

penaed to appear before the House of Representatives or its committees.

(Pub. L. 91-138, §10, Dec. 5, 1969, 83 Stat. 288.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 388 of this title.

**§ 390. Penalty for failure to appear, testify, or produce documents**

Every person who, having been subpoenaed as a witness under this chapter to give testimony or to produce documents, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the contested election case, shall be deemed guilty of a misdemeanor punishable by fine of not more than \$1,000 nor less than \$100 or imprisonment for not less than one month nor more than twelve months, or both.

(Pub. L. 91-138, §11, Dec. 5, 1969, 83 Stat. 288.)

**§ 391. Certification and filing of depositions**

**(a) Sealing of papers; deposit with clerk**

The officer before whom any deposition is taken shall certify thereon that the witness was duly sworn by him and that the deposition is a true record of the testimony given by the witness. He shall then securely seal the deposition, together with any papers produced by the witness and the notice of deposition or stipulation, if the deposition was taken without notice, in an envelope endorsed with the title of the contested election case and marked "Deposition of (here insert name of witness)" and shall within thirty days after completion of the witness' testimony, file it with the Clerk.

**(b) Notification of filing**

After filing the deposition, the officer shall promptly notify the parties of its filing.

**(c) Copy of deposition to parties or deponents**

Upon payment of reasonable charges therefor, not to exceed the charges allowed in the district court of the United States for the district wherein the place of examination is located, the officer shall furnish a copy of deposition to any party or the deponent.

(Pub. L. 91-138, §12, Dec. 5, 1969, 83 Stat. 289.)

**§ 392. Record**

**(a) Hearing on papers, depositions, and exhibits**

Contested election cases shall be heard by the committee on the papers, depositions, and exhibits filed with the Clerk. Such papers, depositions, and exhibits shall constitute the record of the case.

**(b) Appendix to contestant's brief**

Contestant shall print as an appendix to his brief those portions of the record which he desires the committee to consider in order to decide the case and such other portions of the record as may be prescribed by the rules of the committee.

**(c) Appendix to contestee's brief**

Contestee shall print as an appendix to his brief those portions of the record not printed by

contestant which contestee desires the committee to consider in order to decide the case.

**(d) Contestant's brief; service on contestee**

Within forty-five days after the time for both parties to take testimony has expired, contestant shall serve on contestee his printed brief of the facts and authorities relied on to establish his case together with his appendix.

**(e) Contestee's brief; service on contestant**

Within thirty days of service of contestant's brief and appendix, contestee shall serve on contestant his printed brief of the facts and authorities relied on to establish his case together with his appendix.

**(f) Reply brief of contestant**

Within ten days after service of contestee's brief and appendix, contestant may serve on contestee a printed reply brief.

**(g) Form of briefs; number of copies served and filed**

The form and length of the briefs, the form of the appendixes, and the number of copies to be served and filed shall be in accordance with such rules as the committee may prescribe.

(Pub. L. 91-138, §13, Dec. 5, 1969, 83 Stat. 289.)

**§ 393. Filing of pleadings, motions, depositions, appendixes, briefs, and other papers**

(a) Filings of pleadings, motions, depositions, appendixes, briefs, and other papers shall be accomplished by:

(1) delivering a copy thereof to the Clerk of the House of Representatives at his office in Washington, District of Columbia, or to a member of his staff at such office; or

(2) mailing a copy thereof, by registered or certified mail, addressed to the Clerk at the House of Representatives, Washington, District of Columbia: *Provided*, That if such copy is not actually received, another copy shall be filed within a reasonable time; and

(3) delivering or mailing, simultaneously with the delivery or mailing of a copy thereof under paragraphs (1) and (2) of this subsection, such additional copies as the committee may by rule prescribe.

(b) All papers filed with the Clerk pursuant to this chapter shall be promptly transmitted by him to the committee.

(Pub. L. 91-138, §14, Dec. 5, 1969, 83 Stat. 289.)

**§ 394. Computation of time**

**(a) Method of computing time**

In computing any period of time prescribed or allowed by this chapter or by the rules or any order of the committee, the day of the act, event, or default after which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period shall run until the end of the next day which is neither a Saturday, a Sunday, nor a legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in

the computation. For the purposes of this chapter, “legal holiday” shall mean New Year’s Day, Washington’s Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day, and any other day appointed as a holiday by the President or the Congress of the United States.

**(b) Service by mail**

Whenever a party has the right or is required to do some act or take some proceeding within a prescribed period after the service of a pleading, motion, notice, brief, or other paper upon him, which is served upon him by mail, three days shall be added to the prescribed period.

**(c) Enlargement of time**

When by this chapter or by the rules or any order of the committee an act is required or allowed to be done at or within a specified time, the committee, for good cause shown, may at any time in its discretion (1) with or without motion or notice, order the period enlarged if request therefor is made before the expiration of the period originally prescribed or as extended by a previous order, or (2) upon motion made after the expiration of the specified period, permit the act to be done where the failure to act was the result of excusable neglect, but it shall not extend the time for serving and filing the notice of contest under section 382 of this title.

(Pub. L. 91-138, §15, Dec. 5, 1969, 83 Stat. 290.)

**§ 395. Death of contestant**

In the event of the death of the contestant, the contested election case shall abate.

(Pub. L. 91-138, §16, Dec. 5, 1969, 83 Stat. 290.)

**§ 396. Allowance of party’s expenses**

The committee may allow any party reimbursement from the contingent fund of the House of Representatives of his reasonable expenses of the contested election case, including reasonable attorneys fees, upon the verified application of such party accompanied by a complete and detailed account of his expenses and supporting vouchers and receipts.

(Pub. L. 91-138, §17, Dec. 5, 1969, 83 Stat. 290.)

**CHAPTER 13—JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS**

- Sec. 411. Joint Committee on Congressional Operations.
  - (a) Creation.
  - (b) Membership.
  - (c) Vacancies.
  - (d) Chairman and vice chairman; selection.
- 412. Duties of Joint Committee.
  - (a) Congressional improvements, study and recommendations; identification of court proceedings.
  - (b) Exercise of functions under section 416 of this title.
  - (c) Report to Congress.
  - (d) Excepted matters.
- 412a. Continuing study of jurisdiction of House standing committees by House members of Joint Committee; periodic report to House Committee on Rules; contents and purposes of report.

- Sec. 413. Powers of Joint Committee; rule making, majority requirement; subpoenas, signature and service; administration of oaths.
- 414. Staff and Joint Committee: appointment, duties, pay, discharge; utilization of Government personnel, consultants, and experts.
- 415. Records of Joint Committee.
- 416. Office of Placement and Office Management.
  - (a) Supervision of Joint Committee; Director and other personnel: appointment, duties, pay, and termination of employment.
  - (b) Assistance in personnel hiring and office management.
  - (c) Use of facilities not required when inappropriate.
- 417. Expenses of Joint Committee; payment from contingent fund.

**§ 411. Joint Committee on Congressional Operations**

**(a) Creation**

There is hereby created a Joint Committee on Congressional Operations (hereafter in this chapter referred to as the “Joint Committee”).

**(b) Membership**

The Joint Committee shall be composed of ten members as follows:

- (1) five Members of the Senate, appointed by the President pro tempore of the Senate, three from the majority party and two from the minority party; and
- (2) five Members of the House of Representatives appointed by the Speaker of the House of Representatives, three from the majority party and two from the minority party.

**(c) Vacancies**

Vacancies in the membership of the Joint Committee shall not affect the power of the remaining members to execute the functions of the Joint Committee and shall be filled in the same manner as in the case of the original appointment.

**(d) Chairman and vice chairman; selection**

The Joint Committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship and the vice chairmanship shall alternate between the Senate and the House of Representatives with each Congress. The chairman during each even-numbered Congress shall be selected by the Members of the House of Representatives on the Joint Committee from among their number and the chairman during each odd-numbered Congress shall be selected by the Members of the Senate on the Joint Committee from among their number. The vice chairman during each Congress shall be chosen in the same manner from that House of Congress other than the House of Congress of which the chairman is a Member.

(Pub. L. 91-510, title IV, §401, Oct. 26, 1970, 84 Stat. 1187.)

**EFFECTIVE DATE**

Chapter effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as an