

“Can you imagine, in a court of law, if the prosecutor basically got completely taken off of the case, and suddenly the defense lawyer walked in, and there was somebody new? It’s like bells and whistles would go off.” This is from “AC 360,” which is Anderson Cooper, CNN, 12/1/10.

“I am confident some of the folks on the committee are more political than anything else.” That is from someone who has been very critical of me, Melanie Sloan of CREW, quoted in Talking Points Memo, 12/1/10.

“Rarely has the ethics process looked worse.” This is by Dana Milbank, Washington Post, 12/4/10.

Unfortunately, if a resolution like the one I noticed passed, its authority, like the authority of the investigation against me, would expire at the end of this Congress, which could come as early as next week. The investigation and report called for by the resolution would have to be completed immediately, which apparently is not feasible now given the calendar.

Many colleagues who share the concerns I have raised about the disciplinary action of the committee are also concerned that a task force established now would have insufficient time to finish its work.

I share that concern and have been working with my colleagues over the last few days to find an alternative that would allow for the exploration of this important topic without further undermining the process by not allowing for adequate time and resources. Because news about the committee’s activities just came to light last week, the options seem to be limited.

We all know how a vote on a privileged resolution plays out. The leadership, for reasons which are both practical and political, would use a parliamentary procedure, either a motion to table or a motion to refer, to essentially kill the bill.

This maneuver is not unique to this resolution. It is, as history shows us, seemingly standard practice. Functionally, that would be the end of this particular resolution, and it could have the unintended consequence of suggesting falsely to the public that the House as a whole is not concerned with the integrity of the ethics process.

In fact, during those conversations with colleagues, Members have come alive, and the basic concepts of justice and fairness have permeated every conversation. They have suggested that this issue is one that should be explored willingly, not just by the force of a vote by the whole House, and that parliamentary procedure should not thwart transparency.

Let me note that, while they expressed concern with some of the events that have occurred as related to my case and the implications for the broader institution, Members also indicated they believe that our colleagues who lead the Ethics Committee—ZOE LOFGREN and JO BONNER—fundamentally share our commitment to justice

and fairness despite the circumstances which have led us here today.

This is a view that I share as well.

Although the committee is built on secrecy and confidentiality, it should have the ability to be flexible and provide transparency in extraordinary circumstances. This is one such extraordinary circumstance when the House as a whole and the public need the committee to reveal information so we can have confidence in the process.

Those who know me know that I am aggressive by nature and philosophy. I believe that it is important that we be relentless about our constant search for truth and justice.

But here, upon the advice of my colleagues whom I trust and admire, I am not pushing for a vote on this resolution today. In doing so, however, I am requesting that the committee set the record straight, on its own accord, in a bipartisan manner, with a joint statement signed by the chair and ranking member, as provided by its rules, which both protects the confidentiality required by the committee and respects the public’s and this body’s right to know the circumstances of the events that led to the discipline of the two attorneys leading the case against me.

Today, I will again notice the House with my privileged resolution. I am hopeful it will not be necessary to take it up, because the Ethics Committee will, indeed, set the record straight.

Thank you, Mr. Speaker. I yield back the balance of my time.

ACCESS TO CRIMINAL HISTORY RECORDS FOR STATE SENTENCING COMMISSIONS ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 6412) to amend title 28, United States Code, to require the Attorney General to share criminal records with State sentencing commissions, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 371, nays 1, not voting 61, as follows:

[Roll No. 627]
YEAS—371

Ackerman	Austria	Barton (TX)
Aderholt	Bachmann	Bean
Adler (NJ)	Baird	Becerra
Akin	Baldwin	Berkley
Alexander	Barrett (SC)	Berman
Altmire	Barrow	Biggert
Andrews	Bartlett	Bilbray

Bilirakis	Garrett (NJ)	Marshall
Bishop (GA)	Gerlach	Matheson
Bishop (NY)	Giffords	Matsui
Bishop (UT)	Gingrey (GA)	McCarthy (CA)
Blackburn	Gohmert	McCarthy (NY)
Blumenauer	Gonzalez	McCaul
Bocieri	Goodlatte	McClintock
Boehner	Gordon (TN)	McCollum
Bonner	Graves (GA)	McCotter
Bono Mack	Grayson	McDermott
Boozman	Green, Al	McGovern
Boren	Green, Gene	McHenry
Boswell	Grijalva	McIntyre
Boucher	Guthrie	McMahon
Boustany	Gutierrez	McNerney
Brady (PA)	Hall (NY)	Meek (FL)
Brady (TX)	Hall (TX)	Meeks (NY)
Braley (IA)	Halvorson	Melancon
Bright	Hare	Mica
Broun (GA)	Harman	Michaud
Brown (SC)	Harper	Miller (FL)
Brown, Corrine	Hastings (FL)	Miller (MI)
Brown-Waite,	Hastings (WA)	Miller (NC)
Ginny	Heinrich	Minnick
Buchanan	Heller	Mitchell
Burgess	Hensarling	Mollohan
Burton (IN)	Herger	Moore (KS)
Butterfield	Herseth Sandlin	Moore (WI)
Calvert	Higgins	Moran (VA)
Camp	Himes	Murphy (CT)
Campbell	Hinchee	Murphy (NY)
Cantor	Hinojosa	Murphy, Patrick
Cao	Hirono	Murphy, Tim
Capito	Hodes	Nadler (NY)
Capps	Hoekstra	Neal (MA)
Capuano	Holden	Neugebauer
Carney	Holt	Nunes
Carson (IN)	Honda	Nye
Carter	Hoyer	Oberstar
Cassidy	Hunter	Obey
Castle	Inglis	Olson
Castor (FL)	Inslee	Ortiz
Chaffetz	Israel	Owens
Chandler	Issa	Pallone
Childers	Jackson (IL)	Pascrell
Chu	Jackson Lee	Pastor (AZ)
Clarke	(TX)	Paulsen
Clay	Jenkins	Payne
Cleaver	Johnson (GA)	Pence
Cole	Johnson (IL)	Perlmutter
Conaway	Johnson, E. B.	Perriello
Conyers	Johnson, Sam	Peterson
Cooper	Jones	Pitts
Costa	Jordan (OH)	Platts
Costello	Kagen	Poe (TX)
Courtney	Kanjorski	Polis (CO)
Critz	Kaptur	Pomeroy
Crowley	Kennedy	Posey
Cuellar	Kildee	Price (GA)
Culberson	Kilpatrick (MI)	Price (NC)
Cummings	Kilroy	Quigley
Dahlkemper	King (IA)	Rahall
Davis (AL)	Kingston	Rangel
Davis (IL)	Kissell	Reed
Davis (KY)	Klein (FL)	Rehberg
Davis (TN)	Kline (MN)	Reichert
DeFazio	Kosmas	Reyes
Dent	Kratovil	Richardson
Deutch	Kucinich	Rodriguez
Diaz-Balart, L.	Lamborn	Roe (TN)
Diaz-Balart, M.	Lance	Rogers (AL)
Dicks	Langevin	Rogers (KY)
Dingell	Larsen (WA)	Rogers (MI)
Djou	Larson (CT)	Rohrabacher
Doggett	Latham	Rooney
Donnelly (IN)	LaTourette	Ros-Lehtinen
Doyle	Latta	Roskam
Dreier	Lee (CA)	Ross
Duncan	Lee (NY)	Rothman (NJ)
Edwards (MD)	Levin	Royal-Allard
Edwards (TX)	Lewis (CA)	Royce
Ehlers	Lewis (GA)	Ruppersberger
Ellison	Lipinski	Rush
Emerson	LoBiondo	Ryan (OH)
Engel	Loebsock	Ryan (WI)
Eshoo	Lofgren, Zoe	Salazar
Etheridge	Lowey	Sanchez, Linda
Farr	Lucas	T.
Fattah	Luetkemeyer	Sanchez, Loretta
Filner	Lujan	Scalise
Fleming	Lummis	Schakowsky
Forbes	Lungren, Daniel	Schauer
Fortenberry	E.	Schiff
Foster	Lynch	Schock
Fox	Mack	Schrader
Frank (MA)	Maffei	Schwartz
Franks (AZ)	Maloney	Scott (VA)
Frelinghuysen	Manzullo	Sensenbrenner
Garamendi	Markey (MA)	Serrano

Sessions	Sullivan	Walden
Sestak	Sutton	Walz
Shadegg	Tanner	Wasserman
Shea-Porter	Taylor	Schultz
Sherman	Teague	Waters
Shimkus	Terry	Watt
Shuster	Thompson (CA)	Waxman
Simpson	Thompson (MS)	Weiner
Sires	Thompson (PA)	Westmoreland
Slaughter	Thornberry	Whitfield
Smith (NE)	Tierney	Wilson (OH)
Smith (NJ)	Titus	Wilson (SC)
Smith (TX)	Tonko	Wittman
Smith (WA)	Towns	Wolf
Snyder	Tsongas	Woolsey
Space	Turner	Yarmuth
Spratt	Upton	Young (AK)
Stearns	Van Hollen	Young (FL)
Stupak	Velazquez	
Stutzman	Visclosky	

NAYS—1

Paul

NOT VOTING—61

Arcuri	Fallin	Napolitano
Baca	Flake	Olver
Bachus	Fudge	Peters
Berry	Gallely	Petri
Blunt	Granger	Pingree (ME)
Boyd	Graves (MO)	Putnam
Buyer	Griffith	Radanovich
Cardoza	Hill	Sarbanes
Carnahan	Kind	Schmidt
Clyburn	King (NY)	Scott (GA)
Coble	Kirkpatrick (AZ)	Shuler
Coffman (CO)	Linder	Skelton
Cohen	Marchant	Speier
Connolly (VA)	Markey (CO)	Stark
Crenshaw	McKeon	Tiahrt
Davis (CA)	McMorris	Tiberi
DeGette	Rodgers	Wamp
Delahunt	Miller, Gary	Watson
DeLauro	Miller, George	Welch
Driehaus	Moran (KS)	Myrick
Ellsworth	Myrick	Wu

□ 1338

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. MYRICK. Mr. Speaker, I was unable to participate in the following vote. If I had been present, I would have voted as follows: Roll-call vote 627, On Motion to Suspend the Rules and Pass—H.R. 6412, Access to Criminal History Records for State Sentencing Commissions Act of 2010—I would have voted “aye.”

ADJOURNMENT TO MONDAY, DECEMBER 13, 2010

Mr. JACKSON of Illinois. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Monday next; and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, December 14, 2010, for morning-hour debate.

The SPEAKER pro tempore. (Mr. KISSELL). Is there objection to the request of the gentleman from Illinois?

There was no objection.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. WATERS. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby no-

tify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Authorizing and directing the Speaker to appoint a bipartisan task force to investigate the circumstances and cause of the decision to place professional staff of the Committee on Standards of Official Conduct on indefinite administrative leave, and for other purposes.

Whereas the Constitution of the United States authorizes the House of Representatives to “determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member”;

Whereas in 1968, in compliance with this authority and to uphold its integrity and ensure that Members act in a manner that reflects credit on the House of Representatives, the Committee on Standards of Official Conduct was established;

Whereas the ethics procedures in effect during the 111th Congress were enacted in 1997 in a bipartisan manner by an overwhelming vote of the House of Representatives upon the bipartisan recommendation of the ten member Ethics Reform Task Force, which conducted a thorough and lengthy review of the entire ethics process;

Whereas, the Committee on Standards of Official Conduct adopted rules for the 111th Congress;

Whereas rule 6(a) of the Rules of the Committee on Standards of Official Conduct states “the staff is to be assembled and retained as professional, nonpartisan staff”;

Whereas rule 6(c) of the Rules of the Committee on Standards of Official Conduct states “the staff as a whole and each individual member of the staff shall perform all official duties in a nonpartisan manner”;

Whereas rule 6(f) of the Rules of the Committee on Standards of Official Conduct states “All staff members shall be appointed by an affirmative vote of the majority of the members of the Committee, Such a vote shall occur at the first meeting of the membership of the Committee during each Congress and as necessary during the Congress”;

Whereas, on November 19, 2010 two members of the professional staff of the Committee on Standards of Official Conduct were placed on indefinite administrative leave;

Whereas, on November 19, 2010 the Committee on Standards of Official Conduct canceled and has not rescheduled the adjudicatory hearing for a Member of Congress, previously scheduled for November 29, 2010;

Whereas all of these actions have subjected the Committee to public ridicule and weakened the ability of the Committee to properly conduct its investigative duties, all of which has brought discredit to the House; now, therefore, be it

Resolved, That—

(1) the Speaker shall appoint a bipartisan task force with equal representation of the majority and minority parties to investigate the circumstances and cause of the decision to place professional staff of the Committee on Standards of Official Conduct on indefinite administrative leave and to make recommendations to restore public confidence in the ethics process, including disciplinary measures for both staff and Members where needed; and

(2) the task force report its findings and recommendations to the House of Representatives during the second session of this Congress.

□ 1340

The SPEAKER pro tempore. The resolution of the gentlewoman from California will appear in the RECORD.

The Chair’s customary announcement will also appear in the RECORD.

Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from California will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ECONOMIC SECURITY FOR SENIORS

(Ms. WASSERMAN SCHULTZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in support of H.R. 5987, the Seniors Protection Act, 2011 will mark the first time that Social Security retirees and other beneficiaries will receive no automatic cost of living increase for 2 consecutive years. At the same time, seniors must stretch each dollar further as health care and other costs continue to rise. And in these tough economic times, seniors have even fewer assets to help them make ends meet.

The Social Security program is in its 75th year of helping our seniors, and we must stay true to President Roosevelt’s vision of economic security for all of our citizens. This legislation will help more than 4 million seniors in my home State of Florida alone, many of whom struggle to meet their everyday living expenses.

As we move forward, let us rededicate ourselves to strengthening, not weakening, this vital program. I want to thank Congressman EARL POMEROY for sponsoring this much-needed legislation.

THE DREAM ACT AND IMMIGRATION REFORM

(Mr. SCHRADER asked and was given permission to address the House for 1 minute.)

Mr. SCHRADER. Mr. Speaker, I rise to reaffirm support for the general goals and ideals of the DREAM Act. Unfortunately and ultimately, America will have trouble getting there. But the ambition and hard work of immigrant students earning their degrees and citizenship will benefit our country. However, I voted against the passage of the DREAM Act last night. I believe passing this bill outside of comprehensive immigration reform is ill-advised.

Our immigration system is terribly broken. As a small business owner and farmer, I know the current system does not work for small businesses asked to play the role of Immigration and Customs Enforcement. It also doesn’t work