

Rules and Procedures  
Committee on Small Business  
United States House of Representatives  
119<sup>th</sup> Congress

**1. GENERAL PROVISIONS**

(A) Applicability of House Rules.

- (1) The Rules of the House of Representatives, so far as they are applicable, are the rules of the Committee on Small Business (“the Committee”) and its Subcommittees.
- (2) Each subcommittee is part of the Committee and is subject to the authority and direction of the Committee and its rules so far as applicable.
- (3) Except where the term “the Committee” and “subcommittee” are specifically referred to, the following rules shall apply to the Committee and its subcommittees as well as the to their respective chairs, ranking minority members, and members.
- (4) Rule XI of the Rules of the House, which pertains entirely to Committee procedure, is incorporated and made a part of the rules of the Committee to the extent applicable.

(B) Appointments by the Chair. Pursuant to the Rules of the House, the Chair shall designate a Member of the Committee Majority to serve as Vice Chair of the Committee. The Vice Chair shall preside at any meeting or hearing during the temporary absence of the Chair. The Chair also reserves the right to designate a Member of the Committee Majority to serve as the Chair at a hearing or meeting.

(C) Authority to Conduct Investigations. The Committee and its subcommittees, after consultation with the Chairman of the Committee, may conduct such investigations and studies as they may consider necessary or appropriate in the exercise of their responsibilities under Rule X of the Rules of the House and in accordance with clause 2(m) of House Rule XI.

**2. MEETINGS IN GENERAL**

(A) Regular Meetings. The regular meeting day of the Committee shall be the second Wednesday of every month when the House is in session. The Chair is authorized to dispense with a regular meeting or to change the date thereof when

circumstances warrant as determined by the sole discretion of the Chair.

- (B) **Additional Meetings.** Additional meetings may be called as deemed necessary by the Chair or at the request of the majority Members of the Committee pursuant to Rule XI, cl. 2(c) of the rules of the House. At least 3 calendar days' notice, pursuant to Rule XI, cl. 2(g)(3)(A), of such an additional meeting shall be given unless the Chair, with the concurrence of the Ranking Minority Member, determines that there is good cause to call the meeting on less notice or upon a vote by a majority of the Committee (a quorum being present). Announcements of the meeting shall be published promptly in the Daily Digest and made publicly available in electronic form.
- (C) **Business to be Considered.** The determination of the business to be considered at each meeting shall be made by the Chair subject to limitations set forth in House Rule XI, cl. 2(c).
- (D) **Meeting Materials.** The Chair shall provide to each Member of the Committee, to the extent practicable, at least 48 hours in advance of a meeting, a copy of the bill, resolution, report, or other item to be considered at the meeting, but no later than 24 hours before the meeting. Such material also shall be made available to the public at least 24 hours in advance in electronic form.
- (E) **Special and Emergency Meetings.** The rules for notice and meetings as set forth in Rule 5 of these Rules shall not apply to special and emergency meetings. Clause 2(c)(2) of Rule XI and clause 2(g)(3)(A) of Rule XI of the Rules of the House, as applicable, shall apply to such meetings.
- (F) **Open Meetings.** Each meeting of the Committee or its Subcommittees for the transaction of business, including the markup of legislation, shall be open to the public, including to radio, television, streaming, and still photography coverage, except as provided by House Rule XI, cl. 4. If the majority of Members of the Committee or Subcommittee present at the meeting determine by a recorded vote in open session that all or part of the remainder of the meeting on that day shall be closed to the public because the disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade, or incriminate any person or otherwise would violate any law or rule of the House; provided however, that no person other than Members of the Committee, and such congressional staff and such executive branch representatives they may authorize, shall be present in any meeting which has been closed to the public.
- (G) **Open Hearings.** Each hearing conducted by the Committee or its Subcommittees shall be open to the public, including radio, television, and still photography coverage. If the majority of Members of the Committee or Subcommittee present at the hearing determine by a recorded vote in open session that all or part of the remainder of the hearing on that day shall be closed to the public because the disclosure of matters to be considered would endanger national security, would

compromise sensitive law enforcement information, or would tend to defame, degrade, or incriminate any person or otherwise would violate any law or rule of the House; provided however, that the Committee or Subcommittee may by the same procedure also vote to close one subsequent day of hearings. Notwithstanding the requirements of the preceding sentence, a majority of those present (if the requisite number of Members are present under Committee Rules for the purpose of taking testimony) may vote: (i) to close the hearing for the sole purpose of discussing whether the testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or violate Rule XI, cl. 2(k)(5) of the House or (ii) to close the hearing, as provided clause 2(k)(5) of Rule XI of the House.

- (H) Participation in Subcommittee Hearings. The Chair and Ranking Minority Member are *ex officio* Members of all Subcommittees for any hearing conducted by a Subcommittee. Members of the Committee who wish to participate in a hearing of the Subcommittee to which they are not Members shall make such request to the Chair and the Ranking Minority Member of the Subcommittee at the commencement of the hearing. The Chair, after consultation with the Ranking Minority Member of the Subcommittee, shall grant such request.
- (I) Non-Participatory Attendance by Other Members of the House. No Member of the House may be excluded from non-participatory attendance at any hearing of the Committee or any Subcommittee, unless the House of Representatives shall by majority vote authorize the Committee or Subcommittees, for purposes of a particular subject of investigation, to close its hearing to Members by the same procedures designated to close hearings to the public.
- (J) Procedure to Participate. Members of Congress who are not Members of the Committee but would like to participate in a hearing shall notify the Chair and the Ranking Minority Member and submit a formal request no later than 24 hours before the commencement of the meeting or hearing. Such Member may not vote on any matter; be counted for the purpose of establishing a quorum; participate in questioning a witness under the 5-Minute rule, unless permitted to do so by the Chair in consultation with the Ranking Minority Member; raise points of order; or offer amendments or motions.
- (K) Audio and Video Coverage. To the maximum extent practicable, the Committee shall provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen and view the proceedings and shall maintain the recordings of such coverage in a manner easily accessible to the public. Operation and use of any Committee internet broadcast system shall be fair and nonpartisan, and in accordance with clauses 4 (b) and (f) of House Rule XI and all other applicable rules of the Committee and the House.

### **3. MEETING AND HEARING PROCEDURES IN GENERAL**

#### **(A) Notice and Information for Members and the Public**

- (1) Public announcement of the date, place, and subject matter of any hearing to be conducted by the Committee shall be made no later than seven (7) calendar days before the commencement of the hearing. To the extent possible, the seven days shall be counted from 168 hours before the time of the Committee's hearing.
- (2) The Chair, with the concurrence of the Ranking Minority Member, or upon a vote by the majority of the Committee (a quorum being present), may authorize a hearing to commence on less than 7 days' notice.
- (3) A list of witnesses shall be made available as soon as practicable after the hearing is noticed to the public. A final witness list shall be issued by the Committee no later than 48 hours prior to the commencement of the hearing.
- (4) The Chair shall provide to all Members of the Committee, as soon as practicable after the announcement of the hearing, a memorandum explaining the subject matter of the hearing and any official reports from departments and agencies on the subject matter of the hearing. Such material shall be made available to all Members of the Committee no later than 48 hours before the commencement of the hearing, unless the Chair, after consultation with the Ranking Minority Member, determines that certain reports from departments or agencies should not be made available prior to the commencement of the hearing. Material provided by the Chair to all Members, whether provided prior to or at the hearing, shall be placed on the Committee website no later than 48 hours after the commencement of the hearing, unless such material contains sensitive or classified information, in which case such material shall be handled pursuant to Rule 16 of the Committee's Rules.

(B) Questioning of Witnesses. Except when the Committee adopts a motion pursuant to subdivisions (B) and (C) of clause 2(j)(2) of Rule XI of the Rules of the House, Committee Members may question witnesses only when they have been recognized by the Chair for that purpose. Members shall have the opportunity, as set forth in Rule XI, cl. 2 (j) of the Rules of the House, to question each witness on the panel for a period not to exceed five minutes. For any hearing, the Chair of the Committee or Subcommittee may offer a motion to extend the questioning of a witness or witnesses by the Member identified in the motion for more than five minutes as set forth in Rule XI, cl. 2(j)(B). No Member may be recognized for a second period of interrogation, subject to the 5-minute rule, until each Member present, who wishes to be recognized, has been recognized at least once.

#### **(C) Order of Questioning**

- (1) Full Committee Hearings. The Chair of the Committee shall commence

questioning followed by the Ranking Minority Member. Thereafter, questioning shall alternate between the Majority and Minority Members. Before the gavel has been struck, or in the case of Members arriving simultaneously, the order of questioning shall be based on seniority among Members of his or her own party. After the gavel has been struck, Members first to arrive shall have priority over Members of his or her own party. Members of Congress who are not Members of the Committee, if allowed by the Chair, may be recognized for questioning of witnesses but only after all Committee Members have first been recognized.

- (2) Subcommittee Hearings. The Chair of the Subcommittee shall commence questioning followed by the Ranking Minority Member of the Subcommittee. If present, the Chair and Ranking Minority Member of the Committee shall then be recognized for questioning, respectively. Thereafter, questioning shall alternate between the Majority and Minority Members of the Subcommittee. Before the gavel has been struck, or in the case of Subcommittee Members arriving simultaneously, the order of questioning shall be based on seniority among Members of his or her own party. After the gavel has been struck, Subcommittee Members first to arrive shall have priority over Subcommittee Members of his or her own party. Members of the Full Committee who are not members of the Subcommittee and are granted permission to participate pursuant to committee rule 7(C), may be recognized for questioning only after all Subcommittee Members have first been recognized. The order of questioning for Members of the Full Committee who are not members of the Subcommittee shall be based on full committee seniority. Members of Congress who are not Members of the Subcommittee, if allowed by the Chair, may be recognized for questioning of witnesses but only after all Subcommittee Members and Full Committee Members have first been recognized.

- (D) Consideration of Ratio. In recognizing Members to question witnesses, the Chair may take into consideration the ratio of Majority and Minority Members present in such a manner as to not disadvantage the Members of either party.

- (E) Remote Participation. Except as provided by section 3(i) of H. Res. 5, 119th Congress and these regulations, witnesses shall testify before a committee in person. No remote testimony will be accepted from witnesses testifying in a government capacity. In the event the chair of a committee determines that testimony of a witness appearing in a non-governmental capacity is necessary and such a witness is only available to participate remotely due to extreme hardship or other exceptional circumstances, the chair may allow the witness to participate remotely, with written approval from the Majority Leader.

- (I) The official record of the committee proceeding shall include a letter from the chair detailing the necessity of allowing the witness to participate remotely, a description of why the witness could not participate in person, why such testimony was necessary for purposes of fulfilling Congress's Article I

responsibility, and a letter from the Majority Leader approving of such remote participation.

- (2) The witness must agree to remain on the platform until excused by the chair. The witness should conduct a pre-hearing technology test with staff designated by the chair, to ensure the witness will have sufficient internet connection during the hearing, and to minimize the possibility of any technical issues.
- (3) No witness appearing in a governmental capacity may participate remotely. No witness testifying before a committee in response to a subpoena is permitted to testify remotely, unless both the chair of the committee and the Majority Leader authorize such testimony in writing and printed in the Congressional Record.
- (4) Any text based or private messaging function in the software platform used to facilitate the participation of a remote witness must be disabled unless it is used to provide technical support to the witness, which may be excluded from the public video stream and will not be considered a committee record.
- (5) Only witnesses approved for remote participation may have participatory access on the software platform.
- (6) Committees may only utilize a software platform certified by the Chief Administrative Officer. The Chief Administrative Officer should inform committees, including the ranking minority members, each time a software platform is certified.
- (7) Witnesses participating remotely should appear before a nonpolitical, professional appropriate background that is minimally distracting to other members and witnesses, to the greatest extent possible. It remains within the full discretion of the chair to enforce rules of decorum for committee proceedings.
- (8) Any committee report of activities submitted pursuant to clause 1(d)(1) of rule XI should include a list of hearings conducted with remote participation.
- (9) A witness participating remotely in a committee proceeding shall be visible onscreen within the software platform until excused by the chair. The witness shall disclose to the chair and ranking member any additional individual(s) present off screen.
- (10) Witness counsel shall be allowed access on the remote proceeding software platform if they are not in the physical presence of the witness. It is recommended that counsel facilitate a separate secure line of communication with the witness. A witness may not be unmuted by any other individual and should be allowed to use such secure line of communication while testifying to confer with counsel.
- (11) A witness may not allow an individual not invited to testify to speak on the platform. The committee chair may only provide an exception when the other

individual is necessary to facilitate the witness's participation in the hearing (e.g. translators).

- (12) A chair may not authorize remote participation for more than one witness at a committee hearing without the approval of the Majority Leader in writing and printed in the Congressional Record.
- (F) Transcripts of proceedings. A stenographic record of all testimony shall be kept of public meetings and hearings and shall be made available on such conditions as the Chair may prescribe.

#### **4. REFERRAL OF BILLS BY THE CHAIR**

The Chair will retain consideration of all legislation referred to the Committee by the Speaker. No action will be required of a Subcommittee before legislation is considered for report by the Committee. Subcommittee chairs, pursuant to the rules set out herein, may hold hearings on any bill referred to the Committee.

#### **5. SUBCOMMITTEES**

(A) Generally. Each Subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee, and to the Rules of the House and the rules adopted herein, to the extent applicable. The Chair and Ranking Member of the Committee are *ex officio* Members of all Subcommittees for the purpose of any meeting conducted by a Subcommittee.

(B) The Committee shall be organized into the following five subcommittees:

(1) Subcommittee on Rural Development, Energy, and Supply Chains This Subcommittee (which will consist of six (6) Republican Members and five (5) Democratic Members) will address issues to enhance rural economic and business growth, increase America's energy independence, and ensure America's small businesses can compete effectively in a global marketplace. This Subcommittee will review supply chain disruptions impacts on small businesses and the importance of having products made in America.

- Oversight of the Small Business Administration's outreach and structure as it pertains to increasing assistance to rural businesses and entrepreneurs.
- Oversight of agricultural policies, including those related to the Farm bill to enhance small business interests..
- Oversight of trade policies and issues affecting small firms related to trade agreements.
- Oversight of energy issues.

- Oversight of international trade policy with particular emphasis on agencies that provide direct assistance to small businesses, such as: the Small Business Administration's (SBA) Office of International Trade, the Department of Commerce's United States Export Assistance Centers, the Department of Agriculture's Foreign Agricultural Service, and the Export-Import Bank.
- Oversight of infringement of intellectual property rights by foreign competition.
- Examine the implementation and effectiveness of government programs designed to assist rural and agricultural businesses impacted by the pandemic.
- Examine the impact of supply chain disruptions on small businesses.

## (2) Subcommittee on Innovation, Entrepreneurship, and Workforce Development

This Subcommittee (which will consist of six (6) Republican Members and five (5) Democratic Members) will address how innovation promotes economic growth and job creation by small businesses. In addition, the Subcommittee will examine small business job growth through the creation and adoption of advanced technologies. The Subcommittee will review the broad scope of workforce issues that affect the ability of small businesses to obtain and maintain qualified employees.

- Oversight of SBA entrepreneurial development programs.
- Oversight of all federal policies that affect the workforce including, but not limited to, the roles of the Department of Labor, the Occupational Safety and Health Administration, and the National Labor Relations Board.
- Analyze workforce issues, including but not limited to health care, retirement, and labor challenges facing small businesses.
- Examination of general technology issues, including cyber security issues confronting small businesses and intellectual property policy in the United States.
- Oversight of United States telecommunications policies including, but not limited to, the National Broadband Plan and allocation of electromagnetic spectrum.
- Oversight of the Small Business Innovation Research Program.
- Oversight of the Small Business Technology Transfer Program.
- Investigate the state of the nation's entrepreneurship, the challenges they face, and steps to strengthen entrepreneurship, including startups, solopreneurs, self-employed, and microbusinesses.
- Examine programs and efforts designed to assist both small employers and their workers throughout the Covid-19 pandemic.

## (3) Subcommittee on Economic Growth, Tax, and Capital Access



This Subcommittee (which will consist of six (6) Republican Members and five (5) Democratic Members) will evaluate the operation of the financial markets in the United States and their ability to provide needed capital to small businesses. In addition, the Subcommittee will review federal programs, especially those overseen by the SBA, aimed at assisting entrepreneurs in obtaining needed capital. Since the tax policy plays an integral role in access to capital, this Committee also will examine the impact of federal tax policies on small businesses.

- Oversight of capital access and financial markets including FinTech and digital asset companies.
- SBA financial assistance programs, including guaranteed loans, microloans, certified development company loans, and small business investment companies.
- Implementation of the Dodd-Frank Wall Street Reform and Consumer Protection Act
- Oversight of the Consumer Financial Protection Bureau.
- Oversight of the Department of Agriculture business and industry guaranteed loan program.
- Oversight of general tax policy affecting small businesses.
- Oversight of the Internal Revenue Service.
- The management of the SBA's COVID Relief programs and the agency's disaster loan program.
- Analyze efforts to address challenges for the unbanked and underbanked business community and steps to increase capital access
- Review the challenges and opportunities presented by Fintech companies as it relates to small business capitalization.
- Investigate the implementation and efficacy of programs related to supporting the business community and nonprofits throughout the Covid-19 pandemic, including but not limited to the Paycheck Protection Program, the Economic Injury Disaster Loan program, and other SBA programs.

#### (4) Subcommittee on Oversight, Investigations, and Regulations.

This Subcommittee (which will consist of six (6) Republican Members and five (5) Democratic Members) will review the regulatory burdens imposed on small businesses by federal agencies and how those burdens may be alleviated. This Subcommittee will also probe the efficient operation of government programs that affect small businesses, including the SBA, and develop proposals to make them operate in a more efficient manner.

- Oversight of general issues affecting small businesses and federal agencies.
- Oversight of the management of the SBA.
- Oversight of the SBA Inspector General.

- Oversight of the SBA's Office of Advocacy.
- Implementation and effectiveness of the Regulatory Flexibility Act.
- Oversight of the Office of Information and Regulatory Affairs at the Office of Management and Budget.
- Use of the Congressional Review Act.
- Transparency of the federal rulemaking process as required by the Administrative Procedure and Data Quality Acts.
- Evaluating the Paperwork Reduction Act.
- Investigate all programs relating to the Covid-19 pandemic, SBA's anti-fraud framework, and their impact on the business and nonprofit community and their employees.

(5) Subcommittee on Contracting and Infrastructure

This Subcommittee (which will consist of six (6) Republican Members and five (5) Democratic Members) will assess the federal procurement system, including those programs designed specifically to enhance participation by small businesses in providing goods and services to the federal government. The Subcommittee will review the broad scope of opportunities available to small businesses for rebuilding and modernizing the nations' infrastructure.

- Oversight of government-wide procurement practices and programs affecting small businesses.
- Oversight of federal procurement policies that inhibit or expand participation by small businesses in the federal contracting marketplace.
- Oversight of all contracting programs established by the Small Business Act or those relying on or modeled after programs in the Small Business Act
- Review technical assistance provided to federal contractors and prospective contractors through SBA personnel, Offices of Small and Disadvantaged Business Utilization, and Procurement Technical Assistance Centers.
- Review the SBA Surety Bond guarantee program.
- General oversight of programs available to small businesses in modernizing and strengthening the nation's infrastructure.
- Address steps the federal government has taken or can take to strengthen the supply chain and create more federal procurement opportunities for small business concerns.
- Analyze implementation of the infrastructure law to ensure the participation of small businesses and review steps needed to strengthen their competitiveness in infrastructure projects.

(C) Powers and Duties of Subcommittees. Each Subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee on any matters referred to it. Prior to the scheduling of any meeting or hearing of a Subcommittee, the Chair of the Subcommittee shall obtain the approval of the Chair of the Committee.

(D) Hearing Time and Date. No hearing or meeting of a Subcommittee shall take place at the same time as the meeting or hearing of the Full Committee or another Subcommittee, *provided however*, that the Subcommittee Chairs may hold field hearings that conflict with those held by other Subcommittees of the Committee.

## 6. WITNESSES

(A) Number of Witnesses. For any hearing conducted by the Committee or Subcommittee there shall be no more than four non-governmental witnesses of which the Ranking Minority Member of the Committee or Subcommittee (as appropriate) is entitled to select one witness for the hearing.

(B) Witnesses Selected by the Minority. Witnesses selected by the Ranking Minority Member of the Committee or Subcommittee shall be invited to testify by the Chair of the Committee or Subcommittee (as appropriate). Rule 6(A) shall apply with equal force to witnesses selected by the Ranking Minority Member of the Committee or Subcommittee.

(C) Small Business Week Exception. The limitations set forth in the preceding paragraph shall not apply if the Committee holds a hearing to honor the work of the small business community in conjunction with the annual celebration of Small Business Week. Witness limitations for such a hearing shall be determined by the Chair in consultation with the Ranking Minority Member.

(D) Statement of Witnesses.

- (1) Insofar as is practicable, each witness who is to appear before the Committee or Subcommittee shall file an electronic copy of the written testimony with the Committee and the Ranking Minority Member no later than 48 hours before the commencement of the hearing.
- (2) Each witness shall limit his or her oral presentation to a five-minute summary of the written testimony, unless the Chair, in consultation with the Ranking Minority Member, extends this time period.
- (3) Insofar as is practicable, each non-governmental witness shall provide to the Committee and the Ranking Minority Member, no later than 48 hours before the commencement of the hearing, a curriculum vitae or other statement describing their education, employment, professional affiliation, or other background information pertinent to their testimony.

(E) Witness Disclosure. As required by Rule XI, cl. 2(g) of the Rules of the House, each non-governmental witness before the commencement of the hearing shall file with the Chair a disclosure form detailing any contracts or grants that the witness has with the federal government, as well as the amount and country of origin of any payment

or contract related to the subject of the hearing originating with a foreign government. Such information shall be posted on the Committee website within 24 hours after the witness appeared at the hearing.

(F) Failure to Comply. The failure to provide the materials set forth by the deadlines set forth in these rules may be grounds for excluding both the oral and written testimony of the witness unless waived by the Chair of the Committee or Subcommittee.

(G) Public Access to Witness Materials. The Committee will provide public access to printed materials, including the testimony of witnesses in electronic form on the Committee's website no later than 24 hours after the hearing is adjourned. Supplemental material provided after the hearing adjourns shall be placed on the Committee website no later than 24 hours after receipt of such material.

## **7. QUORUM**

(A) Generally. A majority of the members of the Committee or a subcommittee shall form a quorum for the Committee or subcommittee, respectively, except that two members, one Member from the Majority and one Member from the Minority, shall constitute a quorum for taking testimony and receiving evidence.

(B) Quorum for a Hearing. For purposes of taking testimony or receiving evidence, a quorum shall be one Member from the Majority and one Member from the Minority. The Chair of the Committee or Subcommittee shall exercise reasonable comity by waiting for the Ranking Minority Member even if a quorum is present before striking the gavel to commence the hearing.

(C) Field Hearings. For hearings held by the Committee or a Subcommittee in a location other than the Committee's hearing room or the assigned hearing room in Washington, DC, a quorum shall be deemed to be present if the Chair of the Committee or Subcommittee is present.

## **8. RECORD VOTES**

(A) When Provided. A record vote of the Committee shall be provided on any question before the Committee upon the request of any Member of the Committee. A record of the vote of each Member of the Committee on a matter before the Committee shall be available in electronic form within 48 hours of such record vote, and, with respect to any roll call vote on any motion to amend or report, shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those Members voting for and against. The chair may conduct any record vote by electronic device in accordance with clause 2(n) of rule XI.

(B) Proxy Voting. No vote by any Member of the Committee with respect to any measure or matter may be cast by proxy.

- (C) Public Access to Record Votes. The Chair of the Committee shall, not later than 24 hours after consideration of a bill, resolution, report or other item, cause the text of the reported item and any amendment adopted thereto to be made publicly available in electronic form.

## **9. SUBPOENAS, OATHS, AND DEPOSITIONS**

- (A) Issuance of Subpoena. A subpoena may be authorized and issued by the Chairman, in accordance with clause 2(m) of Rule XI of the House of Representatives with 24-hour notice and consultation with the Ranking Member.
  - (l) The Committee may authorize and issue a subpoena under clause 2(m) of House Rule XI if authorized by a majority of the Members voting.
- (B) Oaths. The Chairman of the Committee, or any member of the Committee designated by the Chairman, may administer oaths to any witness.
- (C) Deposition Authority. Pursuant to section 3(t) of House Resolution 5 of the 119th Congress, the Chair upon consultation with the Ranking Minority Member may order the taking of depositions, including pursuant to subpoena, by a member or counsel of the Committee. Depositions taken by a member or counsel of the Committee shall be subject to regulations issued by the Committee on Rules and printed in the Congressional Record. A witness shall not be required to testify unless the witness has been provided with a copy of section 3(t) of H. Res. 5, 119th Congress, and these regulations.

## **10. AMENDMENTS DURING MARKUP**

- (A) Availability of Amendments. Any amendment offered to any pending legislation before the Committee must be made available in written form by any Member of the Committee. If such amendment is not available in written form when requested, the markup may be recessed subject to the call of the Chair to provide sufficient time for the provision of such written amendment. Such recess shall not prejudice the offering of such amendment.
- (B) Drafting and Filing of Amendments. For amendments to be accepted during markup, there is no requirement that the amendments be filed prior to commencement of the markup or prepared with the assistance of the Office of Legislative Counsel. Even though it is not necessary, Members seeking to amend legislation during markup should draft amendments with the assistance of the Office of Legislative Counsel and consult with the Chair or Ranking Minority Member's staff (as appropriate) in the preparation of such amendments.

## **11. POSTPONEMENT OF PROCEEDINGS**

- (A) When Postponement is Permissible. The Chair, in consultation with the Ranking Minority Member, may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chair may resume postponed proceedings, but no later than 24 hours after such postponement, unless the House is not in session or there are conflicts with Member schedules that make it unlikely a quorum will be present to conduct business on the postponed proceeding. In such cases, the Chair will consult with Members to set a time as early as possible to resume proceedings but in no event later than the next meeting date as set forth in Rule 2 of these Rules.
- (B) Resumption of Proceedings. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

## **12. COMMITTEE RECORDS**

- (A) The Committee shall maintain a complete record of all actions, which shall include a record of the votes on any question on which a recorded vote is demanded. The result of any vote by the Committee, or if applicable by a Subcommittee, including a voice vote shall be posted on the Committee's website within 24 hours after the vote has been taken. Such record shall include a description of the amendment, motion, order, or other proposition, the name of the Member voting for and against such amendment, motion, order, or other proposition, and the names of Members present but not voting. For any amendment, motion, order, or other proposition decided by voice vote, the record shall include a description and whether the voice vote was in favor or against.
- (B) Transcripts. The Committee shall maintain a complete record of all Committee and Subcommittee activity which, in the case of a meeting or hearing transcript, shall include a substantially verbatim account of the remarks actually made during the proceedings subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks.
- (C) Availability of Records. The records of the Committee at the National Archives and Records Administration shall be made available in accordance with Rule VII of the Rules of the House. The Chair of the Committee shall notify the Ranking Member of the Committee of any decision, pursuant to Rule VII, cl. 3(b)(3) or cl. 4 (b), to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination of the written request of any Member of the Committee.
- (D) Publishing and Posting of Records. The Committee Rules shall be made publicly available in electronic form and published in the Congressional Record not later than

60 days after the Chair of the Committee is elected in each odd-numbered year.

### **13. COMMITTEE WEBSITE**

The Chair shall maintain an official Committee website for the purpose of furthering the Committee's legislative and oversight responsibilities, including communicating information about Committee's activities to Committee Members and other Members of the House. The Ranking Minority Member may maintain a similar website for the same purpose, including communicating information about the activities of the Minority to Committee Members and other Members of the House.

### **14. ACCESS TO CLASSIFIED OR SENSITIVE INFORMATION**

- (A) Access to classified or sensitive information supplied to the Committee or Subcommittees and attendance at closed sessions of the Committee or a Subcommittee shall be limited to Members and necessary Committee staff and stenographic reporters who have appropriate security clearance when the Chair determines that such access or attendance is essential to the functioning of the Committee or one of its Subcommittees.
- (B) Procedures Governing Availability. The procedures to be followed in granting access to those hearings, records, data, charts, and files of the Committee which involve classified information or information deemed to be sensitive shall be as follows:
  - (1) Only Members of the House of Representatives and specifically designated Committee staff of the Committee on Small Business may have access to such information.
  - (2) Members who desire to read materials that are in possession of the Committee shall notify the Clerk of the Committee in writing.
  - (3) The Clerk of the Committee will maintain an accurate access log, which identifies the circumstances surrounding access to the information, without revealing the material examined.
  - (4) If the material desired to be reviewed is material which the Committee or Subcommittee deems to be sensitive enough to require special handling, before receiving access to such information, individuals will be required to sign an access information sheet acknowledging such access and that the individual has read and understands the procedures under which access is being granted.
  - (5) Material provided for review under this rule shall not be removed from a specified room within the Committee offices.
  - (6) Individuals reviewing materials under this rule shall make certain that the materials are returned to the proper custodian.

- (7) No reproductions or recordings may be made of any portion of such materials.
- (8) The contents of such information shall not be divulged to any person in any way, form, shape, or manner and shall not be discussed with any person who has not received the information in the manner authorized by the rules of the Committee.
- (9) When not being examined in the manner described herein, such information will be kept in secure safes or locked file cabinets within the Committee offices.
- (10) These procedures only address access to information the Committee or Subcommittee deems to be sensitive enough to require special treatment.
- (11) If a Member of the House of Representatives believes that certain sensitive information should not be restricted as to dissemination or use, the Member may petition the Committee or Subcommittee to so rule.
- (12) With respect to classified information and materials provided to the Committee by the Executive Branch or an independent agency as that term is defined in 44 U.S.C. § 3502, the classification of information and materials as determined by the Executive Branch or independent agency shall prevail unless affirmatively changed by the Committee or Subcommittee involved, after consultation with the Executive Branch or independent agency.
- (13) Other materials in the possession of the Committee are to be handled in accordance with House Rules.

## **15. OTHER PROCEDURES**

The Chair of the Committee may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the Committee.

## **16. AMENDMENTS TO COMMITTEE RULES**

The rules of the Committee may be modified, amended, or repealed by a majority vote of the Members, at a meeting specifically called for such purpose, but only if written notice of the proposed change or changes has been provided to each Member of the Committee at least 72 hours prior to the time of the meeting of the Committee to consider such change or changes.

## **17. COMMITTEE STAFF**

- (A) Majority Staff. The employees of the Committee, except those assigned to the Minority as provided below, shall be appointed and assigned, and may be removed by



the Chair of the Committee. The Chair shall fix their remuneration and they shall be under the general supervision and direction of the Chair.

- (B) Minority Staff. The employees of the Committee assigned to the Minority shall be appointed and assigned, and their remuneration determined, as the Ranking Minority Member of the Committee shall decide.
- (C) Subcommittee Staff. There shall be no separate staff assigned to Subcommittees. The Chair and Ranking Minority Member shall endeavor to ensure that sufficient Committee staff is made available in order that each Subcommittee may carry out the responsibilities set forth in Rule 3, *supra*.

## **18. BUDGET AND TRAVEL**

- (A) Allocation of Budget. From the amount provided to the Committee in the primary expense resolution adopted by the House of Representatives in the 119<sup>th</sup> Congress, the Chair, after consultation with the Ranking Minority Member, shall designate one-third of the budget under the direction of the Ranking Minority Member for the purposes of Minority staff, travel expenses of Minority staff and Members, and Minority office expenses.
- (B) Authorization of Travel. The Chair may authorize travel in connection with activities or subject matters under the legislative or oversight jurisdiction of the Committee as set forth in Rule X of the Rules of the House. The Ranking Minority Member may authorize travel for any Minority Member or staff of the Minority in connection with activities or subject matters under the Committee's jurisdiction as set forth in Rule X of the Rules of the House. Before such travel, there shall be submitted to the Chair of the Committee in writing the following at least seven (7) calendar days prior specifying: a) the purpose of the travel; b) the dates during which the travel is to occur; c) the names of the states or countries to be visited and the length of time spent in each; and d) the names of Members and staff of the Committee participating in such travel.