) Whether the matter in question otherwise raises questions affecting the national interest; and

(d) Whether the matter in question affects matters within the jurisdiction of another Committee of the House.

(4) *Views of Other Committees*. In examining such factors, the Committee may seek the opinion of Members of the Committee appointed from standing committees of the House with jurisdiction over the matter in question, or submissions from such other committees.

(5) *Other Advice*. The Committee may seek the advice of any executive branch official when considering whether to call information to the attention of the House.

(6) *Reasonable Opportunity to Examine Materials*. Before the Committee makes any decision regarding any proposal to bring any matter to the attention of the House, Members of the Committee shall have a reasonable opportunity to examine all pertinent testimony, documents, or other materials in the Committee's possession that may inform their decision on the question.

(7) *Notification to the House*. The Committee may bring a matter to the attention of the House, when, after consideration of the factors set forth in this rule, it considers the matter in question so important that it requires the attention of all members of the House, and time is of the essence, or for any reason the Committee finds compelling.

(8) *Method of Disclosure to the House*.

(a) Should the Committee decide by record vote that a matter requires the attention of the House, it shall make arrangements to notify the House.

(b) In such cases, the Committee shall consider whether:

(i) To request an immediate closed session of the House (with time equally divided between the Majority and the Minority); or

(ii) To publicly disclose the matter in question pursuant to clause 11(g) of House Rule X.

(E) *Requirement to Protect Sources and Methods.* In bringing a matter to the attention of the House or any non-committee member or staff, the Committee, with due regard for the protection of intelligence sources and methods, shall take all necessary steps to safeguard materials or information relating to the matter in question.

(F) *Acknowledgement of Rules.* Prior to any classified information within the possession of the Committee being made available to any non-committee member or staff, the Security Director for the Committee shall provide each recipient a copy of these rules, as well as the applicable portions of the Committee's Security Policy Manual and the Rules of the House of Representatives governing the handling and disclosure of classified information. A copy of each recipient's signed acknowledgement of receipt and agreement to comply shall be retained in the files of the Committee.

(G) *Records and Notes.* Any records or notes taken by any non-committee member or staff incident to receiving access to classified information in the possession of the Committee pursuant to this rule, including executive session information and the substance of any hearing or briefing that was closed to the public, shall remain Committee information subject to these rules and stored in the possession of the Committee.

(H) *Ensuring Clearances and Secure Storage.* If the Committee determines, upon record vote, that such classified information made available to a non-committee member or staff, or any records or notes taken by the non-committee member or staff incident to accessing such classified information, may be stored by a non-committee member on a temporary or permanent basis, prior to such storage the Director of Security shall ensure that such other non-committee member receiving such classified information has the ability to properly store classified information in a manner consistent with all governing rules, regulations, policies, procedures, and statutes.

(I) *Log.* The Director of Security for the Committee shall maintain a written record identifying the name of each non-committee member and staff receiving access to classified information in the possession of the Committee, the particular classified information provided to such non-committee member or staff, and the date upon which such material is provided and the date upon which such material will be ceased to be provided.

(J) *Additional Authority.*

(a) *Staff Director's Additional Authority.* The Staff Director is further empowered to provide for such additional measures, which he or she deems necessary, to protect such classified information authorized by the Chair or the Committee to be provided to such non-committee member or staff.

(b) *Notice to Originating Agency.* In the event that the Chair or the Committee grants access to classified information provided to the Committee by an agency of the executive branch to a non-committee member or staff pursuant to this rule, the Committee

shall notify the providing agency of such action.

(c) *Requests to Limit Access for Non-Committee Members and Staff.* If the executive branch seeks to limit such access to classified information in accordance with existing law or policy and makes such request in writing, the Chair, in consultation with the Ranking Minority Member, may agree to restrict access to certain classified information pursuant to the executive branch's request.

RULE 15. – LIMIT OF DISCUSSION OF CLASSIFIED INFORMATION

(A) *Generally.* Except as otherwise provided by these rules and the Rules of the House of Representatives, Members of the Committee and Committee staff shall not at any time, either during that person's tenure as a Member of the Committee or as Committee staff, or anytime thereafter, discuss or disclose, or cause to be discussed or disclosed:

- (1) The classified substance of the work of the Committee;
- (2) Any information, whether classified or not, received by the Committee in executive session;
- (3) Any classified information received by the Committee from any source; or
- (4) The substance, whether classified or not, of any Committee event that was closed to the public pursuant to these rules or the Rules of the House, to include the questions or statements of other Members or staff.

(B) *Exceptions.*

(1) Notwithstanding the provisions of section (A) of this rule, Members of the Committee and the Committee staff may discuss and disclose those matters described in section (A)(1) with:

- (a) Members and staff of the Senate Select Committee on Intelligence designated by the Chair of that committee;
- (b) The Chairs and Ranking Minority Members of the House and Senate Committees on Appropriations and staff of those committees designated by the Chairs of those committees;
- (c) The Chair and Ranking Minority Member of the Subcommittee on Defense of the House Committee on Appropriations and staff of that subcommittee as designated by the Chair of that subcommittee; and
- (d) The Chair and Ranking Minority Member of the House and Senate Committees on Armed Services and staff of those committees designated by the Chair of those committees, on all matters relating to any Military Intelligence Programs or Special Access Programs, or other intelligence and intelligence-related activities of or concerning the Department of Defense.

(2) Notwithstanding the provisions of section (A), Members of the Committee and the Committee staff may discuss with and disclose to the Chair and Ranking Minority Member of a subcommittee of the House Appropriations Committee or House Armed Services Committee, and staff of that subcommittee as designated by the Chair of that subcommittee, only

the budget-related information regarding an agency or program as is necessary to facilitate the enactment of an appropriations or authorization bill which includes an authorization or appropriation for such agency or program.

(3) The Chair may, in consultation with the Ranking Minority Member, upon the written request to the Chair from the Inspector General of an element of the Intelligence Community, grant access to Committee transcripts or documents that are relevant to an investigation of an allegation of possible false testimony or other inappropriate conduct before the Committee, or that are otherwise relevant to the Inspector General's investigation.

(4) Upon the written request of the head of an Intelligence Community element, the Chair may, in consultation with the Ranking Minority Member, make available Committee briefing or hearing transcripts to that element for review by that element if a representative of that element testified, presented information to the Committee, or was present at the briefing or hearing the transcript of which is requested for review.

(5) Members of the Committee and Committee staff may discuss and disclose such matters as otherwise directed by the Committee, pursuant to the Rules of the House of Representatives and these rules.

(C) *Requirement to Protect Sources and Methods.* When discussing or disclosing any information pursuant to section (B), Members of the Committee and Committee staff, shall take all necessary steps to safeguard materials or information relating to the matter in question, with due regard for the protection of intelligence sources and methods,.

(D) *Records of Closed Proceedings.* Any records or notes taken by any person memorializing material otherwise prohibited from disclosure by Members of the Committee and Committee staff under these rules, including information received in executive session and the substance of any hearing or briefing that was closed to the public, shall remain Committee material subject to these rules and may not be publicly discussed, disclosed, or caused to be publicly discussed or disclosed, unless authorized by the Committee consistent with these rules.

(E) *Non-Disclosure in Proceedings.* Members of the Committee and the Committee staff shall not discuss either the substance or procedure of the work of the Committee with any person not a Member of the Committee or the Committee staff in connection with any proceeding, judicial or otherwise, either during the person's tenure as a Member of the Committee, or of the Committee staff, or at any time thereafter, except as directed by the Committee in accordance with the Rules of the House and these rules.

(F) *Requests for Testimony of Staff.*

(1) All Committee staff must, as a condition of employment, agree in writing to notify the Committee immediately of any request for testimony received while a member of the Committee staff, or at any time thereafter, concerning any classified information received by such person while a member of the Committee staff.

(2) Committee staff shall not disclose, in response to any such request for testimony, any such classified information, except as authorized by the Committee in accordance with the Rules of the House and these rules.

(3) In the event of the termination of the Committee, Committee staff will be subject to any determination made by the House of Representatives with respect to any requests

for testimony involving classified information received while a member of the Committee staff.

RULE 16. – COMMITTEE STAFF

(A) *Definition.* For the purpose of these rules, “Committee Staff” or “Staff of the Committee” means:

- (1) Employees of the Committee;
- (2) Consultants to the Committee;
- (3) Employees of other Government agencies detailed to the Committee; or
- (4) Any other person engaged by contract, or otherwise, to perform services for, or at the request of, the Committee.

(B) Appointment of Committee Staff and Security Requirements.

(1) *Chair’s Authority.* Except as provided in paragraph (2), the committee staff shall be appointed, and may be removed, by the Chair and shall work under the general supervision and direction of the Chair.

(2) *Staff Assistance to Minority Membership.* Except as provided in subsection (3) and section (D), and except as otherwise provided by these rules, the Committee staff provided to the minority party Members of the Committee shall be appointed, and may be removed, by the Ranking Minority Member of the Committee, and shall work under the general supervision and direction of such Ranking Minority Member.

(3) *Security Clearance Required.* Except as provided in section (C), any offer of employment for a prospective Committee staff position shall be contingent upon:

- (a) The completion of a background investigation, when applicable; and
- (b) A determination by the Chair, in consultation with the Director of National Intelligence, that requirements for the appropriate security clearances commensurate with the sensitivity of the classified information to which such employee or person will be given access have been met.

(C) *Personnel to Perform Non-Classified Functions of the Committee.* As necessary and on a case-by-case basis, the Chair may appoint Committee staff who shall perform only non-classified functions and administrative tasks of the Committee. Such employees may be appointed without the completion of a formal background investigation. The Staff Director and Security Director shall implement necessary measures to ensure such an employee has no access to any classified information.

(D) *Security and Non-disclosure of Classified Information.* Notwithstanding subsection (B)(2), the Chair shall supervise and direct the Committee staff with respect to the security and non-disclosure of classified information. Committee staff shall comply with requirements necessary to ensure the security and non-disclosure of classified information as determined by the Chair in consultation with the Ranking Minority Member.

(E) Other Conditions of Employment. All Committee staff must, before joining the Committee staff, agree in writing, as a condition of employment, to be bound by the Rules of the House, including the jurisdiction of the Committee on Ethics and of the Committee concerning the security of classified information during and after the period of the employment or contractual agreement of such employee or person with the Committee, and to not to divulge or cause to be divulged any classified information which comes into such person's possession while a member of the Committee staff, to any person not a member of the Committee or the Committee staff, except as authorized by the Committee in accordance with the Rules of the House and these rules.

RULE 17. – COMMITTEE TRAVEL

(A) Authority. The Chair may authorize Members and Committee staff to travel on Committee business.

(B) Requests.

(1) Member Requests. Members requesting authorization for such travel shall state the purpose and length of the trip, and shall submit such request directly to the Chair.

(2) Committee Staff Requests. Committee staff requesting authorization for such travel shall state the purpose and length of the trip, and shall submit such request through their supervisors to the Staff Director and the Chair.

(C) Notification to Members.

(1) Generally. Members of the Committee shall be notified of all official foreign travel of Committee staff, prior to the commencement of such travel, when the travel is to be conducted without an accompanying Member.

(2) Content. All Members of the Committee are to be advised, prior to the commencement of such travel, of its length, nature, and purpose.

(D) Trip Reports.

(1) Generally. The lead Committee staff accompanying an official Committee travel delegation shall submit a full report of all issues discussed during any travel to the Chief Clerk of the Committee within a reasonable period of time following the completion of such trip. For purposes of this rule, the term "reasonable period of time" means:

- (i) No later than 30 days after returning from a foreign trip; and
- (ii) No later than 15 days after returning from a domestic trip.

(2) Availability of Reports. Such trip reports shall be:

- (a) Available for review by any Member or appropriately cleared Committee staff; and
- (b) Considered executive session material and Committee sensitive material for purposes of these rules.

(E) Limitations on Travel.

(1) *Generally*. The Chair may prohibit Committee business travel of Committee Staff who fail to comply with the requirements of subsection (D)(1) of this rule.

(2) *Exception*. The Chair may authorize Committee staff to travel on Committee business, notwithstanding the requirements of subsection (D)(1) of this rule--

(a) At the specific request of a Member of the Committee; or

(b) In the event there are circumstances beyond the control of the Committee staff hindering compliance with such requirements.

RULE 18. – COMMITTEE RECORDS TRANSFERRED TO THE NATIONAL ARCHIVES

(A) *Generally*. The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with the Rules of the House of Representatives.

(B) *Notice of Withholding*. The Chair shall notify the Ranking Minority Member of any decision, pursuant to the Rules of the House of Representatives, to withhold a record otherwise available, and the matter shall be presented to the full Committee for a determination of the question of public availability on the written request of any Member of the Committee.