Section 104. For the purposes of the annual report pursuant to section 5 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 934) after adjournment of the second session of the 115th Congress, the determination of whether a sequestration order is necessary under such section, the debt for the budget year on the 5-year scorecard, if any, and the 10-year scorecard, if any, shall be deducted from such scorecard in 2019 and added to such scorecard in 2020.

Mrs. LOWEY (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentlewoman from New York?

There was no objection.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.J. RES. 31, FURTHER CONTINUING APPROPRIATIONS FOR DEPARTMENT OF HOMELAND SECURITY, 2019

Mrs. LOWEY. Mr. Speaker, I ask unanimous consent to take from the Speaker the resolution (H.J. Res. 31) making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

Mr. HOYER. Reserving the right to objection, I do not intend to object, Mr. Speaker, but I hope the experience of the last 35 days has taught us that we should never repeat this exercise of shutting down government again. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. The reservation of objection is withdrawn.

Is there objection to the request of the gentlewoman from New York?

Mr. HOYER. Reserving the right to objection, I do not intend to object, Mr. Speaker, but I hope the experience of the last 35 days has taught us that we should never repeat this exercise of shutting down government again. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. The reservation of objection is withdrawn.

116th CONGRESS REGULATIONS FOR USE OF DEPOSITION AUTHORITY


Hon. NANCY PELOSI, Speaker, House of Representatives, Washington, DC.

MADAM SPEAKER: Pursuant to section 103(a)(2) of House Resolution 6, 116th Congress, the committee hereby submit the following regulations regarding the conduct of depositions by committee and select committee counsel for printing in the Congressional Record.

Sincerely,

JAMES P. MCGOVERN,
Chairman, Committee on Rules.

REGULATIONS FOR THE USE OF DEPOSITION AUTHORITY

1. Notices for the taking of depositions shall specify the date, time, and place of examination. Depositions shall be taken under oath administered orally by the person otherwise authorized to administer oaths. Depositions may continue from day to day.

2. Consultation with the ranking minority member shall include these days written notice that a deposition will be taken in advance of the commencement of the deposition. For purposes of these procedures, a day shall not include Saturdays, Sundays, or legal holidays except when the House is in session on such days.

3. Witnesses may be accompanied at a deposition by personal, nongovernmental counsel to advise them of their rights. Only members, committee staff designated by the chair or ranking minority member, an official, reporter, the witness, and the witness's counsel are permitted to attend. Observers or counsel for other persons, including counsel for government agencies, may not attend.

4. The chair of the committee noticing the deposition may designate that deposition as one to be joint involving both groups of committee members, and in that case, provide notice to the members of the committees. If such a designation is made, the chair and ranking minority member of the joint committee(s) may designate committee staff to attend pursuant to regulation 3. Members and designated staff of the committees may attend and ask questions as set forth below.

5. A deposition shall be conducted by any member or committee counsel designated by the chair or ranking minority member of the Committee or the joint committee. When depositions are conducted by committee counsel, there shall be no more than two members or committee counsel questioning a witness at a time.

6. Deposition questions shall be propounded in rounds. The length of each round shall not exceed 60 minutes per side, and shall be divided equally among the chair and the minority. In each round, the member(s) or committee counsel designated by the chair shall ask questions first, and the member(s) or committee counsel designated by the ranking minority member shall ask questions second.

7. Objections must be stated concisely and in a non-argumentative, non-adversative manner. A witness’s counsel may not instruct a witness to refuse to answer a question, except to preserve a privilege. In the event of professional, ethical, or other misconduct by the witness’s counsel during the deposition, the Committee may take any appropriate disciplinary action. 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 (i) proceed withuko the deposition, (ii) determine that time or at a subsequent time, seek a ruling from the Chair either by telephone or otherwise.

If the Chair rules on such objection, a witness or attorneys for the witness may appeal such ruling. In the event of a refusal to answer a question, the ruling on appeal must be made within three days, in writing, and shall be preserved for committee consideration. The Committee’s ruling on appeal shall be filed with the joint committee and shall be provided to the members and witness no less than three days before
the reconvened deposition. A deponent who refuses to answer a question after being directed to answer by the chair 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.

8. The Committee chair 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 after the witness has been notified of the opportunity to review the transcript, 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. Deposits 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 deposition testimony, transcripts, or record- ings, 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.

11. A witness shall not be required to testify unless the witness has been provided with a copy of section 103(a) of H. Res. 6, 116th Congress, and these regulations.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 p.m.), under its previous order, the House adjourned until Monday, January 28, 2019, at noon for morn- ing-hour debate.

RULES AND REPORTS SUBMITTED PURSUANT TO THE CONGRES- SIONAL REVIEW ACT

Pursuant to 5 U.S.C. 801(d), executive committee or committee of conference final rules submitted to the House pursuant to 5 U.S.C. 801(a)(1) during the period of August 7, 2018 through January 3, 2019, shall be treated as though received on January 25, 2019. Original dates of transmittal, numberings, and referrals to committees, where an executive committee or conference final rule was submitted to the House pursuant to 5 U.S.C. 801(a)(1), are indicated in the Executive Communication section of the relevant CONGRESSIONAL RECORD.

EXECUTIVE COMMUNICATIONS, ETC.

59. Under clause 2 of rule XIV, letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau’s Major final policy guidance — Disclosure of Loan-Loan HMDA Data [Dock- et No.: CFPB-2017-0025] received January 24, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 886), was taken from the Speaker’s table, referred to the Committee on Financial Services.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CONNOLLY (for himself, Mr. HOYER, Mr. CUMMINGS, Mr. TRONE, Mr. RASKIN, Mr. SARBANS, Mr. KENYATTA, Mr. BROWN of Maryland, and Ms. NORTON):

H.R. 790. A bill to provide for a pay in- crease in 2019 for certain civilian employees of the Federal Government and for other purposes; to the Committee on Oversight and Reform.

By Mr. BALDERSHON:

H.R. 791. A bill to amend title 31, United States Code, to provide for automatic contin- uing resolutions; to the Committee on Appropria- tions.

By Mr. BONAMICI (for herself and Mr. KILMER):

H.R. 792. A bill to amend the Higher Educa- tion Act of 1965 to reauthorize the Federal Work-Study Program; to the Committee on Education and Labor.

By Mr. BUCK:

H.R. 793. A bill to prohibit the use of funds for the official travel of Members of Congress during any period in which a Government shutdown is in effect; to the Committee on House Administration.

By Mr. CLAY:

H.R. 794. A bill to amend title 13, United States Code, to provide that individuals in the Census Bureau of a prison shall, as of a decennial census, be attributed to the last place of res- idence before incarceration, and for other purposes; to the Committee on Oversight and Reform.

By Mrs. DINGELL:

H.R. 795. A bill to require the Secretary of Transportation to conduct a study on the economic and environmental risks to the Great Lakes of spills or leaks of oil, and for other purposes; to the Committee on Trans- portation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdic- tion of the committee concerned.

By Mr. GRAVES of Louisiana (for him- self and Mr. LAMALFA):

H.R. 796. A bill to provide appropriations to secure the southern border of the United States, and for other purposes; to the Committee on Appropriations, and in addition to the Committees on Energy and Commerce, the Judiciary, Homeland Security, Agriculture, Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdic- tion of the committee concerned.

By Mr. GROTHMAN (for himself and Mr. WITTMER):

H.R. 797. A bill to amend title 31, United States Code, to provide for automatic con- tingent resolutions; to the Committee on Appropria- tions.

By Mr. HIGGINS of Louisiana:

H.R. 798. A bill to amend the Immigration and Nationality Act to provide for returning workers permanent, and for other purposes; to the Committee on the Judiciary.

By Mr. MEEKS (for himself, Mr. BREYER, Ms. NORTON, Ms. KELLY of Illinois, Ms. JACKSON LEE, Mr. LANGEVIN, Mr. RYAN, Mr. BROWN of Maryland, Mr. VARGAS, Mrs. WATSON COLEMAN, Mr. GREEN of Texas, Ms. WASSERMAN SCHULTZ, Mr. DEAULONIER, Mr. HUCK, Ms. DELAURIA, Mr. QUILEY, and Mr. PELMUTTER):

H.R. 799. A bill to amend the Fair Credit Reporting Act to prohibit certain persons from furnishing negative credit information of furloughed employees, and for other pur- poses; to the Committee on Financial Serv- ices.

By Mr. MEEKS (for himself, Ms. NORTON, Ms. KELLY of Illinois, Ms. JACKSON LEE, Mr. LANGEVIN, Mr. RYAN, Mr. BROWN of Maryland, Mr. VARGAS, Mrs. WATSON COLEMAN, Mr. GREEN of Texas, Ms. WASSERMAN SCHULTZ, Mr. DEAULONIER, Mr. DELEURO, Mr. SHAW, Mr. QUILEY, and Mr. PELMUTTER):

H.R. 800. A bill to amend the Community Reinvestment Act of 1977 to provide financial institutions with credit for providing assist- ance during Government shutdowns; to the Committee on Financial Services.

By Mr. RYAN (for himself and Mr. PALAZZO):

H.R. 801. A bill to amend the Internal Rev- enue Code of 1986 to allow for a credit against tax for employers of reservists; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY (for herself, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. VEASEY):

H.R. 802. A bill to amend the Internal Rev- enue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Ways and Means.

By Mr. WELCH (for himself, Mr. GRIFFITH, Mr. CARTER of Georgia, Mrs. RODGERS of Washington, and Mr. CROWE):

H.R. 803. A bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare Advantage program from retroactively reducing payment on clean claims submitted by pharmacies; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a pe- riod to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdic- tion of the committee concerned.

By Ms. WATERS:

H. Res. 77. A resolution expressing the sense of Congress that federal government institutions and other companies should work proactively with their customers affected by the shutdown of the Federal Government who may be facing short-term financial hardship and long-term damage to their creditworthiness through no fault of their own; to the Committee on Financial Services.

By Mr. AMODEI:

H. Res. 78. A resolution expressing the sense of Congress that the United States postal facility network is an asset of significant value and the United States Postal Service should take appro- priate measures to maintain, modernize and utilize the network for economic growth; to the Committee on Oversight and Reform.