

103^D CONGRESS
1ST SESSION

H. RES. 24

Authorizing the House Administration Committee to investigate, recount, and report on contested elections for the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1993

Mr. SMITH of Iowa submitted the following resolution; which was referred to the Committee on Rules

RESOLUTION

Authorizing the House Administration Committee to investigate, recount, and report on contested elections for the House of Representatives.

1 *Resolved*, That the House Administration Committee
2 shall investigate and report to the House not later than
3 January 3 following each general election with respect to
4 the following matters:

5 SEC. 2. (a) Whenever a candidate for election to a
6 seat in the House of Representatives files a notice in writ-
7 ing with the Clerk of the House within thirty days after
8 an election to the House or fifteen days after the result
9 of the election has been determined by the officer or board
10 of canvassers authorized by law to determine such result,

1 whichever first occurs, of his intention to contest the result
2 of such election and such candidate deposits the sum of
3 \$5,000 with the Clerk, such candidate shall have a right
4 to such full and complete investigation and recount as is
5 necessary to insure that the true result of the election is
6 determined and it shall be the duty of the committee to
7 make such investigation and conduct such recount as soon
8 as practicable.

9 (b) The committee shall conduct a recount in all pre-
10 cincts, counties, or voting districts requested by the con-
11 testant or contestee and in any additional voting districts
12 where it deems it advisable in order to accurately reflect
13 the result of the election.

14 (c) In the event an investigation or recount, in the
15 opinion of the committee, alters the ultimate result of the
16 election, the committee shall repay the candidate the
17 amount deposited. In the event an investigation or recount
18 does not, in the opinion of the committee, alter the result
19 of the election, the committee shall refund to the candidate
20 an amount, if any, equal to the difference between \$5,000
21 and the expenses incurred in conducting such recount.

22 (d) The committee shall not permit any person in-
23 specting ballots or the result of balloting for United States
24 Representative to observe or record the result of the bal-

1 loting for any other office unless the consent of all can-
2 didates for such other office has been given in writing.

3 SEC. 3. (a) For the purpose of this resolution, the
4 committee, or any duly authorized subcommittee thereof,
5 is authorized to hold such public hearings, to sit and act
6 at such times and places during the sessions, recesses, and
7 adjourned periods of Congress, to employ such attorneys,
8 experts, clerical, and other assistants, to require by sub-
9 poena or otherwise the attendance of such witnesses and
10 the production of such correspondence, books, papers,
11 election returns, ballots, and other documents, to admin-
12 ister such oaths, and to take such testimony as it deems
13 advisable to conduct a recount. Subpoenas may be issued
14 under the signature of the chairman of the committee, or
15 any subcommittee, or by any member designated by such
16 chairman and may be served by any person designated by
17 any such chairman or member.

18 (b) Every person who, having been summoned as a
19 witness by authority of said committee or any subcommi-
20 tee thereof, willfully makes default, or who having ap-
21 peared, refuses to answer any question pertinent to the
22 investigation heretofore authorized, shall be held to the
23 penalties prescribed by law.

24 (c) The committee is authorized and directed to file
25 interim reports whenever in the judgment of the majority

1 of the committee, or of a subcommittee conducting por-
2 tions of said investigation, the public interest will be best
3 served by the filing of said interim reports, and in no event
4 shall the final report of any recount conducted by said
5 committee be filed later than January 3 of the following
6 year.

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