

# GIBSON DUNN TABLE OF AUTHORITIES OF HOUSE AND SENATE COMMITTEES 118th Congress

Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure <sup>1</sup>	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules <sup>2</sup>	Other Provisions
<b>House Committees</b>					
<p>All Standing House Committees</p> <p><a href="#">H. Res. 5 (118th Cong.)</a></p> <p><a href="#">House Rules</a></p> <p><a href="#">118th Congress</a></p> <p><a href="#">Regulations for Use of Deposition Authority and Remote Participation of Committee Witnesses</a></p>	<p>All standing committees other than Rules, as well as the Permanent Select Committee on Intelligence, are authorized “to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it considers necessary.” House Rule XI(2)(m)(1)(B).</p> <p>“A subpoena may be authorized and issued by a committee or subcommittee under subparagraph (1)(B) in the conduct of an investigation . . . only when authorized by the committee or subcommittee, a majority being present.” The power to authorize</p>	<p>Set by individual committees.</p>	<p><b>Quorum Requirements:</b> A measure or recommendation may not be reported by a committee unless a majority of the committee is actually present. Rule XI(2)(h)(1).</p> <p>Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence, which may not be less than two. Rule XI(2)(h)(2).</p> <p>Each committee (other than Appropriations, Budget, and Ways and Means) may fix the number of its members to constitute a quorum for taking any action other than one for which a majority is required, which may not be less than one-third of its members. Rule XI(2)(h)(3).</p>	<p>The Chair of any standing committee (other than the Committee on Rules), and the Chair of the Permanent Select Committee on Intelligence, may, upon consultation with the Ranking Member, order the taking of depositions, including pursuant to a subpoena, by a member or counsel of such committee. H. Res. 5 (incorporating the rules of the 117th Congress, which incorporated the rules of the 116th Congress addressing deposition authority).</p> <p><i>The deposition regulations applicable to all standing committees are substantial. Key provisions include:</i></p> <p>Consultation with the Ranking Member shall include three days’ notice before any deposition is taken. All committee members also must receive three days’</p>	

<sup>1</sup> House committees and subcommittees are authorized to issue subpoenas under House Rule XI. Senate standing committees and subcommittees are authorized to issue subpoenas under Senate Rule XXVI(1). The rules authorize subpoenas for obtaining documents and taking testimony. Most—though not all—committees adopt rules that apply specifically to the issuance of subpoenas and the execution of other authorities.

<sup>2</sup> The rules for the 116th and 117th Congresses eliminated the requirement that a member be present during a deposition, see H. Res. 6 § 103(a) (2019), which remains the case in the 118th Congress. See H. Res. 5 (2023) (adopting the rules of the 118th Congress, providing, “The Rules of the House of Representatives of the One Hundred Seventeenth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Seventeenth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Eighteenth Congress, with amendments to the standing rules as provided in section 2, and with other orders as provided in this resolution.”).

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	<p>subpoenas may be delegated to the Chair “under such rules and . . . limitations as the committee may prescribe.” House Rule XI(2)(m)(3).</p> <p>Compliance with a subpoena issued by a committee or subcommittee may be enforced only as authorized or directed by the House. House Rule XI(2)(m)(3)(D).</p>		<p><b>Staff Questioning:</b> A committee may adopt a rule or motion permitting Committee staff for its majority and minority party members to question a witness for equal specified period of times, not exceeding one hour in the aggregate. House Rule XI(2)(j)(1)(C).</p>	<p>written notice, except in exigent circumstances. Reg. 2.</p> <p>Witnesses may be accompanied by two non-governmental attorneys. Reg. 3.</p> <p>A deposition shall be conducted by any member or committee counsel designated by the chair or ranking member of the Committee that noticed the deposition. Reg. 5.</p> <p>The Chair may immediately overrule objections raised by a witness’s counsel and direct the witness to answer. If a member of the committee chooses to appeal the ruling of the Chair, the appeal must be made in three days, in writing. A deponent who refuses to answer a question after being directed to answer by the chair may be subject to sanction. Reg. 7.</p>	
<p>House Administration <a href="#">Rules</a> <a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> A subpoena may be authorized and issued by the Chair of the full Committee. Rule 6(c)(1).</p> <p>Following the authorization and issuance of the subpoena, the Chair shall notify the Ranking Member and provide the Ranking Member a full copy of the subpoena. Rule 6(c)(2).</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule 6(c)(1).</p>	<p><b>Quorum Requirements:</b> Two members actually present constitute a quorum for taking testimony. Rule 7(c).</p>		

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<p>House Agriculture</p> <p><a href="#">Rules</a> <a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> A subpoena may be authorized and issued by a majority of the Committee or by the Chair in consultation with the Ranking Member. Rule VII(a).</p> <p>The Chair must consult with the Ranking Member at least 48 hours in advance of a subpoena being issued. Rule VII(a).</p>		<p><b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule IV(c).</p> <p><b>Staff Questioning:</b> Unless a majority of the Committee or subcommittee determines otherwise, no Committee or subcommittee staff shall interrogate witnesses. Rule VIII(e).</p>		
<p>House Appropriations</p> <p><a href="#">Rules</a> <a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> The Committee and each of its subcommittees are authorized to require attendance and testimony of witnesses and production of materials by subpoena or otherwise. Sec. 1(c).</p> <p>Subpoenas must be authorized by majority of members voting, a majority being present. The Committee may delegate this authority to the Chair. <i>See id.</i></p>		<p><b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Sec. 5(c).</p>		
<p>House Armed Services</p> <p><a href="#">Rules</a> <a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> A subpoena may be authorized by the Committee, or any subcommittee, with the concurrence of the Chair and after consultation with the Ranking Member only when authorized by a majority of members voting, a majority of the Committee or Subcommittee being</p>		<p><b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule (10)(a).</p>		

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	present. Rules 12(a)(2), 12(b)(1). <i>See also</i> Rule 10(b)(3).				
House Budget <a href="#">Rules</a> <a href="#">Jurisdiction</a>	<b>Subpoena Authority:</b> A majority of the Committee or the Chair may authorize a subpoena. Rule 18(a).	<b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule 18(a).	<b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule 16. <b>Staff Questioning:</b> The Chair and Ranking Member may designate an equal number of Members or staff from each party to question a witness for up to 30 minutes. Rule 17(d).		
House Education & The Workforce <a href="#">Rules</a> <a href="#">Jurisdiction</a>	<b>Subpoena Authority:</b> The power to authorize and issue subpoenas is delegated to the Chair of the full Committee, pursuant to House Rule XI cl. 2(m)(3)(A)(i). Rule 10. The Chair shall notify the Ranking Member before issuance of a subpoena, and, to the extent practicable, shall consult with the Ranking Member at least 24 hours in advance, excluding Saturdays, Sundays, and federal holidays. As soon as practicable after issuance, the Chair shall notify all Committee members in writing. Rule 10. The Chair or majority staff shall consult with the Ranking Member or minority staff no less than three business days before any notice or	<b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule 10.	<b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule 12. <b>Staff Questioning:</b> The Chair may authorize staff for the majority and minority to question witnesses at a Committee hearing for equal periods of time not exceeding one hour in the aggregate. Rule 9(c). In an investigative hearing, the Chair may extend questioning for equal amounts of time for the majority and minority and may not exceed one hour. Rule 9(d).	The Chair rules on objections after the deposition is adjourned. If the Chair overrules any such objection and thereby orders a deponent 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 members and the deponent no less than three days before the ruling is enforced at a reconvened deposition. Rule 11(f)(2). A deponent who refuses to answer after being directed to do so <b>in writing</b> may be subject to sanction, unless the ruling is reversed on appeal. Rule 11(f)(2) ( <b>bold</b> indicates a distinction from the House deposition regulations).	

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	<p>subpoena for a deposition is issued. After such consultation, all members shall receive written notice that a notice or subpoena for a deposition will be issued. Rule 11(b).<sup>3</sup></p>			<p>In all cases, when deposition testimony for which an objection has been made is offered for admission in evidence before the Committee, all properly lodged objections then made shall be timely and shall be considered by the Committee prior to admission in evidence before the Committee. Rule 11(f)(2).</p>	
<p>House Energy and Commerce <a href="#">Rules</a> <a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> The power to authorize and issue subpoenas is delegated to the Chair of the full Committee. Rule 16.</p> <p>The Chair shall notify the Ranking Member prior to issuing any subpoena. Rule 16.</p> <p>To the extent practicable, the Chair shall consult with the Ranking Member at least 72 hours in advance of a subpoena being issued. The Chair shall report to the members of the Committee on the issuance of a subpoena as soon as practicable but in no event later than one week after issuance of such subpoena. Rule 16.</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule 16.</p>	<p><b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule 6.</p> <p><b>Staff Questioning:</b> The Chair, with the concurrence of the Ranking Member, or the Committee by motion, may authorize Committee staff of both sides to question witnesses in equal allotments, no longer than 30 minutes per side. Rule 3(d)(2).</p>		

<sup>3</sup> The Committee’s rules include a provision that states that to authorize a subpoena, a majority of the Committee or subcommittee constitutes a quorum. See Rule 12. Given that the rules no longer provide for a committee-vote procedure to issue a subpoena, it appears this provision no longer has effect.

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<p>House Ethics (investigatory hearings)</p> <p><a href="#">Rules</a></p> <p><a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> Issuance of a subpoena requires a vote of a majority of the members of the Committee or subcommittee. Rule 10(a)(1); Rule 19(b)(5).</p> <p>Unless the Committee otherwise provides, the subpoena power lies with the Chair and Ranking Member of the investigative Subcommittee; a subpoena shall be issued upon the request of the investigative subcommittee. Rule 19(b)(5).</p>		<p><b>Quorum Requirements:</b> Two members of the Committee or an investigative Subcommittee constitute a quorum for taking testimony unless otherwise authorized by the House. Rule 9(a).</p> <p><b>Staff Questioning:</b> Staff may interview witnesses, examine documents and other evidence, and request statements be under oath and documents be certified as to authenticity and accuracy. Rule 19(b)(4).</p>	<p>All proceedings, including the taking of testimony, shall be conducted in executive session and all testimony taken by deposition or things produced pursuant to subpoena or otherwise shall be deemed to have been taken or produced in executive session. Rule 19(b)(1).</p>	<p><b>Admissibility of Evidence:</b> Chair of subcommittee or other presiding member at any investigative subcommittee proceeding shall rule upon any question of admissibility or relevance of evidence, motion, procedure or any other matter, and may direct any witness to answer any question under penalty of contempt. Witness, counsel, or member of subcommittee may appeal any rulings to members present at that proceeding. A majority vote of members present at such proceeding on such appeal shall govern the question of admissibility, and no appeal shall lie to the Committee. Rule 19(c)(2).</p> <p><b>Contempt:</b> When a person is determined by majority vote to be in contempt of the subcommittee, the matter may be referred to the Committee to determine whether to refer the matter to the House for consideration. Rule 19(c)(3). Any relevant evidence shall be admissible unless it is privileged under precedents of the House. Rule 19(c)(1). A respondent must be informed of the right to counsel, provided at his or her own expense. Rule 26(a).</p>

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<p>House Ethics (adjudicatory hearings) <a href="#">Rules</a> <a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> Issuance of a subpoena requires a vote of a majority of the members of the Committee or subcommittee. Rule 10(a)(1).</p> <p>An adjudicatory subcommittee may issue subpoenas, and a subpoena for documents may specify terms of return other than at a meeting of the subcommittee. Rule 23(d). <i>See also</i> Rule 23(h).</p> <p>The respondent or counsel may apply to the subcommittee for the issuance of subpoenas for the appearance of witnesses or the production of evidence. Rule 23(h).</p>		<p><b>Quorum Requirements:</b> A majority plus one member of adjudicatory subcommittee shall constitute a quorum for any business. Rules 9(b) and 23(b).</p>	<p>Depositions, interrogatories, and sworn statements taken under any investigative Subcommittee direction may be accepted into the hearing record. Rule 23(d).</p>	<p><b>Admissibility of Evidence:</b> The Chair of the subcommittee or other presiding member at an adjudicatory subcommittee hearing shall rule upon any question of admissibility or relevance of evidence, motion, procedure, or any other matter, and may direct any witness to answer any question under penalty of contempt. A witness, witness counsel, or a member of the subcommittee may appeal any ruling to the members present at that proceeding. A majority vote of the members present at such proceeding on such an appeal shall govern the question of admissibility and no appeal shall lie to the Committee. Rule 23(j)(2) and (3).</p> <p>Any relevant evidence shall be admissible unless it is privileged under precedents of the House. Rule 23(j)(1).</p> <p><b>Right to Counsel:</b> Witnesses have a right to counsel. <i>See</i> Rule 26(a).</p>
<p>House Financial Services <a href="#">Rules</a> <a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> The power to authorize and issue subpoenas is delegated to the Chair. Rule 3(e)(1).</p> <p>Unless there are exigent circumstances, the Chair will provide written notice to the</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule 3(e)(1).</p>	<p><b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule 3(b)(1).</p>		

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	<p>Ranking Member at least 48 hours in advance of the authorization and issuance of a subpoena. Rule 3(e)(1).</p> <p>The Chair or any person designated by the Chair to serve a subpoena must copy the Ranking Member or designated minority staff when a subpoena is issued and served electronically. Rule 3(e)(2).</p> <p>A majority of the members of the Committee shall constitute a quorum for the purposes of authorizing a subpoena (other than a subpoena authorized and issued by the Chair pursuant to subsection (e)(1)). Rule 3(b)(2).<sup>4</sup></p>				
<p>House Foreign Affairs</p> <p><a href="#">Rules</a></p> <p><a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> The Chair may authorize and issue a subpoena. Rule 22. The Chair must consult with the Ranking Member prior to issuing a subpoena. Rule 22.</p> <p>In addition, a subpoena may be authorized and issued by the</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule 22.</p>	<p><b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule 3.</p> <p><b>Staff Questioning:</b> Committee staff may be permitted to question a witness for equal specified periods either with the concurrence of the Chair and Ranking Minority Member</p>		

<sup>4</sup> The Committee’s rules include a provision that states that to authorize a subpoena, a majority of the Committee or subcommittee constitutes a quorum. See Rule 3(b)(2). Given that the rules no longer provide for a committee-vote procedure to issue a subpoena, it appears this provision no longer has effect.

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	Committee or its subcommittees in the conduct of any investigation or activity or series of investigations or activities, only when authorized by the Committee or subcommittee, a majority being present. Rule 22.		of the full Committee or by motion. In no case may questioning by Committee staff proceed before each Member of the Committee who wishes to speak under the five-minute rule has had one opportunity to do so. Rule 6(a)(4).		
House Homeland Security <a href="#">Rules</a> <a href="#">Jurisdiction</a>	<p><b>Subpoena Authority:</b> The power to authorize and issue subpoenas is delegated to the Chair of the full Committee. Rule XII(A).</p> <p>The Chair shall notify the Ranking Member prior to issuing any subpoena. To the extent practicable, the Chair shall consult with the Ranking Member at least 24 hours in advance of a subpoena being issued under such authority, excluding Saturdays, Sundays, and federal holidays. Rule XII(A).</p> <p>The Chair shall notify the full Committee as soon as practicable, but no later than one week after the subpoena is served. Rule XII(A).</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule XII(A).</p>	<p><b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule IX.</p> <p><b>Staff Questioning:</b> The Chair, in consultation with the Ranking Member, or the Committee by motion, may permit Committee staff to question a witness for a specified period of time, but the time allotted must be equal between the parties and the aggregate may not exceed one hour. Rule VIII(A)(4).</p>		<p><b>Contempt:</b> The Chair may punish breaches of order and decorum, by censure and exclusion from a hearing or meeting; and the Committee may cite the offender to the House for contempt. Rule X(A).</p> <p><b>Preventing Disclosure:</b> Provisions may be included in a subpoena with concurrence of the Chair and Ranking Member of the full Committee, or by the Committee, to prevent disclosure of the full Committee’s demands for information when deemed necessary for security of information or progress of an investigation, including but not limited to prohibiting revelation by witnesses and their counsel of the full Committee’s inquiries. Rule XII(B).</p> <p><b>Counsel Notice of Appearance:</b> When representing a witness or entity before the Committee in response to a document request, request for transcribed interview, or subpoena from the Committee, or in connection</p>

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					with testimony before the Committee at a hearing, counsel for the witness must submit a notice of appearance specifying: (a) counsel’s name, firm or organization, and contact information; and (b) each client represented by the counsel in connection with the proceeding. Submission of a notice of appearance constitutes acknowledgement that counsel is authorized to accept service of process by the Committee on behalf of such client(s), and that counsel is bound by and agrees to comply with all applicable House and Committee rules and regulations. Rule XII(D).
House Judiciary <a href="#">Rules</a> <a href="#">Jurisdiction</a>	<p><b>Subpoena Authority:</b> A subpoena may be authorized by the Chair following consultation with the Ranking Member. Rule IV(a).</p> <p>At least one calendar day before the Chair issues any subpoena, the Chair must consult with the Ranking Member and provide a draft copy of the proposed subpoena, including a draft of any proposed document schedule. Rule IV(e). The Chair may waive these requirements in the event of an emergency that does not reasonably allow for advance</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule IV(a).</p>	<p><b>Quorum Requirements:</b> Two Members constitute a quorum for taking testimony. Rule III(d).</p>		

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	<p>written notice, including, but not limited to, when a witness who is voluntarily before the Committee refuses to answer a question. Rule IV(d).</p> <p>A subpoena may also be authorized when approved by a majority of Committee or subcommittee voting, a majority being present. Rule IV(b).</p>				
<p>House Judiciary Committee Select Subcommittee on the Weaponization of the Federal Government</p> <p><a href="#">Rules</a> <a href="#">Jurisdiction</a></p>	<p>Judiciary Committee rules apply. H. Res. 12.</p> <p><b>Investigation Authorization:</b> The Select Subcommittee is authorized and directed to conduct a full and complete investigation no later than January 2, 2025 regarding specific topics, including Article II authority to investigate U.S. citizens; how the executive branch agencies obtain information from the private sector and other government agencies; and other issues related to the violation of citizens' civil liberties. H. Res. 12.</p> <p><b>Subpoena Authority:</b> At least one calendar day before the Chair of the full Committee issues any subpoena, the Chair must consult with the Ranking Member and</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair of the full Committee may issue subpoenas unilaterally. Rule IV(a).</p>	<p><b>Quorum Requirements:</b> Two Members constitute a quorum for taking testimony. Judiciary Rule III(d).</p>		

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	<p>provide a draft copy of the proposed subpoena, including a draft of any proposed document schedule. Rule IV(c).</p> <p>The Chair may waive these requirements in the event of an emergency that does not reasonably allow for advance written notice, including, but not limited to, when a witness who is voluntarily before the Committee refuses to answer a question. Rule IV(d).</p> <p>The full Committee may authorize subpoenas to be returned at the Select Subcommittee. H. Res. 12.</p> <p>A subpoena may also be authorized when approved by a majority of the Subcommittee voting, a majority being present. Judiciary Rule IV(b).</p>				
<p>House Natural Resources</p> <p><a href="#">Rules</a></p> <p><a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> The Chair may authorize and issue a subpoena. Rule 4(d)(1).</p> <p>The Committee may authorize and issue a subpoena if authorized by a majority of the Members voting. Rule 4(d)(2).</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule 4(d)(1).</p>	<p><b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule 3(e)(1).</p>		<p><b>Privilege:</b> Claims of common-law privileges made by witnesses in hearings, or by interviewees or deponents in investigations or inquiries, are applicable only at the discretion of the Chair, subject to appeal to Committee. Rule 4(g).</p>

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	If by Committee, majority of members constitutes a quorum. Rule 3(e)(1).				
House Oversight and Accountability <a href="#">Rules</a> <a href="#">Jurisdiction</a>	<p><b>Subpoena Authority:</b> The Chair may authorize and issue subpoenas. Rule 12(g).</p> <p>An Executive agency, on request of the Committee on Government Operations of the House of Representatives, or of any seven members thereof, or on request of the Committee on Governmental Affairs of the Senate, or any five members thereof, shall submit any information requested of it relating to any matter within the jurisdiction of the committee. 5 U.S.C. § 2954.<sup>5</sup></p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule 12(g).</p>	<p><b>Quorum Requirements:</b> 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 shall constitute a quorum for taking testimony and receiving evidence, and one third of the members shall form a quorum for taking any action other than for which the presence of a majority of the Committee or subcommittee is otherwise required. Rule 3(a).</p> <p><b>Staff Questioning:</b> The Chair of the Committee, or subcommittee by motion, may permit Committee or subcommittee staff of the majority and minority to question a witness for a specified time, but the time allotted must be equal between the parties and not longer than 30 minutes for each side. Rule 9(d).</p>	<p>A deponent who refuses to answer a question after being directed by the Chair <b>in writing, or orally during the proceeding as reflected in the record</b>, 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. Rule 15(a) (<b>bold</b> indicates a distinction from the House deposition regulations).</p>	<p><b>Counsel Notice of Appearance:</b> When representing a witness or entity before the Committee or a subcommittee in response to a request or subpoena from the Committee, or in connection with testimony before the Committee or a subcommittee, counsel for the witness or entity must promptly submit to the Committee a notice of appearance specifying the following: (1) counsel's name, firm or organization, bar membership, and contact information including email; and (2) each client or entity represented by the counsel in connection with the proceeding. Rule 16(b).</p> <p><b>Privilege:</b> The Chair has authority to rule on assertions of privilege. For the Chair to consider assertions of privilege, witnesses or entities must clearly state the specific privilege and the reason for the assertion on or before the scheduled date of testimony or appearance or upon demand from the</p>

<sup>5</sup> Although this provision does not provide subpoena authority, it does provide a mechanism to require the executive branch to produce information.

Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure <sup>1</sup>	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules <sup>2</sup>	Other Provisions
					<p>Chair that provides for a subsequent date. Rule 16(c)(1).</p> <p>The assertion must be set forth in a privilege log that includes specified information. Rule 16(c)(2).</p> <p>The Chair may waive or modify any of the privilege requirements to facilitate cooperation. Rule 16(c)(4).</p>
<p>House Permanent Select Committee on Intelligence</p> <p><a href="#">Rules</a></p> <p><a href="#">Jurisdiction</a></p>	<p><b>Investigation Authorization:</b> The Committee shall commence investigations only if approved by the Chair, in consultation with the Ranking Member. Rule 5(A).</p> <p>The Chair, upon notice to the Ranking Member, may halt or end a previously authorized investigation at the Chair’s discretion. Rule 5(C).</p> <p><b>Subpoena Authority:</b> All subpoenas shall be authorized by the Chair of the full Committee upon consultation with the Ranking Member or by vote of the full Committee. Rule 10(A).</p> <p>If by Committee, a majority constitutes a quorum. Rule 5(B).</p> <p>Subpoenas must have a copy of the Committee rules attached. Rule 10(E).</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule 10(A).</p>	<p><b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony, at least one of whom is a member of the Majority. Rule 2(I)(1).</p> <p><b>Staff Questioning:</b> The Chair, in consultation with the Ranking Member, may determine that Committee staff will be authorized to question witnesses at a hearing. Rule 9 (E)(2)(A). The Chair and the Ranking Member may designate staff to question witnesses at a hearing. Rule 9(E)(2).</p>		<p><b>Counsel Clearance:</b> Counsel accompanying witnesses during closed hearings due to discussion of classified material must possess the requisite security clearance. Rule 9(C)(3).</p> <p><b>Provision of Counsel:</b> Any witness who is unable to obtain counsel should notify the Committee at least 24 hours prior to the witness’s appearance before the Committee, in which case, the Committee shall endeavor to obtain voluntary counsel for the witness. Failure to obtain counsel will not excuse the witness from testifying. Rule 9(C)(4).</p> <p><b>Counsel Conduct:</b> Counsel must conduct themselves ethically and professionally at all times, Rule 9(C)(5), or face removal of counsel from the proceeding, Rule 9(C)(6)(a). A majority of the Committee may overrule a</p>

# GIBSON DUNN TABLE OF AUTHORITIES OF HOUSE AND SENATE COMMITTEES 118th Congress

Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure <sup>1</sup>	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules <sup>2</sup>	Other Provisions
	<p>All national security information bearing a classification of Confidential or higher shall be deemed to have been received in executive session and shall be given appropriate safekeeping. Rule 10(F)(2).</p>				<p>decision of the Chair to remove counsel. <i>Id.</i></p> <p><b>Witness Confidentiality:</b> At the request of a witness scheduled to be heard by the Committee, the name of that witness shall not be released publicly prior to, or after, the witness's appearance before the Committee unless authorized by the Chair. Rule 9(J)(1)–(2).</p> <p><b>Objections:</b> Any objection is ruled on by the Chair but may be overturned by majority vote of the Committee. Rule 9(F)(2).</p> <p><b>Contempt:</b> Citations for contempt will be forwarded to the House only if the Committee has met and considered the contempt allegations (with reasonable notice given to Committee members in advance), the subject of the allegations was afforded an opportunity to state in writing or in person why he or she should not be held in contempt, and the Committee agrees to recommend contempt by a majority vote. Rule 9(I).</p>
<p>House Rules <a href="#">Rules</a> <a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> Subpoenas may be authorized and issued by committee or subcommittee, only when authorized by a majority of</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally when the House has been adjourned for at least three days. Rule 3(e)(2).</p>	<p><b>Quorum Requirements:</b> For purposes of hearing testimony on requests for rules, five members constitute a quorum. Rule 3(b)(1).</p>		

# GIBSON DUNN TABLE OF AUTHORITIES OF HOUSE AND SENATE COMMITTEES 118th Congress

Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure <sup>1</sup>	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules <sup>2</sup>	Other Provisions
	<p>the members voting, a majority being present. Rule 3(e)(1).</p> <p>The Chair may authorize and issue a subpoena when the House has adjourned for at least three days. Rule 3(e)(2).</p>		<p>Three members constitute a quorum regarding matters of original jurisdiction and taking testimony. Rule 3(b)(2).</p> <p>A majority of the members constitutes a quorum for reporting any measure or matter, authorizing a subpoena, or closing a meeting or hearing. Rule 3(b)(3).</p> <p><b>Subcommittees:</b> Two members constitute a quorum for taking testimony. Rule 5(e)(1).</p>		
<p>House Science, Space, and Technology</p> <p><a href="#">Rules</a></p> <p><a href="#">Jurisdiction</a></p>	<p><b>Investigation Authorization:</b> Any investigation undertaken in the name of the Committee shall be approved by the Chair. Rule VII(c).</p> <p><b>Subpoena Authority:</b> The power to authorize and issue subpoenas is delegated to the Chair.</p> <p>The Chair shall notify the Ranking Member prior to issuing any subpoena and shall consult with the Ranking Member at least 24 hours in advance of a subpoena being issued. Rule IX.</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule IX.</p>	<p><b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule II(d)(2).</p> <p>One-third of the Committee or subcommittee members shall constitute a quorum for taking any other action. Rule II(d)(d) [<i>sic</i>].</p> <p><b>Staff Questioning:</b> The Chair, in consultation with the Ranking Member, may designate staff from each party to question a witness for a period of time equally divided between the majority party and the minority party, not to exceed one hour in the aggregate. Rule III(c)(2)(2) [<i>sic</i>].</p>		<p><b>Privilege:</b> Claims of common-law privileges made by witnesses in hearings or by interviewees or deponents in investigations or inquiries are applicable only at the discretion of the Chair, subject to appeal to the Committee. Rule III(d).</p>

# GIBSON DUNN TABLE OF AUTHORITIES OF HOUSE AND SENATE COMMITTEES 118th Congress

Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure <sup>1</sup>	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules <sup>2</sup>	Other Provisions
<p>House Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party</p> <p><a href="#">Rules</a> <a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> The power to authorize and issue subpoenas is delegated to the Chair. Rule VI.</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule VI.</p>	<p><b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule IV(b).</p> <p><b>Staff Questioning:</b> The Chair, with the concurrence of the Ranking Member, may permit designated staff members to question witnesses related to the subject matter of the hearing. Time for staff questioning shall be divided equally between the majority and the minority and shall not exceed one hour. Rule II(e)(4).</p>		<p><b>Privilege:</b> Claims of common-law privilege made by witnesses in hearings, or by interviewees in investigations or inquiries, are applicable only at the discretion of the Chair, subject to appeal to the Committee. Rule III(h).</p>
<p>House Small Business</p> <p><a href="#">Rules</a> <a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> A subpoena may be authorized and issued by the Chairman with 24 hours' notice and consultation with the Ranking Member. Rule 9(A).</p> <p>The Committee may authorize and issue a subpoena if authorized by a majority of the Members voting. Rule 9(A)(1).</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally, with 24 hours' notice and consultation with the Ranking Member. Rule 9(A).</p>	<p><b>Quorum Requirements:</b> Two members, one member from each party, shall constitute a quorum for taking testimony. Rule 7(A).</p> <p>For hearings held other than in the Committee's hearing room in Washington, D.C., a quorum shall be deemed to be present if the Chair of the Committee or subcommittee is present. Rule 7(C).</p>		
<p>House Transportation &amp; Infrastructure</p> <p><a href="#">Rules</a> <a href="#">Jurisdiction</a></p>	<p><b>Investigation Authorization:</b> The Committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under House Rule X. Rule XII(b)(1).</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally if they have not been previously rejected by the Committee or subcommittee. Rule XII(d)(1).</p>	<p><b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule VI(d).</p>		<p><b>Expenses of Subpoenaed Witnesses:</b> Each witness who has been subpoenaed, upon the completion of the witness' testimony before the Committee or any subcommittee, may report to the offices of the Committee, and there sign appropriate vouchers for</p>

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Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure <sup>1</sup>	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules <sup>2</sup>	Other Provisions
	<p><b>Subpoena Authority:</b> A subpoena may be issued by the Committee or subcommittee, only when authorized by a majority of members voting, a majority being present. Rule XII(d)(1).</p> <p>If a specific request for subpoena has not been previously rejected by either the Committee or subcommittee, then the Chair of the Committee, after consultation with the Ranking Member, may authorize and issue the subpoena. Rule XII(d)(1).</p> <p>As soon as practicable after issuance, the Chair will notify other Committee members. Rule XII(d)(1).</p>				travel allowances and attendance fees. Rule XII(e).
<p>House Veterans' Affairs</p> <p><a href="#">Rules</a></p> <p><a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> Subpoenas may be authorized and issued by the Chairman only when authorized by a majority of the members voting, a majority being present. Rule 1(h).</p>		<p><b>Staff Questioning:</b> After consultation with the Ranking Member, the Chair may permit Committee staff to question a witness for equal specified periods. Staff of each party shall receive equal time to question, and that time may not exceed one hour in the aggregate. Rule 3(b)(2)(C)(2).</p> <p><b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule 4(a).</p>	<p>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. Rule 1(g).</p>	

Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure <sup>1</sup>	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules <sup>2</sup>	Other Provisions
House Ways and Means <a href="#">Rules</a> <a href="#">Jurisdiction</a>	The Chair of full Committee may authorize subpoenas. Rule 16.	<b>Unilateral Subpoena Authority:</b> The Chair may issue subpoenas unilaterally. Rule 16.	<b>Quorum Requirements:</b> Two members constitute a quorum for taking testimony. Rule 2.		

Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
<b>Senate Committees</b>					
Senate Agriculture, Nutrition, and Forestry  <a href="#">Rules</a>  <a href="#">Jurisdiction</a>	<p><b>Investigation Authorization:</b> A majority of the Committee must authorize an investigation in which depositions are taken or subpoenas issued by vote at a business meeting. Rule 8.1.</p> <p><b>Subpoena Authority:</b> The Chair may issue subpoenas with the approval of Ranking Member; Chair may also issue if Ranking Member fails to object within 72 hours of notice, excluding Saturdays and Sundays.</p> <p>If Ranking Member objects, the full Committee may issue. Rule 8.2.</p>		<p><b>Quorum Requirements:</b> One member constitutes a quorum for taking testimony. Rule 5.1.</p> <p>A quorum for the transaction of committee or subcommittee business, other than for reporting a measure to the Senate or taking testimony, shall consist of one-third of the Committee members including at least one member from each party. Rule 5.2.</p>	<p>Notices for taking depositions in an investigation authorized by the Committee shall be authorized and issued by the Chair or a staff officer designated by the Chair. Rule 8.3.</p> <p>Unless otherwise specified, depositions shall be in private. Rule 8.3. Staff may take depositions. Rule 8.3. The Chair rules on objections. Rule 8.4.</p> <p>The Committee shall not institute criminal and civil enforcement for failure to appear unless the deposition was accompanied by a subpoena. Rule 8.3.</p>	
Senate Appropriations  <a href="#">Rules</a>  <a href="#">Jurisdiction</a>			<p><b>Quorum Requirements:</b> One member constitutes a quorum for taking unsworn testimony before the Committee or subcommittee, three members for sworn testimony before the Committee, one member</p>		

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Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
			for sworn testimony before a subcommittee. Rule II(3).		
Senate Armed Services  <a href="#">Rules</a> <a href="#">Jurisdiction</a>	<b>Subpoena Authority:</b> The Chair or his or her designee may issue a subpoena after authorization by a majority of the Committee and consultation with the Ranking Member. Rule 9.		<b>Quorum Requirements:</b> Other than reporting matters and conducting a hearing, nine members including one member of the minority party, or a majority of the members shall constitute a quorum for the transaction of Committee business. Rule 6(b).  Three members constitute a quorum, one of whom must be of the minority party, for taking sworn testimony unless otherwise ordered by a majority of the Committee. Rule 6(c).		<b>Counsel:</b> Witnesses may have counsel who shall be permitted at all times during such hearings to advise the witness of his or her legal rights. Rule 10(g).
Senate Banking, Housing, and Urban Affairs  <a href="#">Rules</a> <a href="#">Jurisdiction</a>	<b>Investigation Authorization:</b> Committee investigations must be authorized by the full Senate, the full Committee, or the Chair and Ranking Member before they are initiated. Rule 2(a). Subcommittee investigations must be authorized by the Senate or the full Committee before they are initiated. Rule 3(c).  <b>Subpoena Authority:</b> The Chair may issue a subpoena upon approval of the Ranking Member,		<b>Quorum Requirements:</b> One member constitutes a quorum for taking testimony. Rule 6.  <b>Staff Questioning:</b> Committee interrogation of a witness shall be conducted only by Committee members or staff authorized by the Chair or Ranking Member. Rule 2(d). Subcommittee interrogation of a witness shall be conducted only by subcommittee members or staff authorized by the Chair or Ranking Member of the subcommittee. Rule		<b>Counsel:</b> Witnesses appearing pursuant to a subpoena may have counsel who may advise the witness of his or her legal rights while testifying. Rule 4(e).

Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
	or by a majority vote of the Committee. Same rule for subcommittees. Rule 4(d).		3(f).		
Senate Budget <a href="#">Rules &amp; Jurisdiction</a>		<b>Polling:</b> The Committee may poll steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies (but there is no requirement to do so). Rule IV(4)(ii).	<b>Quorum Requirements:</b> A quorum for the transaction of committee business shall consist of not less than one-third of the membership of the entire committee; proxies are not counted in making a quorum.  For the purpose taking sworn or unsworn testimony, one senator constitutes a quorum. Rule IV(1)–(3).  Members may vote by proxy except on budget resolutions. Rule IV.		
Senate Commerce, Science, and Transportation  <a href="#">Rules</a> <a href="#">Jurisdiction</a>	<b>Subpoena Authorization:</b> The Chair may issue a subpoena with approval of the Ranking Member.  The Chair may issue a subpoena without the Ranking Member’s approval if the Chair or a member of the Committee staff designated by the Chair has not received notification from the Ranking Member or a staff member designated by the Ranking Member of disapproval of the subpoena within 72 hours of notice, excluding Saturdays and		<b>Quorum Requirements:</b> A majority of the members, including at least one minority member, constitutes a quorum for official Committee action when reporting a bill, resolution, or nomination. Rule II(1).  One third of the entire Committee membership shall constitute a quorum for the transaction of business except reporting a bill, resolution, or nomination or authorizing a subpoena. Rule III(2).	Staff may take depositions at the direction of the Chair and with 72 hours of notice to the Ranking Member. The Ranking Member or staff designated by the Ranking Member shall be given the opportunity to attend and participate in the taking of any deposition. Rule V(1).  The Ranking Member or staff designated by the Ranking Member may attend and participate in the taking of any depositions. Rule V(1).  Counsel for the witness may attend the deposition. Rule V(2).	<b>Counsel:</b> Counsel may accompany the witnesses at public or executive hearing, or the taking of a deposition and advise the witness, while the witness is testifying, of the witness’s legal rights. In the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chair may rule that representation by counsel from the government, corporation, or association, or by counsel representing other witnesses, creates a conflict of interest, that that the witness may only

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Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
	Sundays. If the Ranking Member disapproves, the whole committee may authorize the subpoena by a majority vote, the majority of the members being present, including at least one Member of the minority party. Rule V(1).		One member shall constitute a quorum of the Committee or a subcommittee for taking sworn or unsworn testimony. Rule II(3).		be represented before the Committee by personal counsel not from the government, corporation, or association and not representing other witnesses. The failure of a witness to secure counsel shall not excuse the witness from complying with a subpoena. Rule V(2).
Senate Energy and Natural Resources <a href="#">Rules</a> <a href="#">Jurisdiction</a>	<p><b>Investigation Authorization:</b> Committee and subcommittee investigations must be authorized by the Chair and the Ranking Member or a majority of all members of the full Committee. Rule 10(a). The Chair or the Ranking Member may direct a preliminary inquiry “to determine whether there is substantial credible evidence” to warrant an investigation. Rule 10(c).</p> <p><b>Subpoena Authority:</b> The Chair may issue a subpoena (1) with the agreement of the Ranking Minority Member; (2) when authorized by the full Committee; or (3) within the scope of an investigation that has been authorized by the Committee. Rule 12.</p>		<p><b>Quorum Requirements:</b> Seven members shall constitute a quorum for the conduct of Committee business. At least 10 members must be actually present to report a measure or matter. One member shall constitute a quorum for conducting a hearing or taking testimony. Rule 6. Proxy voting is permitted. Rule 7(b).</p> <p><b>Staff Questioning:</b> No staff member may question a witness at a hearing. Rule 4(d).</p>		<p><b>Opening Statement, Counsel:</b> A witness called to testify in an investigation shall be informed of the matter or matters under investigation, given a copy of these rules, given the opportunity to make a brief and relevant oral statement before or after questioning, and be permitted to have counsel of his or her choosing present during his or her testimony at any public or closed hearing, or at any unsworn interview, to advise the witness of his or her legal rights. Rule 10(b).</p> <p><b>Reputational Harm:</b> Any person whose name is mentioned or who is specifically identified in, or who believes that testimony or other evidence presented at, an open Committee or subcommittee hearing tends to defame him or her or otherwise adversely affect his or her</p>

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Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
					reputation may file with the Committee for its consideration and action a sworn statement of facts relevant to the testimony or evidence. Rule 14.
Senate Environment and Public Works <a href="#">Rules</a> <a href="#">Jurisdiction</a>	<b>Subpoena Authority:</b> The Committee may approve the issuance of a subpoena, with a quorum requirement of seven members, of which at least two are from the minority. Rule 2(a).		<b>Quorum Requirements:</b> At committee business meetings, and for the purpose of approving a subpoena or a committee resolution, seven members of the committee, at least two of whom are members of the minority party, constitute a quorum. Rule 2(a).  At subcommittee business meetings, a majority of subcommittee members, at least one of whom is a member of the minority party, constitutes a quorum for conducting business. Rule 2(b).  No measure may be reported unless a majority of the Committee members cast votes in person. Rule 2(d).  One member constitutes a quorum for a hearing. Rule 2(e).  Proxy voting is allowed on all matters. Rule 5(a)(1).		
Senate Finance	<b>Subpoena Authority:</b> The Chair may issue a subpoena with the		<b>Quorum Requirements:</b> Not less than one-third of the Committee		

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Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
<a href="#">Rules</a> <a href="#">Jurisdiction</a>	<p>agreement of the Ranking Member. Rule 10.</p> <p>The Committee may issue a subpoena by a majority vote of the Committee. Rule 10.</p> <p>Subpoenas for the attendance of witnesses and the production of memoranda, documents, and records shall be issued by the Chair or by any other Committee member designated by the Chair. Rule 10.</p>		<p>membership, including at least one member from the majority and minority parties, shall constitute a quorum for the conduct of business. Rule 4(a).</p> <p>One member constitutes a quorum for a hearing. Rule 4(b).</p>		
Senate Foreign Relations <a href="#">Rules &amp; Jurisdiction</a>	<p><b>Subpoena Authority:</b> Upon a majority vote of the Committee, the Chair or any member may issue a subpoena. Rule 7(a).</p> <p>Upon any Member’s request, the Committee may issue a subpoena only at a committee meeting. Rule 7(a).</p>		<p><b>Quorum Requirements:</b> One Member constitutes a quorum for taking testimony. Rule 4(a).</p> <p>Members may record votes by proxy. Rule 5.</p>	Staff may be authorized by the Committee to take depositions. Rule 7(c).	<p><b>Incomplete Subpoena Return:</b> Upon return of a subpoena that is incomplete or returned with an objection, the Chair or his or her designee may convene a hearing with four hours’ notice and one Member constituting a quorum to elucidate further information about the subpoena’s return and rule on the objection. Rule 7(b).</p>
Senate Health, Education, Labor, and Pensions <a href="#">Rules</a> <a href="#">Jurisdiction</a>	<p><b>Investigations Authorization:</b> The Committee or any subcommittee may issue subpoenas or hold hearings to take sworn testimony or hear subpoenaed witnesses only if such investigative activity has been authorized by majority</p>		<p><b>Quorum Requirements:</b> One-third of the Committee membership actually present shall constitute a quorum for transacting business. Any quorum composed of less than a majority of the committee shall include at least one member of the</p>		<p><b>Counsel:</b> Any witness summoned to testify at a hearing or any witness giving sworn testimony may be accompanied by counsel of the witness’s choosing who shall be permitted, while the witness is testifying, to advise the witness of any legal rights. Rule 17(d).</p>

Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
	<p>vote of the Committee. Rule 17(a).</p> <p><b>Subpoena Authority:</b> The Committee may, by a majority vote, delegate the authority to issue subpoenas to the Chair of the Committee or a subcommittee, or to any member designated by such chair. Prior to the issuance of each subpoena, the Ranking Member and any other member so requesting shall be notified regarding the identity of the person to whom it will be issued and the nature of the information sought and the relationship to the authorized investigative activity, except where there Chair, in consultation with the Ranking Member, determines such notice would unduly impede the investigation. All information obtained pursuant to such investigative activity shall be made available as promptly as possible to each Committee member requesting to the information. Upon the request of any member, the Chair shall call an executive session to discuss the investigative activity or the</p>		<p>majority and minority parties. Rule 4(a).</p> <p><b>Quorum Requirements:</b> A majority of the members of a subcommittee, actually present, shall constitute a quorum for the purpose of transacting business, but no measure or matter shall be reported unless the majority includes at least one member of the minority party. Rule 4(b).</p> <p>With the approval of the Chair of the Committee or a subcommittee, one member may conduct public hearings other than taking sworn testimony. Rule 5.</p> <p>Members may record votes by proxy. Rule 6.</p> <p>For the purpose of holding a hearing to take sworn testimony or hear subpoenaed witnesses, three members of the Committee or a subcommittee constitute a quorum , unless the Chair and Ranking Member agree that one member suffices. Rule 17(b).</p>		

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Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
	issuance of any subpoena. Rule 17(c).				
<p>Senate Homeland Security and Governmental Affairs</p> <p><a href="#">Rules</a></p> <p><a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> The Chair, with the approval of the Ranking Member, is authorized to subpoena the attendance of witnesses at a hearing or deposition or the production of records. The Chair may subpoena attendance or production without the approval of the Ranking Member where the Chair has not received a letter of disapproval within 3 calendar days, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session. Rule 5(C). If the Ranking Member disapproves, a majority of the Committee may authorize the subpoena. Rule 5(C).</p> <p>Each subcommittee is authorized to adopt rules concerning subpoenas which need not be consistent with the rules of the Committee. Rule 8E.</p> <p>A subcommittee must give notice to the full Committee Chair and Ranking Member at least two calendar days, excluding</p>	<p><b>Polling:</b> The Committee or any subcommittee may poll steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies. Rule 3(E). Only the Chair or Committee member or staff officer designated by the Chair, may undertake any poll of the Committee members. If any member requests, any member to be polled shall be held for meeting rather than being polled. Rule 3(E).</p>	<p><b>Quorum Requirements:</b> One-third of the Committee’s membership shall constitute a quorum for the transaction of routine business, provided that one minority member is present. Rule 2(B).</p> <p>One member constitutes a quorum for taking sworn or unsworn testimony. Rule 2(C).</p> <p>Subcommittees are authorized to establish their own quorums for the taking of sworn testimony. Rule 2(D).</p> <p>Proxy votes are allowed solely to record a member’s position. Rule 3(C)(1).</p>	<p>Depositions may be taken prior to or after a hearing. Rule 5(K).</p> <p>Notices for the taking of depositions shall be authorized by the Chair with the approval of the Ranking Member. The Chair may initiate depositions without the Ranking Member’s approval where the Chair has not received a letter of disapproval of the deposition notice signed by the Ranking Member within three calendar days, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session. Rule 5(K)(1).</p> <p>If a deposition notice is disapproved by the Ranking Member, the deposition notice may be authorized by Committee vote. Rule 5(K)(1).</p> <p>The deposition notice must include the time and place of examination, and the name of the person administering the deposition. Rule 5(K)(1).</p> <p>No civil or criminal actions for failure to appear will be brought unless the deposition notice was accompanied by a subpoena. Rule 5(K)(1).</p>	<p><b>Counsel:</b> Counsel retained by any witness shall be permitted to be present during the testimony of such witness at any public or executive hearing or deposition to advise such witness while the witness is testifying, of the witness’s legal rights; provided, however, that in the case of any witness who is an officer or employee of the Government, or of a corporation or association, the Chair may rule that the representation creates a conflict and that the witness may only be represented during interrogation by staff or during testimony before the Committee by personal counsel not from the Government, corporation, or association or by personal counsel not representing other witnesses. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice. Rule 5(D).</p> <p><b>Reputational Harm:</b> Any person whose name is mentioned or is specifically identified who believes that evidence presented or a comment made by a member or staff officer at a public</p>

# GIBSON DUNN TABLE OF AUTHORITIES OF HOUSE AND SENATE COMMITTEES 118th Congress

Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
	<p>Saturdays, Sundays, and legal holidays in which the Senate is not in session, to issuing a subpoena, unless the Chair and Ranking member waive the requirement, or the subcommittee Chair certifies that immediate issuance is necessary. Rule 8(E)(1).</p> <p>An Executive agency, on request of the Committee on Government Operations of the House of Representatives, or of any seven members thereof, or on request of the Committee on Governmental Affairs of the Senate, or any five members thereof, shall submit any information requested of it relating to any matter within the jurisdiction of the committee. 5 U.S.C. § 2954.<sup>6</sup></p>			<p>The deposition shall be in private unless otherwise specified. Rule 5(K)(1). Staff may conduct the deposition. Rule 5(K)(3).</p> <p>If a witness objects to a question or refuses to testify, it shall be noted for the record and the member or staff may proceed with the remainder of the deposition. Rule 5(K)(3).</p>	<p>hearing or a closed hearing where there have been public reports tends to impugn the person’s character or adversely affect the person’s reputation may (a) file a sworn statement of facts to be considered for placement in the hearing record; (b) request the opportunity to appear personally before the Committee to testify on the person’s own behalf; and (c) submit questions in writing that the person requests to be used for the cross-examination of other witnesses called by the Committee, which questions shall be considered for use by the Committee. Rule 5(F).</p>
<p>HSGAC / Senate Permanent Subcommittee on Investigations</p> <p><a href="#">Rules</a></p>	<p><b>Investigation Authorization:</b> Preliminary inquiries may be initiated by Subcommittee majority staff upon the approval of the Chair and notice of such approval to the Ranking Member or Minority Chief Counsel. The</p>	<p><b>Unilateral Subpoena Authority:</b> The Chair has unilateral subpoena authority with written notice to the Ranking Member immediately upon authorization and a 48-hour waiting period, unless waived by the full Committee Chair and Ranking Member</p>	<p><b>Quorum Requirements:</b> For public or executive sessions, one member constitutes a quorum for taking testimony or administering oaths. Rule 5.</p>	<p>The Subcommittee Chair may authorize and issue notices for depositions. The Subcommittee Chair must keep the full Committee Chair and Subcommittee Ranking Member fully apprised of the authorization. Rule 9.1.</p>	<p><b>Counsel:</b> Counsel retained by any witness shall be permitted to be present during the testimony of such witness at any public or executive hearing or deposition to advise such witness while the witness is testifying, of the witness’s legal rights; provided,</p>

<sup>6</sup> Although this provision does not provide subpoena authority, it does provide a mechanism to require the executive branch to produce information.

# GIBSON DUNN TABLE OF AUTHORITIES OF HOUSE AND SENATE COMMITTEES 118th Congress

Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
<a href="#">Jurisdiction</a>	<p>Ranking Member should be kept fully apprised of preliminary inquiries, investigations, and hearings. Preliminary inquiries may be undertaken by the Minority staff upon approval by the Ranking Member and notice of such approval to the Chair, Staff Director, or Chief Counsel. Rule 1.</p> <p>Investigations may be undertaken upon the approval of the Chair and Ranking Member with notice of such approval to all Subcommittee Members. Rule 1.</p> <p>No public hearing connected with an investigation may be held without the approval of either the Chair and the Ranking Member or a majority of the Subcommittee members. No public hearing shall be held if the minority Subcommittee members unanimously object, unless the full Committee approves of the hearing by majority vote. Rule 1.</p> <p><b>Subpoena Authority:</b> The Chair or his or her designee may authorize a subpoena, with notice to the Ranking Member immediately upon authorization. Rule 2.</p>	<p>or the Subcommittee Chair certifies that it is necessary to issue the subpoena immediately. Rule 2.</p>	<p>One-third of the Subcommittee members shall constitute a quorum for the transaction of subcommittee business other than administering oaths and taking testimony, provided that at least one minority member is present. Rule 5.</p> <p><b>Staff Questioning:</b> Authorized Subcommittee staff may ask questions at hearings. Rule 13.</p> <p><b>Witness Submission of Questions:</b> Any person who is the subject of an investigation in public hearings may submit to the Chair questions in writing for the cross-examination of other witnesses. With the consent of a majority of Subcommittee members present and voting, these questions shall be put to the witness by the Chair, Subcommittee member, or Subcommittee counsel.</p>	<p>Notices of a deposition shall include the time and place of the examination, as well as the person administering the deposition. Rule 9.1.</p> <p>This authority is enforceable by subpoena. Rule 9.1</p> <p>The deposition shall take place in private. Rule 9.1. Staff may conduct depositions. Rule 9.3.</p> <p>Witnesses may be accompanied by counsel, but failure to secure counsel does not excuse the witnesses from compliance. Rule 9.2; Rule 8.</p> <p>No civil or criminal proceedings will be initiated for failure to appear unless the deposition notice was accompanied by a subpoena. Rule 9.1.</p> <p>Objections as to the form of a question will be noted in the record. If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Subcommittee members or staff may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chair or Subcommittee member designated by the Chair. If the Chair overrules the</p>	<p>however, that in the case of any witness who is an officer or employee of the Government, or of a corporation or association, the Chair may rule that the representation creates a conflict and that the witness may only be represented during interrogation by staff or during testimony before the Committee by personal counsel not from the Government, corporation, or association or by personal counsel not representing other witnesses. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice. Rule 8.</p> <p><b>Reputational Harm:</b> Any person whose name is mentioned or who is specifically identified, and who believes that testimony or other evidence presented at a public hearing, or comment made by a Subcommittee Member or counsel, tends to defame the person or otherwise adversely affect the person's reputation may (a) request to appear personally before the Subcommittee to testify within 30 days of the public reference, or (b) file a sworn statement of facts relevant to the testimony or other evidence complained of. Such request and such</p>

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Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
	<p>A written notice must be provided to the full Committee Chair and Ranking Member or staff officers designated by them; the subpoena may not be issued until 48 hours, excluding Saturdays and Sundays, after the notice, unless waived by the full Committee Chair and Ranking Member or the Subcommittee Chair certifies in writing to the full Committee Chair and Ranking Member that immediate issuance is necessary. Rule 2.</p>			<p>objection, the Chair may refer the matter to the Subcommittee or direct the witness to answer. Rule 9.3. The Subcommittee shall not initiate procedures leading to civil or criminal enforcement unless the witness has been ordered and directed to answer by the Chair or a designated member of the Subcommittee. Rule 9.3.</p>	<p>statement shall be submitted to the Subcommittee for consideration and action. Rule 15.</p> <p><b>Reporting Violations of Law:</b> When the Chair and Ranking Member, or a majority of the Subcommittee, determine that there is reasonable cause to believe that a violation of law may have occurred, the Chair and Ranking Member by letter, or the Subcommittee by resolution, are authorized to report such violation to the proper State, local, and/or Federal authorities. Rule 18.</p>
<p>Senate Indian Affairs <a href="#">Rules</a> <a href="#">Jurisdiction</a></p>	<p><b>Subpoena Authority:</b> The Chair may, with the agreement of the Vice Chair, or the Committee may, by majority vote, authorize the issuance of subpoenas. Rule 12.</p>		<p><b>Quorum Requirements:</b> One Member constitutes a quorum for taking testimony. Rule 6(b). Proxy voting is permitted on all matters. Rule 7(d).</p>		<p><b>Reputational Harm:</b> Any person whose name is mentioned or who is specifically identified in, or who believes that testimony or other evidence presented at, an open Committee hearing tends to defame him or her or otherwise adversely affects his or her reputation may file with the Committee for its consideration and action a sworn statement of facts relevant to such testimony of evidence. Rule 10.</p>
<p>Senate Judiciary <a href="#">Rules</a></p>	<p><b>Subpoena Authority:</b> The Chair of the Committee, with the agreement of Ranking Member or by a vote of the Committee, may</p>		<p><b>Quorum Requirements:</b> Seven members actually present shall constitute a quorum for discussing business. Nine members, including</p>	<p>The Committee is authorized to require by subpoena the attendance of witnesses at depositions of the Committee, which may be conducted</p>	

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Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
<a href="#">Jurisdiction</a>	<p>subpoena the attendance of a witness at a Committee or subcommittee hearing or Committee deposition, or may compel production of documents. Rule IX.</p> <p>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 Chair 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. Rule X(1).</p>		<p>at least two minority members, shall constitute a quorum for the purpose of transacting business. For the purpose of taking down sworn testimony, for the Committee or a subcommittee, one member shall constitute a quorum. Rule III(1)–(2). Members may submit proxy votes. Rule VI.</p>	<p>by designated staff. Rule X(1).</p> <p>Any deposition shall have at least one member present for the duration of the deposition, unless waived by agreement of the Chair and Ranking Member. All members shall be notified of the time, date, and location of any deposition. Rule X(2).</p> <p>Any Member may attend and participate in a deposition. Rule X(3).</p> <p>Unless otherwise specified, the deposition shall be in private. Rule X(5).</p>	
Senate Rules and Administration <a href="#">Rules</a> <a href="#">Jurisdiction</a>	<p><b>Subpoena Authority:</b> The Chair, with the concurrence of the Ranking Member is authorized to subpoena the attendance of witnesses and the production of correspondence, books, papers, documents, and other materials. Regardless of whether the Ranking Member has concurred, a subpoena may be authorized by Committee vote. Rule 24.</p>		<p><b>Quorum Requirements:</b> One-third of the Committee members shall constitute a quorum for the transaction of business. Rule 9.</p> <p>Two members shall constitute a quorum for taking testimony under oath and one member shall constitute a quorum for taking testimony not under oath, but in either instance once a quorum is</p>		

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Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
			<p>established, one Member can continue to take testimony. Rule 10.</p> <p>Proxy votes are allowed solely for the purpose of recording the member’s position. Rule 15.</p>		
<p>Senate Select Committee on Ethics</p> <p><a href="#">Rules</a></p> <p><a href="#">Jurisdiction</a></p>	<p><b>Investigation Authorization:</b> It shall be the duty of the Select Committee to receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, violations of the Senate Code of Official Conduct, and violations of rules and regulations of the Senate, relating to the conduct of individuals in the performance of their duties as Members of the Senate, or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto. Part I, Sec. 2(a)(1).</p> <p>When the Committee receives a complaint, it conducts a preliminary inquiry to determine whether there is substantial credible evidence which provides substantial cause for the Select Committee to conclude a violation</p>		<p><b>Quorum Requirements:</b> A majority of Select Committee members shall constitute a quorum for the transaction of business involving complaints or allegations of, or information about, misconduct, including resulting preliminary inquiries, adjudicatory reviews, recommendations or reports, or matters relating to S. Res. 400, agreed to May 19, 1976. Part I, Sec. 1(c)(1); Part II, Rule 1(d)(1).</p> <p>Three members, including one member each from the majority and minority parties, shall constitute a quorum for the transaction of routine business not covered by paragraph (1). Part I, Sec. 1(c)(2); Part II, Rule 1(d)(2).</p> <p>Except for adjudicatory hearings and depositions taken outside the presence of a Member, one member constitutes a quorum for taking testimony, if all members have</p>	<p>The Committee is authorized to take depositions. S. Res. 338 (1964) (as amended) section (3)(a)(6). Staff, or any other designee, including outside counsel, committee staff, or other Senate or government employees detailed to the Committee, may be authorized by the Committee to administer a deposition. Part II, Rule 6(b)(1).</p> <p>Notice of a deposition may be authorized by the Committee or the Chair and Vice Chair acting jointly. Part II, Rule 6(b)(2).</p> <p>Depositions are in private. Part II, Rule 6(b)(2). The notice must be accompanied by a subpoena before civil or criminal proceedings can be initiated for failure to appear. Part II, Rule 6(b)(2).</p> <p>The deponent may be accompanied by counsel. Part II, Rule 6(b)(3). Any member present may rule on objections. If no member of the</p>	<p><b>Counsel:</b> Witnesses at adjudicatory hearings may have counsel. Part II, Rule 5(j)(4).</p> <p><b>Cross-Examination:</b> Respondents at adjudicatory hearings may personally or through counsel cross-examine witnesses called by the Committee, may call witnesses on his or her own behalf, and may apply to the Committee for issuance of subpoenas for witnesses and records. Part II, Rule 5(j)(5).</p> <p><b>Reputational Harm:</b> Any person whose name is mentioned or is specifically identified or otherwise referred to in testimony or in statements made by a Committee member, staff member, or outside counsel or any witness, and who reasonably believes that the statement tends to adversely affect his or her reputation may (1) request to appear before the Committee to testify or (2) file a sworn statement of relevant factors or other evidence, which shall be submitted to the Committee for its</p>

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Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
	<p>has occurred. Sec. 2(d)(1). The Committee then determines by recorded vote whether there was substantial credible evidence. If not, it is dismissed. Part I, Sec. 2(d)(2). If so, the Select Committee shall promptly initiate an adjudicatory review. Part I, Sec. 2(d)(4). An adjudicatory review shall be conducted by outside counsel or Committee staff. Part II, Rule 4(b).</p> <p>Letters of admonition and the initiation of an adjudicatory review of conduct of a member or officer of the Senate both require the affirmative vote of at least four members. Part I, Sec. 2(c)(1)(A),(C).</p> <p><b>Subpoena Authority:</b> Subpoenas may be authorized by a majority vote of the Select Committee or by the Chair and Vice Chair acting jointly at any time during a preliminary inquiry, adjudicatory review, or other proceeding. Part I, Sec. 3(d)(1); Part II, Rule 6(a)(1).</p> <p>The Committee may withdraw a subpoena issued by the Chair and Vice Chair acting jointly by</p>		<p>notice and the Chair has designated a Majority Member and the Vice Chair has designated a Minority Member to be in attendance, and either attends. Part II, Rule 1(d)(3).</p>	<p>Committee is present, the individual who has been designated by the Chair and Vice Chair, acting jointly, to take the deposition may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chair or Vice Chair of the Committee, who may refer the matter to the Committee or rule on the objection. Part II, Rule 6(b)(4). Criminal and civil enforcement for failure to respond shall not be initiated unless the witness refuses to testify or produce documents after having been directed to do so. Part II, Rule 6(b)(4).</p>	<p>consideration and action. Part II, Rule 5(h).</p> <p><b>Evidence:</b> The Federal Rules of Evidence do not strictly apply, but the Presiding Officer shall rule on admissibility and exclude irrelevant or unduly repetitious testimony. Part II, Rule 5(j)(6).</p>

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Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
	recorded vote of not less than four members of the Committee. Part II, Rule 6(a)(3).				
Senate Select Committee on Intelligence  <a href="#">Rules</a> <a href="#">Jurisdiction</a>	<p><b>Investigation Authorization:</b> Investigations may be initiated only after at least five members “have specifically requested the Chair or the Vice Chair to authorize such an investigation.” Investigations may be conducted by members of the Committee or designated Committee staff. Rule 6.</p> <p><b>Subpoena Authority:</b> Subpoenas must be authorized by the Committee, and may be issued by the Chair, the Vice Chair, or the Chair’s designee. Rule 7.</p> <p>A subpoena must attach the Committee’s rules and S. Res. 400 from the 94th Congress. Rule 7.</p>		<p><b>Quorum Requirements:</b> A quorum for the transaction of Committee business, including the conduct of executive session, shall consist of no less than one third of the Committee members. One Member constitutes a quorum for taking testimony. Rule 2.4.</p> <p>Proxy voting is allowed. Rule 2.5.</p> <p><b>Staff Questioning:</b> Staff may interrogate witnesses if authorized by the Chair, Vice Chair, or presiding Member. Rule 8.3.</p> <p>Counsel for the witness may submit any question in writing to the Committee and request that the Committee ask such question to the counsel’s client or to any other witness. The counsel for the witness also may suggest the presentation of other evidence or the calling of other witnesses. The Committee may use or dispose of such questions or suggestions as it deems appropriate. Rule 8.4(d).</p>	The Committee is authorized to take depositions. S. Res. 400 (1976) section 5(a).	<p><b>Counsel:</b> Witnesses may have counsel, and if a witness notifies the Committee at least 24 hours in advance of his or her failure to obtain counsel, the Committee shall endeavor to obtain counsel for the witness. But failure to provide counsel does not excuse testifying. Rule 8.4.</p> <p>Counsel accompanying a witness before the Committee must have the requisite security clearance and provide proof of such clearance to the Committee at least 24 hours before the meeting at which the counsel intends to be present. Rule 8.4(b).</p> <p><b>Objections:</b> The Chair or presiding member rules on objections in hearings, and such ruling shall be the ruling of the Committee unless a majority of the Committee present overrules the ruling of the Chair. Rule 8.6.</p> <p><b>Contempt:</b> No action for contempt of Congress may be taken unless the Committee met and considered the recommendation, afforded the person the opportunity to oppose the</p>

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					recommendation in writing or in person, and a majority vote of the Committee approved the recommendation. Rule 8.9.
Senate Committee on Small Business and Entrepreneurship <a href="#">Rules &amp; Jurisdiction</a>	<p><b>Subpoena Authority:</b> Subpoenas for the attendance of witnesses or production of records may be authorized by the Chair with the consent of the Ranking Minority member or consent of a majority of the members of the Committee. Such consent may be given informally, without a meeting, but it must be in writing.</p> <p>The Chair may issue a subpoena without the Ranking Member’s consent when the Chair has not received notification from the Ranking Member of disapproval of the subpoena within 72 hours of being notified, excluding Saturdays, Sundays, and holidays. Rule “Hearings, Subpoenas &amp; Legal Counsel” (d).</p>		<p><b>Quorum Requirements:</b> One-third of the members of the Committee shall constitute a quorum for the transaction of routine business, provided that one minority member is present. The term “routine business” includes, but is not limited to, the consideration of legislation pending before the Committee and any amendments thereto, and voting on such amendments, and steps in an investigation including, but not limited to, authorizing the issuance of a subpoena.</p> <p>A quorum to issue a subpoena is one-third of the Members, including at least one minority Member. Rule “Quorums” (a)(2).</p> <p><b>Staff Questioning:</b> Interrogations of witnesses may be conducted by staff, during hearings, if authorized by the Chair or Ranking Member. Rule “Hearings, Subpoenas &amp; Legal Counsel” (b)(2).</p>		<p><b>Objections, Privilege:</b> The Chair shall rule on assertions of privilege or objections as to testimony or evidence in response to subpoenas or questions of Committee members and staff in hearings. Rule “Hearings, Subpoenas &amp; Legal Counsel” (e).</p> <p><b>Counsel:</b> Witnesses at closed or public hearings may have counsel who shall be permitted while the witness is testifying to advise the witness of his or her legal rights. Failure to obtain counsel will not excuse the witness from appearing and testifying. Rule “Hearings, Subpoenas &amp; Legal Counsel” (c).</p>

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Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
<p>Senate Special Committee on Aging</p> <p><a href="#">Rules &amp; Jurisdiction</a></p>	<p><b>Investigation Authorization:</b> All investigations shall be conducted on a bipartisan basis by Committee staff. Committee staff may initiate investigations with the approval of the Chair and the Ranking Member. Staff shall keep the Committee informed of the progress of ongoing investigations except where the Chair and Ranking member agree there exists temporary cause for more limited knowledge. Rule VI.</p> <p><b>Subpoena Authority:</b> Subpoenas must be authorized by the Chair and Ranking Member acting together, and may be issued by the Chair or his or her designee. Rule VI.</p> <p>The Ranking Member and any other requesting Member must be notified before the subpoena's issuance regarding the person's identity who will receive the subpoena, the information sought, and the information's relationship to the investigation. Rule VI.</p>	<p><b>Polling:</b> The Committee may poll Committee business designated for polling. Rule V(b).</p>	<p><b>Quorum Requirements:</b> A third shall constitute a quorum for the conduct of Committee business, other than a final vote on reporting, providing a minority Member is present. Rule V.</p> <p>One Member shall constitute a quorum for taking testimony. Rule V.</p>	<p>The Committee is authorized to take depositions. S. Res. 4 § 104(c)(1) (1977).</p> <p>Notices for the taking of depositions in an investigation authorized by the Committee shall be authorized and issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. Rule VII.</p> <p>Staff may conduct depositions. Rule VII. This authority is enforceable by subpoena. <i>Id.</i></p> <p>If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Committee staff may proceed with the deposition, or may at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from a Member of the Committee. Rule VII.</p>	<p><b>Counsel:</b> A witness's counsel shall be permitted to be present during his testimony at any public or closed hearing or depositions or staff interview to advise such witness of his or her rights, provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chair may rule that representation by counsel from the government, corporation, or association creates a conflict of interest, and that the witness shall be represented by personal counsel not from the government, corporation, or association. Rule II.</p> <p><b>Reputational Harm:</b> Any person who believes that evidence presented, or comment made by a Member or staff, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his or her character or adversely affect his or her reputation may: (a) file a sworn statement of facts to be placed in the hearing record and (b) request the opportunity to appear before the Committee to testify. Rule II.</p>
<p>Senate Veterans' Affairs</p>	<p><b>Subpoena Authority:</b> The Chair with concurrence of the Ranking</p>		<p><b>Quorum Requirements:</b> Ten members of the Committee shall</p>		

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Committee (with rules and jurisdiction hyperlinked)	Investigation Authorization/ Subpoena Procedure	Unilateral Subpoena Authority / Polling	Quorum Rules, Authority of Staff to Question Witnesses at a Hearing	Deposition Rules	Other Provisions
<a href="#">Rules</a> <a href="#">Jurisdiction</a>	<p>Member may subpoena witnesses and records. If the Chair or designated staff has not received from the Ranking Member or designated staff notice of the Ranking Member’s non-concurrence in the subpoena within 48 hours, excluding Saturdays, Sundays, and federal holidays, the Chair is authorized to issue the subpoena. Regardless of whether the Ranking Member concurs, the whole Committee may authorize the subpoena. Rule IV(E).</p>		<p>constitute a quorum for the reporting or approving of any measure. Seven members of the Committee shall constitute a quorum for transacting any other business. One Member constitutes a quorum for receiving testimony. Rule II (A), (C).</p> <p>In order to transact business at a hearing, at least one member of the minority shall be present. If a quorum cannot be obtained due to the lack of a minority member, the matter shall lay over for a calendar day. Rule II(B).</p> <p>Votes may be cast by proxy. Rule III.</p>		

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