

DEPOSITION PROCEDURES FOR THE SELECT COMMITTEE ON THE EVENTS SURROUNDING THE 2012 TERRORIST ATTACK IN BENGHAZI

Mr. SESSIONS. Mr. Speaker, pursuant to section 4(c)(5)(B) of House Resolution 567, I hereby submit the following procedures for the taking of depositions pursuant to section 4(c)(5)(A) of such resolution for printing in the CONGRESSIONAL RECORD.

(a) Notice for the taking of depositions shall specify the date, time, and place of examination (if other than within the committee offices). Depositions shall be taken under oath administered by a member or a person otherwise authorized to administer oaths.

(b) Consultation with the ranking minority member shall include three business days' notice before any deposition is taken. All members of the Select Committee shall also receive three business days' notice that a deposition has been scheduled.

(c) Witnesses may be accompanied at a deposition by counsel to advise them of their rights. No one may be present at depositions except members, committee staff designated by the chair or ranking minority member, an official reporter, the witness, and the witness's counsel. Observers or counsel for other persons, or for agencies under investigation, may not attend.

(d) At least one member of the committee shall be present at each deposition taken by the committee, unless the witness to be deposed agrees in writing to waive the requirement.

(e) A deposition shall be conducted by any member or staff attorney designated by the chair or ranking minority member. When depositions are conducted by committee staff attorneys, there shall be no more than two committee staff attorneys permitted to question a witness per round. One of the committee staff attorneys shall be designated by the chair and the other by the ranking minority member. Other committee staff members designated by the chair or ranking minority member may attend, but may not pose questions to the witness.

(f) Questions in the deposition shall be propped in rounds, alternating between the majority and minority. A single round shall not exceed 60 minutes per side, unless the members or staff attorneys conducting the deposition agree to a different length of questioning. In each round, a member or committee staff attorney designated by the chair shall ask questions first, and the member or committee staff attorney designated by the ranking minority member shall ask questions second.

(g) 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 objected and refused to answer a question to preserve a privilege, the chair of the Select Committee may rule on any such objection after the deposition has adjourned. If the chair 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 com-

mittee 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 to answer by the chair in writing may be subject to sanction, except that no sanctions may be imposed if the ruling of the chair is reversed on appeal.

(h) Committee staff shall ensure that the testimony is 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 thereafter, the witness may submit suggested changes to the chair. 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.

(i) 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 clerk of the Select Committee in Washington, DC. Depositions shall be considered to have been taken in Washington, DC, as well as the location actually taken once filed there with the clerk of the Select Committee for the Select Committee's use. The chair and the ranking minority member shall be provided with a copy of the transcripts of the deposition at the same time.

(j) The chair and ranking minority member shall consult regarding the release of depositions. If either objects in writing to a proposed release of a deposition or a portion thereof, the matter shall be promptly referred to the Select Committee for resolution.

(k) A witness shall not be required to testify unless the witness has been provided with a copy of rule XI of the Rules of the House of Representatives and these procedures.

ADJOURNMENT

Mr. ROHRBACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 7 minutes p.m.), under its previous order, the House adjourned until Tuesday, May 13, 2014, at 1 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

5622. A letter from the Assistant Secretary of Defense, Special Operations and Low In-

tensity Conflict, Department of Defense, transmitting a report entitled, "Combating Terrorism Activities FY 2015 Budget Estimates"; to the Committee on Armed Services.

5623. A letter from the Director, Division of Coal Mine Workers' Compensation, Office of Workers' Compensation Programs, Department of Labor, transmitting the Department's final rule — Black Lung Benefits Act: Standards for Chest Radiographs (RIN: 1240-AA07) received April 21, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5624. A letter from the Deputy Director, Directorate of Standards and Guidance, OSHA, Department of Labor, transmitting the Department's "Major" final rule — Electric Power Generation, Transmission, and Distribution; Electrical Protective Equipment [Docket No.: OSHA-S215-2006-0063] (RIN: 1218-AB67) received April 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5625. A letter from the Acting Director, Office of Standards, Regulations, and Variances, MSHA, Department of Labor, transmitting the Department's "Major" final rule — Lowering Miners' Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors (RIN: 1219-AB64) received May 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5626. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Technology Transitions; AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition; Connect America Fund; Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Numbering Policies for Modern Communications [GN Docket No.: 13-5] [GN Docket No.: 12-353] [WC Docket No.: 10-90] [CG Docket No.: 10-51] [CG Docket No.: 03-123] [WC Docket No.: 13-97] received April 17, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5627. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of the Commission's Rules Related to Retransmission Consent [MB Docket No.: 10-71] received April 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5628. A letter from the Chief, Broadband Division, Wireless Communications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of the Commission's Rules with Regard to Commercial Operations in the 1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz Bands [GN Docket No.: 13-185] received April 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5629. A letter from the Acting Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: Transnuclear, Inc. Standardized Advanced NUHOMS Horizontal Modular Storage System; Amendment No. 3 [NRC-2013-0271] (RIN: 3150-AJ31) received April 23, 2014, pursuant to 5 U.S.C.