

Text of Amendment to be Considered as Adopted

AMENDMENT TO H. RES. 895
OFFERED BY MR. CAPUANO OF MASSACHUSETTS

Page 2, strike lines 3 through 13 and insert the following:

1 (b) BOARD.—(1) The Office shall be governed by a
2 board consisting of six individuals of whom three shall be
3 nominated by the Speaker subject to the concurrence of
4 the minority leader and three shall be nominated by the
5 minority leader subject to the concurrence of the Speaker.
6 The Speaker shall nominate at least one alternate board
7 member subject to the concurrence of the minority leader
8 and the minority leader shall nominate at least one alter-
9 nate board member subject to the concurrence of the
10 Speaker. If any vacancy occurs in the board, then the most
11 senior alternate board member nominated by the same in-
12 dividual who nominated the member who left the board
13 shall serve on the board until a permanent replacement
14 is selected. If a permanent appointment is not made within
15 90 days, the alternate member shall be deemed to have
16 been appointed for the remainder of the term of the mem-
17 ber who left the board and the Speaker or the minority
18 leader, as applicable, shall nominate a new alternate sub-
19 ject to the concurrence of the other leader.

Page 5, line 1, strike “any”.

Page 5, line 2, after “the board” insert “(one of whom was nominated by the Speaker and one by the minority leader)”.

Page 5, line 9, after “specific matter,” insert “initiate a preliminary review and”.

Page 5, strike line 20 and all that follows thereafter through the period on page 6, line 2, and insert the following:

1 (C) Before the end of the applicable time pe-
2 riod, vote on whether to commence a second-phase
3 review of the matter under consideration. An affirm-
4 ative vote of at least 3 members of the board is re-
5 quired to commence a second-phase review. If no
6 such vote to commence a second-phase review has
7 succeeded by the end of the applicable time period,
8 the matter is terminated. At any point before the
9 end of the applicable time period, the board may
10 vote to terminate a preliminary review by the affirm-
11 ative vote of not less than 4 members.

Page 9, strike lines 3 through 14 and redesignate the succeeding clauses accordingly.

Page 10, line 11, insert “or staff of the Office” after “the board”.

Page 10, line 13, before the period insert “, and that no Member, officer, or employee of the House may communicate with any member of the board or staff of the Office regarding any matter under review by the board except as authorized by the board”.

Page 11, strike lines 18 through 22 and insert the following new subsection:

- 1 (f) PROHIBITION ON PUBLIC DISCLOSURE.—(1)(A)
2 When an individual becomes a member of the board or
3 staff of the Office, that individual shall execute the fol-
4 lowing oath or affirmation in writing: “I do solemnly
5 swear (or affirm) that I will not disclose to any person
6 or entity outside of the Office any information received
7 in the course of my service with the Office, except as au-
8 thorized by the board as necessary to conduct official busi-
9 ness or pursuant to its rules.”. Copies of the executed oath
10 shall be provided to the Clerk of the House as part of
11 the records of the House.
12 (B) No testimony received or any other information
13 obtained as a member of the board or staff of the Office
14 shall be publicly disclosed by any such individual to any
15 person or entity outside the Office. Any communication

1 to any person or entity outside the Office may occur only
2 as authorized by the board as necessary to conduct official
3 business or pursuant to its rules.

4 (C) The Office shall establish procedures necessary
5 to prevent the unauthorized disclosure of any information
6 received by the Office. Any breaches of confidentiality
7 shall be investigated by the board and appropriate action
8 shall be taken.

Page 12, line 3, strike “transmits any report” and
insert “votes on a recommendation or statement to be
transmitted”.

Page 13, line 6, insert “(including an individual who
is an alternate) or before any individual is hired to be a
staff member of the Office” before “may do so”.

Page 13, line 8, strike “seek any Federal public of-
fice” and insert “be a candidate for the office of Senator
or Representative in, or Delegate or Resident Commis-
sioner to, the Congress for purposes of the Federal Elec-
tion Campaign Act of 1971”.

Page 13, line 10, insert “or staff” after “board”.

Page 13, after line 18, insert the following new
paragraph:

1 (3) The following rules shall be applicable to the staff
2 of the Office:

3 (A) The staff is to be assembled and retained
4 as a professional, nonpartisan staff.

5 (B) Each member of the staff shall be profes-
6 sional and demonstrably qualified for the position
7 for which he is hired.

8 (C) The staff as a whole and each member of
9 the staff shall perform all official duties in a non-
10 partisan manner.

11 (D) No member of the staff shall engage in any
12 partisan political activity directly affecting any con-
13 gressional or presidential election.

14 (E) No member of the staff may accept public
15 speaking engagements or write for publication on
16 any subject that is in any way related to his or her
17 employment or duties with the Office without spe-
18 cific prior approval from the chairman and cochair-
19 man.

Page 19, line 6, strike “an election” and insert “a
Federal, State, or local election”.