Committee Oversight Authority

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"(a) Unless otherwise provided in these Rules, each standing committee of the Legislature has the power to:

(1) investigate, study, and evaluate all matters within its jurisdiction;
(2) evaluate and recommend the revision of any law affecting matters within its jurisdiction;
(3) hold hearings and call before it witnesses to testify on matters within its jurisdiction" (Rule 301, Rules of the 36th Legislature).

"Unless otherwise provided by law, each standing committee may summon witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, issue subpoenas, and take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary, not inconsistent with this Rule. If any witness willfully refuses to obey a subpoena, or produce books, papers or documents as required by a subpoena, or refuses to testify on matters of which the witness has knowledge and are the subject of a subpoena, or perjures himself or herself, then the witness is in contempt of the committee and the committee may refer the matter to the Legislature for such action as the Legislature may elect to take consistent with law, including referral to the Department of Justice for possible prosecution" (Rule 308, Rules of the 36th Legislature).

"**§ 1. Resolutions for investigations; limit of cost**

"Resolutions of the Legislature providing for inquiries and investigations shall contain a limit of cost of the investigation, which limit shall not be exceeded except by vote of the Legislature authorizing additional amounts" (V.I. Code tit. 2, § 1).

"**§ 2. Testimony before Legislature or committees**

"(a) All officers and employees of the government of the Virgin Islands, and all other persons whether connected with the government of the Virgin Islands or not, shall appear and give and furnish to the Legislature or any of its committees, upon request, such information, records, and documents as the Legislature or any such committee may deem necessary or proper for the achievement of its legal and authorized purposes.

"(b) This section shall not apply to the Governor, nor shall it apply to officers and employees of the United States Government with respect to any matters relating to affairs or operations of the Federal Government or to their capacity or functions as officers or employees thereof, nor shall it apply to any individual if otherwise prohibited by any federal law or regulation" (V.I. Code tit. 2, § 2).

"**§ 3. Form, service, and sufficiency of subpoena; fees**

"(a) The form of the subpoena shall be prescribed by the presiding officer of the Legislature, and may be served by any judicial officer or by any elector of the Virgin Islands; and the affidavit of the person so serving the subpoena that he has delivered a copy thereof to the witness is evidence of the service.

"(b) A subpoena shall be sufficient if it—

1. "states whether the proceeding is before a committee or the Legislature;
2. "is addressed to the witness;
3. "requires the attendance of the witness at a time and place certain;
4. "is signed by the presiding officer of the Legislature or the Chairman of the committee before whom attendance of the witness is desired;
5. "contains subject of testimony and/or all documents required; and
6. "furnishes witness at least 72 hours notice.

"(c) There shall be paid to the witness as fees and for traveling expenses, the same amount that would be paid according to law to a witness under similar circumstances if summoned to attend a

session of the District Court of the Virgin Islands" (V.I. Code tit. 2, § 3).

"**§ 4. Oath of witnesses**

"The presiding officer of the Legislature, or the Chairman of any committee referred to in section 2 of this title, or any member of the Legislature may administer oaths to witnesses in any case under examination by the Legislature or the committee, or in any matter depending therein" (V.I. Code tit.. 2, § 4).

"**§ 5. Privilege of witnesses**

"A person sworn and examined before the Legislature or any committee shall not be held to answer criminally or be subject to any penalty or forfeiture for any fact or act touching which he is required to testify. Any statement made or paper produced by such witness shall not be competent evidence in any criminal proceeding against the witness" (V.I. Code tit. 2, § 5).

"**§ 6. Arrest for neglect or refusal to appear**

"Whoever neglects or refuses to appear before the Legislature or any of its committees in obedience to subpoena may be arrested by a member of the territorial Police Force on the order of the Legislature or committee, and brought before the Legislature or committee. The only warrant or authority necessary to authorize the arrest shall be a copy of a resolution of the Legislature or committee signed by the presiding officer or the Chairman of the committee, as the case may be, and countersigned by the Legislative Secretary of the Legislature or a majority of the members of the committee, as the case may be" (V.I. Code tit. 2, § 6).

"**§ 7. Refusal to testify or produce books, documents, etc.**

"Whoever, having been summoned as a witness by the authority of the Legislature or any committee referred to in section 2 of this title, to give testimony or to produce books, documents, records, or papers upon any matter under inquiry or investigation before the Legislature or committee, willfully makes default or disobeys the subpoena, or, having appeared, refuses to be sworn, or to answer any question pertinent to the subject under inquiry or investigation, or to produce any of the books, documents, records, or papers, shall be guilty of contempt and shall be fined not more than $200 or imprisoned not more than 30 days, or both" (V.I. Code tit. 2, § 7).

"**§ 8. Report of contempt; judicial compulsion**

"(a) If the contempt referred to in section 7 of this title is committed before a committee during a session of the Legislature, the committee shall report the contempt to the Legislature for such action as may be deemed necessary by the Legislature.

"(b) If the contempt is committed before a committee when the Legislature is not in session, the District Court of the Virgin Islands may compel the attendance of the witnesses, the giving of testimony, and the production of books, papers, documents, and accounts, as required by the subpoena issued by the committee, on the filing by the committee of a petition to the court asking that the witness be so compelled" (V.I. Code tit. 2, § 8).

"**§ 9. Proceedings for punishment of contempt**

"Proceedings for the punishment of the contempt as provided for in this chapter shall be brought in the District Court of the Virgin Islands in the name of the Government of the United States Virgin Islands and shall be prosecuted by the United States attorney or his representative. In all such cases, the proceedings shall conform as near as may be to those prescribed by rules of court for contempts not committed in the immediate view and presence of the court" (V.I. Code tit. 2, § 9).