

EXTENSIONS OF REMARKS

PROCEDURES FOR THE USE OF STAFF DEPOSITION AUTHORITY

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. SESSIONS. Mr. Speaker, pursuant to section 3(b)(2) of House Resolution 5, 114th Congress, and section 4(c)(5)(B) of House Resolution 567, 113th Congress, I hereby submit the following regulations regarding the conduct of depositions by committee and select committee staff for printing in the CONGRESSIONAL RECORD:

1. 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.

2. Consultation with the ranking minority member shall include three business days' notice before any deposition is taken. All members of the committee shall also receive three-business days notice that a deposition has been scheduled.

3. 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.

4. 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 this requirement.

5. 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.

6. 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 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.

7. 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 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 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 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.

8. 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.

9. 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 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 committee for the 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.

10. 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 committee for resolution.

11. 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.

HONORING BOB WIECKOWSKI

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. HONDA. Mr. Speaker, I rise today to honor California State Senator Bob Wieckowski. On January 11, 2015, State Senator Wieckowski will be honored for his support of the arts in the Tri-City area during Come Embark on Noah's Ark, a benefit for the Fremont Opera. It is appropriate to extend him the gratitude of the Tri-City arts community and the public.

State Senator Wieckowski has been a generous and continuous supporter of the arts community. For many years, State Senator Wieckowski has, through his advice, service, advocacy, and performance, assisted many arts organizations in the Tri-City area, including the Fremont Cultural Arts Council, the Fremont Opera, the Fremont Symphony Orchestra, Music at the Mission, the StarStruck Theater, and Yoko's Academy of Dance & Performing Arts.

State Senator Wieckowski has even appeared on stage in essential roles in the Fremont Opera's productions of La Bohème, The Barber of Seville, and La Traviata, delighting audiences with his varied and ingenious characterizations. Every year since 2005, State Senator Wieckowski has appeared in Yoko's Academy of Dance & Performing Arts' production of Tchaikovsky's The Nutcracker. His work as the lead role of Drosselmeyer in The Nutcracker ballet is an eagerly-anticipated annual treat for Tri-City audiences of all ages.

State Senator Bob Wieckowski's energy, enthusiasm, and dedicated work in support of the arts has deeply enriched the communities in which he serves.

Mr. Speaker, I commend State Senator Bob Wieckowski for all that he has done to champion the arts in the Tri-City area, and I am confident that his efforts will continue to support the arts for many more years to come.

SUPPORT FOR MINORITY LEADER NANCY PELOSI

HON. DAVID N. CICILLINE

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. CICILLINE. Mr. Speaker, I rise today to express my support for House Minority Leader NANCY PELOSI to continue her leadership in the 114th Congress. As the Democratic leader of the U.S. House of Representatives since 2002, Leader PELOSI has led our caucus with exceptional resolve and integrity. Her commitment to Democratic values is evident in her focus on expanding the middle class, growing the economy, expanding affordable access to education, and empowering America's women and families.

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