

104TH CONGRESS  
2D SESSION

# H. RES. 346

Amending the Rules of the House of Representatives respecting the  
procedures of the Committee on Standards of Official Conduct.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 1996

Mr. Goss submitted the following resolution; which was referred to the  
Committee on Rules

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## RESOLUTION

Amending the Rules of the House of Representatives respect-  
ing the procedures of the Committee on Standards of  
Official Conduct.

1       *Resolved,*

2       **SECTION 1. SIZE AND COMPOSITION OF THE COMMITTEE**

3                       **ON STANDARDS OF OFFICIAL CONDUCT.**

4       Clause 6(a)(2) of rule X of the Rules of the House  
5 of Representatives is amended to read as follows:

6       “(2)(A) The respective party conference or caucus  
7 shall each nominate to the House at the beginning of each  
8 Congress 5 members to serve on the Committee on Stand-  
9 ards of Official Conduct. One-half of the members of the  
10 Committee on Standards of Official Conduct shall be from

1 the majority party and one-half shall be from the minority  
2 party.

3 “(B) No Member shall serve as a member of the  
4 Committee on Standards of Official Conduct for more  
5 than 2 Congresses (disregarding for this purpose any serv-  
6 ice performed as a member of that committee for less than  
7 a full session in any Congress). Of the Members nomi-  
8 nated to serve on that committee in the One Hundred  
9 Fifth Congress, 2 designated by the party conference and  
10 2 designated by the party caucus shall only serve on that  
11 committee during that Congress.

12 “(C) The senior majority and minority party mem-  
13 bers of the Committee on Standards of Official Conduct  
14 shall serve as its chairman and ranking minority mem-  
15 ber.”.

16 **SEC. 2. COMMITTEE PROCEDURE.**

17 (a) AMENDMENT.—Clause 4(e) of Rule X of the  
18 Rules of the House of Representatives is amended by add-  
19 ing at the end the following new subparagraph:

20 “(3)(A) If a complaint is filed with the Committee  
21 on Standards of Official Conduct against a Member, offi-  
22 cer, or employee of the House, the committee shall deter-  
23 mine if it is properly filed and, if so, whether a preliminary  
24 investigation is warranted. No preliminary investigation  
25 shall occur unless approved by the affirmative vote of a

1 majority of the members of the committee. Whenever the  
2 committee approves a preliminary investigation, the re-  
3 spective party conference or caucus shall each hold a ran-  
4 dom drawing from the names of its members (excluding  
5 members of the Committee on Standards of Official Con-  
6 duct and any Member deemed by the conference or caucus  
7 to be exempt) and select 3 members to serve on an inves-  
8 tigative panel respecting that complaint. If a member of  
9 a party conference or caucus has served on the Committee  
10 on Standards of Official Conduct or an investigative panel,  
11 the name of that member shall not be included in a draw-  
12 ing until all other members of that conference or caucus  
13 have served.

14 “(B) The Committee on Standards of Official Con-  
15 duct shall adopt rules providing—

16 “(i) adequate staff and funding for each inves-  
17 tigative panel;

18 “(ii) a fixed date for the filing by each panel of  
19 a final report to the committee and, if requested by  
20 that panel, a vote by the committee to extend the  
21 date for filing its final report;

22 “(iii) that if an investigative panel has been  
23 formed to consider a complaint against a Member,  
24 officer, or employee of the House and a subsequent  
25 complaint is filed with the committee before the

1 panel files its final report with the committee, then  
2 the committee shall, by majority vote, determine  
3 whether to merge the new complaint with the pend-  
4 ing complaint;

5 “(iv) that the proceedings of each investigative  
6 panel be held in executive session and that no infor-  
7 mation or testimony received shall be disclosed by  
8 any panel member, staff member, or outside counsel  
9 assisting that panel to any Member or other staff  
10 member of the committee before the panel files its  
11 final report with the committee;

12 “(v) that each investigative panel shall deter-  
13 mine if any count in the complaint it has been  
14 formed to consider has been proved; and if it deter-  
15 mines, by majority vote, that any such count has  
16 been proved it shall adopt a statement of alleged vio-  
17 lation; and if it determines that no count in the com-  
18 plaint has been proved it shall recommend dismissal  
19 of the complaint;

20 “(vi) that, if the committee, by majority vote,  
21 determines that the work of the investigative panel  
22 has been compromised by outside influence, the full  
23 committee may disband the investigative panel and  
24 request that a new panel be appointed;

1           “(vii) that upon the completion of an investiga-  
2           tion, an investigative panel shall report its findings  
3           and recommendations to the committee;

4           “(viii) that the committee shall, by majority  
5           vote, determine disposition of the investigative pan-  
6           el’s recommendations; and

7           “(ix) that a statement of alleged violation and  
8           any written response thereto shall be made public at  
9           the first meeting or hearing on the matter which is  
10          open to the public after the respondent has been  
11          given full opportunity to respond to the statement in  
12          accordance with committee rules, but, if no public  
13          hearing or meeting is held on the matter, the state-  
14          ment of alleged violation and any written response  
15          thereto shall be included in the committee’s final re-  
16          port to the House as required by subparagraph  
17          (1)(B).

18          “(C)(i) The committee may, at any time, by a major-  
19          ity vote, determine that a complaint is frivolous.

20          “(ii) The committee may make such a determination  
21          if it deems that the complaint has no basis in fact, the  
22          alleged violation is of such a minor and technical nature  
23          that it does not reflect discredit upon the House or its  
24          Members, the complaint was filed for purely partisan rea-  
25          sons and not out of concern for maintaining the ethical

1 standards of the House, or the complaint is part of a pat-  
2 tern of abuse and misuse of the committee.

3 “(iii) In the case of any complaint deemed frivolous,  
4 the committee shall determine the costs of its inquiry and  
5 report such costs to the Committee on House Oversight,  
6 the Clerk of the House, and the public.

7 “(iv) The committee may, by majority vote, rec-  
8 ommend to the House that any Member who has filed a  
9 frivolous complaint—

10 “(I) repay the costs of the inquiry over a period  
11 of greater than 1 year; or

12 “(II) be fined an appropriate amount.”.

13 (b) CONFORMING AMENDMENT.—Clause 4(e)(1)(B)  
14 of Rule X of the Rules of the House of Representatives  
15 is amended by striking “subject to subparagraph (2)” and  
16 inserting “subject to subparagraphs (2) and (3)”.

17 **SEC. 3. EFFECTIVE DATE.**

18 This resolution and the amendments made by it shall  
19 take effect immediately prior to noon January 3, 1997.  
20 After that date, subsections (b), (c), and (d) of section  
21 803 of the Ethics in Government Act of 1989 shall have  
22 no force or effect in the House.

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