

AMENDMENT (COMER #2) TO THE RULES OF THE COMMITTEE ON OVERSIGHT
AND REFORM

OFFERED BY MR. COMER

On page 7, line XX, in subsection (g) of Rule 12, strike the comma after “clause 2(m)” and insert the following:

“and as provided by the following agreement:

a congressional subpoena is a powerful and coercive tool. It should be used only when attempts to reach an accommodation with a witness are at an impasse or when necessary to obtain certain sensitive information such as financial information or through the “friendly” subpoena to protect a witness.

I intend to avoid the use of unilateral subpoenas whenever possible. In the normal course, I hope to work with the ranking member on proposed subpoenas well in advance. I intend to consult with the ranking member by providing his office with a physical copy of the subpoena at least 2 days before it is issued.

If the Ranking Member objects to the issuance of a subpoena in writing, my preference is to bring the subpoena before the committee for a vote when that is feasible. Members deserve the opportunity to go on the record for some of the most important work they will do, and the public deserves the opportunity to see them do that work in the open. The Chair prefers that when the Ranking Member objects the committee will have an open proceeding and a vote when feasible.

There will be exceptions to this policy when, for example, the calendar does not permit the committee to schedule a markup between my initial consultation with the Ranking Member and the date on which a witness is scheduled to appear. But even in those cases, I intend to be open with the Ranking Member and give him every opportunity to voice his opinion on the matter.”