

RULES OF PROCEDURE

Rule I.

The Rules of the House of Representatives are the rules of the Committee on the Judiciary and its Subcommittees with the following specific additions thereto.

Rule II. Committee Meetings

- (a) The regular meeting day of the Committee on the Judiciary for the conduct of its business shall be on Wednesday of each week while the House is in session.
- (b) Additional meetings may be called by the Chair and a regular meeting of the Committee may be dispensed with when, in the judgment of the Chair, there is no need therefor.
- (c) The Chair shall furnish each Member of the Committee or Subcommittee with the date, place, and a list of bills and subjects to be considered at a Committee or Subcommittee meeting, which 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).
- (d) At least 48 hours prior to the commencement of a meeting for the markup of legislation, the text of such legislation shall be made publicly available in electronic form.
- (e) In an emergency that does not reasonably allow for the notice as requirements in (c) and (d), the Chair may waive the notice requirements with the concurrence of the Ranking Minority Member.
- (f) To the maximum extent practicable, amendments to a measure or matter shall be submitted in writing or electronically to the designee of both the Chair and Ranking Member at least 24 hours prior to the consideration of the measure or matter. The Chair may give priority to amendments submitted in advance.
- (g) At the start of each meeting, the Chair, or the Chair's designee, may lead the Committee in the Pledge of Allegiance to the Flag, in accordance with Section 4 of Title 4, United States Code.
- (h) Committee and Subcommittee meetings for the transaction of business, i.e. meetings other than those held for the purpose of taking testimony, shall be open to the public except when the Committee or Subcommittee determines by majority vote to close the meeting because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person, or otherwise would violate any law or rule of the House.
- (i) Every motion made to the Committee and entertained by the Chair shall be reduced to writing upon demand of any Member, and a copy made available to each Member present.
- (j) All amendments or any other material offered or submitted by any Member, including motions reduced to writing pursuant to a demand under paragraph (i), shall be emailed to judiciarydocs@mail.house.gov. All items submitted shall be in .pdf format.
- (k) For purposes of taking any action at a meeting of the full Committee or any Subcommittee thereof for which a majority is not required, a quorum shall be constituted by the presence of not less than one-third of the Members of the Committee or Subcommittee, respectively.

- (1)(1) Subject to subparagraph (2), the Chair may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chair may resume proceedings on a postponed request at any time.
- (2) In exercising postponement authority under subparagraph (1), the Chair shall take all reasonable steps necessary to notify Members of the resumption of proceedings on any postponed record vote.
- (3) 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.
- (m) Transcripts of markups shall be recorded and may be published in the same manner as hearings before the Committee.
- (n) Without further action of the Committee, the Chair is directed to offer a motion under clause 1 of rule XXII of the Rules of the House of Representatives whenever the Chair considers it appropriate.

Rule III. Hearings

- (a) The Committee Chair or any Subcommittee Chair shall make public announcement of the date, place, and subject matter of any hearing to be conducted by it on any measure or matter at least one week before the commencement of that hearing. If the Chair of the Committee, or Subcommittee, with the concurrence of the Ranking Minority Member, determines there is good cause to begin the hearing sooner, or if the Committee or Subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chair or Subcommittee Chair shall make the announcement at the earliest possible date.
- (b) At the start of each hearing, the Chair, any Subcommittee Chair, or their designee may lead the Committee or Subcommittee, respectively, in the Pledge of Allegiance to the Flag, in accordance with Section 4 of Title 4, United States Code.
- (c) Committee and Subcommittee hearings shall be open to the public except when the Committee or Subcommittee determines by majority vote to close the hearing because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House.
- (d) For purposes of taking testimony and receiving evidence before the Committee or any Subcommittee, a quorum shall be constituted by the presence of two Members.
- (e) 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.
- (f) Every motion made to the Committee and entertained by the Chair shall be reduced to writing upon demand of any Member, and a copy made available to each Member present.
- (g) All material offered or submitted by any Member, including motions reduced to writing pursuant to a demand under paragraph (f), shall be emailed to judiciarydocs@mail.house.gov. All items submitted shall be in .pdf format.
- (h) The transcripts of those hearings conducted by the Committee which are decided to be printed shall be published in verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate. Individuals, including Members of Congress, whose comments are to be published as part of a

Committee document shall have five legislative days following the hearing to verify the accuracy of the transcription in advance of publication. Individuals, including Members of Congress, whose comments are to be published as part of a Committee document may review the accuracy of the transcription in the Committee office. Any requests by those Members, staff or witnesses to correct any errors other than errors in the transcription, or disputed errors in transcription, shall be appended to the record, and the appropriate place where the change is requested will be footnoted.

- (i) Prior to approval by the Chair of hearings conducted jointly with another congressional Committee, a memorandum of understanding may be prepared that specifies, to the extent possible, any deviation from Rule III of the Committee rules, and incorporates an agreement for the publication of the verbatim transcript. The Chair shall provide any such memorandum of understanding to the Ranking Minority Member prior to the commencement of such hearing.

Rule IV. Subpoenas

- (a) A subpoena may be authorized and issued by the Chair, in accordance with clause 2(m) of rule XI of the House of Representatives, in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee, following consultation with the Ranking Minority Member.
- (b) In addition, a subpoena may be authorized and issued by the Committee or its Subcommittees in accordance with clause 2(m) of rule XI of the House of Representatives, in the conduct of any investigation or activity or series of investigations or activities, when authorized by a majority of the Members voting, a majority of the Committee or Subcommittee being present. Authorized subpoenas shall be signed by the Chair or by any Member designated by the Committee.
- (c) At least one calendar day before issuing any subpoena pursuant to subsection (a), the Chair shall consult with the Ranking Minority Member regarding the authorization and issuance of such subpoena and shall provide a draft copy of the proposed subpoena, including a draft of any proposed document schedule, at that time.
- (d) The Chair may waive the requirements of subsection (c) in the event of an emergency that does not reasonably allow for advance written notice, including, but not limited to, when a witness who is voluntarily before the Committee refuses to answer a question.

Rule V. Broadcasting

Whenever a hearing or meeting conducted by the Committee or any Subcommittee is open to the public, those proceedings shall be open to coverage by television, radio, and still photography subject to the requirements of clause 4 of Rule XI of the Rules of the House of Representatives.

Rule VI. Subcommittees

- (a) The full Committee shall have jurisdiction over such matters as determined by the Chair, and relevant oversight.
- (b) There shall be six standing Subcommittees of the Committee on the Judiciary, with jurisdictions as follows:

The *Subcommittee on the Constitution and Limited Government* shall have jurisdiction over the following subject matters: constitutional rights, constitutional amendments, Federal civil rights, civil liberties, claims against the United States, Federal charters of incorporation, non-immigration private claims bills, ethics in government, tort liability, including medical malpractice and product liability, legal reform generally, the effect of the regulation of artificial intelligence on the foregoing subjects, other appropriate

matters as referred by the Chair, and relevant oversight.

The *Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet* shall have jurisdiction over the following subject matters: administration of U.S. Courts, Legal Services Corporation, Federal Rules of Evidence, Civil and Appellate Procedure, judicial ethics, patents, trademarks and the Lanham Act, trade secrets, copyright, intellectual property enforcement, information technology, emerging technologies, other appropriate matters as referred by the Chair, and relevant oversight.

The *Subcommittee on Crime and Federal Government Surveillance* shall have jurisdiction over the following subject matters: Federal Criminal Code, drug policy, sentencing, parole and pardons, internal and homeland security, Federal Rules of Criminal Procedure, prisons, criminal law enforcement, other appropriate matters as referred by the Chair, and relevant oversight.

The *Subcommittee on Immigration Integrity, Security, and Enforcement* shall have jurisdiction over the following subject matters: immigration and naturalization, border security, admission of refugees, treaties, conventions and international agreements, private immigration bills, non-border immigration enforcement, other appropriate matters as referred by the Chair, and relevant oversight.

The *Subcommittee on the Administrative State, Regulatory Reform, and Antitrust* shall have jurisdiction over the following subject matters: the antitrust laws and competition policy, bankruptcy and commercial law, bankruptcy judgeships, Federal Rules of Bankruptcy Procedure, administrative law, the Administrative Conference of the United States, state taxation affecting interstate commerce, interstate compacts, the effect of the regulation of artificial intelligence on the foregoing subjects, other appropriate matters as referred by the Chair, and relevant oversight.

The *Subcommittee on Oversight* shall have jurisdiction over the following subject matters: operations and activities of the agencies, departments, and components within the jurisdiction of the Committee, including the application, administration, execution, and effectiveness of laws governing them, any potential instances of waste, fraud, or abuse, and other appropriate matters as referred by the Chair.

- (c) The Chair of the Committee and Ranking Minority Member thereof shall be ex officio Members, but not voting Members, of each standing Subcommittee to which such Chair or Ranking Minority Member has not been assigned by resolution of the Committee. Ex officio Members shall not be counted as present for purposes of constituting a quorum at any hearing or meeting of such standing Subcommittee.

Rule VII. Powers and Duties of Subcommittees

Each Subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairs shall set dates for hearings and meetings of their respective Subcommittees after consultation with the Chair and other Subcommittee chairs with a view toward avoiding simultaneous scheduling of full Committee and Subcommittee meetings or hearings whenever possible.

Rule VIII. Non-Legislative Reports

No report of the Committee or Subcommittee which does not accompany a measure or matter for consideration by the House shall be published unless all Members of the Committee or Subcommittee issuing the report shall have been apprised of such report and given the opportunity to give notice of intention to file supplemental, additional, or dissenting views as part of the report. In no case shall the time in which to file such views be less than

three calendar days (excluding Saturdays, Sundays, and legal holidays when the House is not in session).

Rule IX. Committee Records

The records of the Committee at the National Archives and Records Administration shall be made available for public use according to the Rules of the House. The Chair shall notify the Ranking Minority Member of any decision 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.

Rule X. Official Committee Website

- (a) The Chair shall maintain an official website on behalf of the Committee for the purpose of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee Members and other Members of the House.
- (b) The Chair shall make the record of the votes on any question on which a record vote is demanded in the full Committee available on the Committee's official website not later than 48 hours after such vote is taken. Such record shall identify or describe the amendment, motion, order, or other proposition, the name of each Member voting for and each Member voting against such amendment, motion, order, or proposition, and the names of the Members voting present.
- (c) Not later than 24 hours after the adoption of any amendment to a measure or matter considered by the Committee or its Subcommittees, the Chair shall make the text of each such amendment publicly available in electronic form.
- (d) Not later than 48 hours after the disposition or withdrawal of any other amendment to a measure or matter considered by the Committee or its Subcommittees, the Chair shall make the text of each such amendment publicly available in electronic form.
- (e) Not later than 3 days after the conclusion of a Committee meeting, the transcript of such meeting and the text of all amendments offered shall be made available on the Committee website.
- (f) The Ranking Member is authorized to maintain a similar official website on behalf of the Committee Minority for the same purpose, including communicating information about the activities of the Minority to Committee Members and other Members of the House.

Rule XI. Depositions

Pursuant to section 3(t) of House Resolution 5, 119th Congress, the Chair may order the taking of depositions, including by subpoena. Section 3(t) of House Resolution 5 and the Regulations for the Use of Deposition Authority shall govern depositions conducted by the Committee on the Judiciary and its Subcommittees.

○