

RULES OF PROCEDURE OF THE UNITED STATES SENATE COMMITTEE ON THE JUDICIARY—115TH CONGRESS

I. MEETINGS OF THE COMMITTEE

1. Meetings of the Committee may be called by the Chairman as he may deem necessary on three days' notice of the date, time, place and subject matter of the meeting, or in the alternative with the consent of the Ranking Minority Member, or pursuant to the provision of the Standing Rules of the Senate, as amended.

2. Unless a different date and time are set by the Chairman pursuant to (1) of this section, Committee meetings shall be held beginning at 10:00 a.m. on Thursdays the Senate is in session, which shall be the regular meeting day for the transaction of business.

3. At the request of any member, or by action of the Chairman, a bill, matter, or nomination on the agenda of the Committee may be held over until the next meeting of the Committee or for one week, whichever occurs later.

II. HEARINGS OF THE COMMITTEE

1. The Committee shall provide a public announcement of the date, time, place and subject matter of any hearing to be conducted by the Committee or any Subcommittee at least seven calendar days prior to the commencement of that hearing, unless the Chairman with the consent of the Ranking Minority Member determines that good cause exists to begin such hearing at an earlier date. Witnesses shall provide a written statement of their testimony and curriculum vitae to the Committee at least 24 hours preceding the hearings in as many copies as the Chairman of the Committee or Subcommittee prescribes.

2. In the event 14 calendar days' notice of a hearing has been made, witnesses appearing before the Committee, including any witness representing a Government agency, must file with the Committee at least 48 hours preceding appearance written statements of their testimony and curriculum vitae in as many copies as the Chairman of the Committee or Subcommittee prescribes.

3. In the event a witness fails timely to file the written statement in accordance with this rule, the Chairman may permit the witness to testify, or deny the witness the privilege of testifying before the Committee, or permit the witness to testify in response to questions from Senators without the benefit of giving an opening statement.

III. QUORUMS

1. Seven Members of the Committee, actually present, shall constitute a quorum for the purpose of discussing business. Nine Members of the Committee, including at least two Members of the minority, shall constitute a quorum for the purpose of transacting business. No bill, matter, or nomination shall be ordered reported from the Committee, however, unless a

majority of the Committee is actually present at the time such action is taken and a majority of those present support the action taken.

2. For the purpose of taking down sworn testimony, a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

IV. BRINGING A MATTER TO A VOTE

The Chairman shall entertain a non-debatable motion to bring a matter before the Committee to a vote. If there is objection to bring the matter to a vote without further debate, a roll call vote of the Committee shall be taken, and debate shall be terminated if the motion to bring the matter to a vote without further debate passes with eleven votes in the affirmative, one of which must be cast by the minority.

V. AMENDMENTS

1. Provided at least seven calendars days' notice of the agenda is given, and the text of the proposed bill or resolution has been made available at least seven calendar days in advance, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless such amendment has been delivered to the office of the Committee and circulated via e-mail to each of the offices by at least 5:00 p.m. the day prior to the scheduled start of the meeting.

2. It shall be in order, without prior notice, for a Member to offer a motion to strike a single section of any bill, resolution, or amendment under consideration.

3. The time limit imposed on the filing of amendments shall apply to no more than three bills identified by the Chairman and included on the Committee's legislative agenda.

4. This section of the rule may be waived by agreement of the Chairman and the Ranking Minority Member.

VI. PROXY VOTING

When a recorded vote is taken in the Committee on any bill, resolution, amendment, or any other question, a quorum being present, Members who are unable to attend the meeting may submit votes by proxy, in writing or by telephone, or through personal instructions. A proxy must be specific with respect to the matters it addresses.

VII. SUBCOMMITTEES

1. Any Member of the Committee may sit with any Subcommittee during its hearings or any other meeting, but shall not have the authority to vote on any matter before the Subcommittee unless a Member of such Subcommittee.

2. Subcommittees shall be considered de novo whenever there is a change in the Subcommittee chairmanship and seniority on the particular Subcommittee shall not necessarily apply.

3. Except for matters retained at the full Committee, matters shall be referred to the appropriate Subcommittee or Subcommittees by the Chairman, except as agreed by a majority vote of the Committee or by the agreement of the Chairman and the Ranking Minority Member.

4. Provided all members of the Subcommittee consent, a bill or other matter may be polled out of the Subcommittee. In order to be polled out of a Subcommittee, a majority of the members of the Subcommittee who vote must vote in favor of reporting the bill or matter to the Committee.

VIII. ATTENDANCE RULES

1. Official attendance at all Committee business meetings of the Committee shall be kept by the Committee Clerk. Official attendance at all Subcommittee business meetings shall be kept by the Subcommittee Clerk.

2. Official attendance at all hearings shall be kept, provided that Senators are notified by the Committee Chairman and Ranking Minority Member, in the case of Committee hearings, and by the Subcommittee Chairman and Ranking Minority Member, in the case of Subcommittee Hearings, 48 hours in advance of the hearing that attendance will be taken; otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

IX. Subpoenas

The Chairman of the Committee, with the agreement of the Ranking Member or by a vote of the Committee, may subpoena the attendance of a witness at a Committee or Subcommittee hearing or Committee deposition, or the production of memoranda, documents, records, or any other materials. Any such subpoena shall be issued upon the signature of the Chairman or any other Member of the Committee designated by the Chairman.

X. Depositions

1. Any subpoena issued for a deposition that is to be conducted by staff shall be accompanied by a notice of deposition identifying the Majority staff officers designated by the Chairman and the Minority staff officers designated by the Ranking Member to take the deposition, and the Majority and Minority shall be afforded the opportunity to participate on equal terms.

2. Unless waived by agreement of the Chair and Ranking Member, any deposition shall have at least one Member present for the duration of the deposition. All Members shall be notified of the date, time, and location of any deposition.

3. Any Member of the Committee may attend and participate in the taking of any deposition.

4. A witness at a deposition shall be examined upon oath administered by an individual authorized by law to administer oaths, or administered by any Member of the Committee if one is present.

5. Unless otherwise specified, the deposition shall be in private.