

PROVIDING FOR CONSIDERATION OF THE RESOLUTION (H.
RES. 168) TO IMPLEMENT THE RECOMMENDATIONS OF
THE BIPARTISAN HOUSE ETHICS REFORM TASK FORCE

SEPTEMBER 17, 1997.—Referred to the House Calendar and ordered to be printed

Mr. SOLOMON, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 230]

The Committee on Rules, having had under consideration House Resolution 230, by a record vote of 5 to 3, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for consideration of the resolution (H. Res. 168) "To Implement the Recommendations of the Bipartisan House Ethics Reform Task Force" under a modified closed rule. The rule provides one hour of general debate divided equally between Representative Livingston and Representative Cardin.

The rule provides that no amendments will be in order except those printed in this report, which may be considered only in the order printed in the report, may be offered only by a member designated in the report, will be debatable for the time specified in the report, and will not be subject to amendment.

Finally, the rule provides for one motion to recommit.

COMMITTEE VOTES

Pursuant to clause 2(1)(2)(B) of House rule XI the results of each rollcall vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

RULES COMMITTEE ROLLCALL NO. 63

Date: September 17, 1997.

Measure: Rule providing for consideration of H. Res. 168.

Motion By: Mr. Moakley.

Summary of Motion: Amendment in the nature of a substitute providing a modified closed rule, making in order a Livingston-Cardin amendment.

Results: Rejected 3 to 5.

Vote by Member: Drier—Nay; Diaz-Balart—Nay; McInnis—Nay; Hastings—Nay; Moakley—Yea; Frost—Yea; Slaughter—Yea; Solomon—Nay.

RULES COMMITTEE ROLLCALL NO. 64

Date: September 17, 1997.

Measure: Rule providing for consideration of H. Res. 168.

Motion By: Mr. Drier.

Summary of Motion: To report a rule providing for the consideration of H. Res. 168.

Results: Adopted 5 to 3.

Vote by Member: Drier—Yea; Diaz-Balart—Yea; McInnis—Yea; Hastings—Yea; Moakley—Nay; Frost—Nay; Slaughter—Nay; Solomon—Yea.

SUMMARY OF AMENDMENTS MADE IN ORDER UNDER THE RULE FOR H. RES. 168, RECOMMENDATIONS OF THE BIPARTISAN HOUSE ETHICS REFORM TASK FORCE

Livingston/Cardin—10 minutes: Makes the rules provided in H. Res. 168 applicable to all complaints filed during this or any subsequent Congress to prevent parliamentary confusion on how to process complaints filed between the time of the expiration of the moratorium (Sept. 10, 1997) and the adoption of H. Res. 168.

Murtha/Tauzin—30 minutes: Requires that all non-members filing complaints must have a Member of the House sponsor the complaint.

Tauzin/Murtha—30 minutes: Provides for the dismissal without prejudice of a complaint 180 calendar days after a motion to establish an investigative subcommittee does not prevail. Requires that committee send a letter to the complainant and the respondent stating that such action has taken place.

Bunning/Abercrombie—30 minutes: Requires a vote of an actual majority of the investigative subcommittee to expand the scope of the investigation and an actual majority of the members of the full committee to confirm it thereafter. Unless the full committee provides otherwise, the subpoena power shall rest in the chairman and ranking minority member of the full committee. A subpoena shall be issued upon the request of an investigative subcommittee only upon the vote of an actual majority of the subcommittee.

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LIVINGSTON OF LOUISIANA, OR REPRESENTATIVE CARDIN OF MARYLAND, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end, add the following new section:

SEC. 21. EFFECTIVE DATE.

This resolution and the amendments made by it apply with respect to any complaint or information offered as a complaint that is or has been filed during this Congress.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MURTHA OF PENNSYLVANIA, OR REPRESENTATIVE TAUZIN OF LOUISIANA, OR A DESIGNEE, DEBATABLE FOR 30 MINUTES

Page 9, strike line 16 and all that follows thereafter through page 10, line 10, and insert the following new section:

SEC. 9. FILINGS BY NON-MEMBERS OF INFORMATION OFFERED AS A COMPLAINT.

(a) FILINGS SPONSORED BY MEMBERS.—Clause 4(e)(2)(B) of Rule X of the rules of the House of Representatives is amended by striking “or submitted to”, by striking “a complaint” and inserting “information offered as a complaint”, and by amending clause (ii) to read as follows:

“(ii) upon receipt of information offered as a complaint, in writing and under oath, from an individual not a Member of the House provided that a Member of the House certifies in writing to the committee that he or she believes the information is submitted in good faith and warrants the review and consideration of the committee.

Page 10, strike line 12 and all that follows thereafter through page 11, line 23, and on line 24, strike “(b) TIME FOR DETERMINATION.—”

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TAUZIN OF LOUISIANA OR REPRESENTATIVE MURTHA OF PENNSYLVANIA, OR A DESIGNEE, DEBATABLE FOR 30 MINUTES

Page 14, line 21, after the period, add the following new sentence: “If 180 calendar days have passed since a motion to establish an investigative subcommittee did not prevail, the complaint shall be dismissed without prejudice.”

Page 15, line 12, before the quotation marks, add the following new sentence: “If 180 calendar days have passed since a motion to establish an investigative subcommittee did not prevail, the complaint shall be dismissed without prejudice.”

Page 22, line 16, strike “and”, on line 20, strike the period and insert “; and”, and after line 20, insert the following new paragraph:

(9) if 180 calendar days have passed since a motion to establish an investigative subcommittee did not prevail, the committee shall send a letter to the complainant and the respondent stating that the complaint has been dismissed without prejudice.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BUNNING OF KENTUCKY, OR REPRESENTATIVE ABERCROMBIE OF HAWAII, OR A DESIGNEE, DEBATABLE FOR 30 MINUTES

Page 17, strike line 22 and all that follows thereafter through page 18, line 9, and insert the following:

amended in the first sentence by inserting before the period the following: “, except in the case of a subcommittee of the Committee on Standards of Official Conduct, a subpoena may

be authorized and issued only when authorized by an affirmative vote of a majority of its members”.

Page 18, line 21, strike “without the approval” and insert “when approved by an affirmative vote of a majority of the members”

