

|                 |                  |               |
|-----------------|------------------|---------------|
| Markey (MA)     | Perlmutter       | Shuler        |
| Marshall        | Peters           | Shuster       |
| Massa           | Peterson         | Simpson       |
| Matheson        | Petri            | Sires         |
| Matsui          | Pingree (ME)     | Skelton       |
| McCarthy (CA)   | Pitts            | Slaughter     |
| McCarthy (NY)   | Platts           | Smith (NE)    |
| McCaul          | Poe (TX)         | Smith (NJ)    |
| McCintock       | Polis (CO)       | Smith (TX)    |
| McCollum        | Pomeroy          | Smith (WA)    |
| McCotter        | Posey            | Souder        |
| McDermott       | Price (GA)       | Space         |
| McGovern        | Price (NC)       | Spratt        |
| McHugh          | Radanovich       | Stearns       |
| McIntyre        | Rahall           | Stupak        |
| McKeon          | Rangel           | Sullivan      |
| McMahon         | Rehberg          | Sutton        |
| McMorris        | Reichert         | Tanner        |
| Rodgers         | Reyes            | Tauscher      |
| McNerney        | Richardson       | Taylor        |
| Meek (FL)       | Rodriguez        | Teague        |
| Meeks (NY)      | Roe (TN)         | Terry         |
| Melancon        | Rogers (AL)      | Thompson (CA) |
| Mica            | Rogers (KY)      | Thompson (MS) |
| Michaud         | Rogers (MI)      | Thompson (PA) |
| Miller (FL)     | Rohrabacher      | Thornberry    |
| Miller (MI)     | Rooney           | Tiahrt        |
| Miller (NC)     | Roskam           | Tiberi        |
| Miller, George  | Ross             | Tierney       |
| Minnick         | Rothman (NJ)     | Titus         |
| Mitchell        | Roybal-Allard    | Tonko         |
| Mollohan        | Royce            | Towns         |
| Moore (KS)      | Ruppersberger    | Tsongas       |
| Moore (WI)      | Rush             | Turner        |
| Moran (KS)      | Ryan (OH)        | Upton         |
| Moran (VA)      | Ryan (WI)        | Van Hollen    |
| Murphy (CT)     | Salazar          | Velázquez     |
| Murphy, Patrick | Sánchez, Linda   | Visclosky     |
| Murphy, Tim     | T.               | Walden        |
| Murtha          | Sanchez, Loretta | Walz          |
| Myrick          | Sarbanes         | Wamp          |
| Nadler (NY)     | Scalise          | Wasserman     |
| Napolitano      | Schakowsky       | Schultz       |
| Neal (MA)       | Schauer          | Waters        |
| Neugebauer      | Schiff           | Watson        |
| Nunes           | Schmidt          | Watt          |
| Nye             | Schock           | Waxman        |
| Oberstar        | Schrader         | Weiner        |
| Obey            | Schwartz         | Welch         |
| Olson           | Scott (GA)       | Westmoreland  |
| Olver           | Scott (VA)       | Wexler        |
| Ortiz           | Sensenbrenner    | Whitfield     |
| Pallone         | Serrano          | Wilson (SC)   |
| Pascrell        | Sessions         | Wittman       |
| Pastor (AZ)     | Sestak           | Wolf          |
| Paul            | Shadegg          | Woolsey       |
| Paulsen         | Shea-Porter      | Wu            |
| Payne           | Sherman          | Yarmuth       |
| Pence           | Shimkus          | Young (AK)    |

NOT VOTING—17

|                |              |             |
|----------------|--------------|-------------|
| Baca           | King (IA)    | Snyder      |
| Brown, Corrine | McHenry      | Speier      |
| Buchanan       | Miller, Gary | Stark       |
| Campbell       | Perriello    | Wilson (OH) |
| Ehlers         | Putnam       | Young (FL)  |
| Ellison        | Ros-Lehtinen |             |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes to record their votes.

□ 1616

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. KING of Iowa. Madam Speaker, on roll-call No. 93, I was not present because of the birth of my grandson. Had I been present, I would have voted "yea."

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

Mr. FLAKE. Madam Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby

notify 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:

Whereas The Hill reported on February 10, 2009, that "a top defense-lobbying firm" that "specializes in obtaining earmarks in the defense budget for a long list of clients" was "recently raided by the FBI.":

Whereas Roll Call reported on February 11, 2009, that "the defense-appropriations-focused lobbying shop" had in recent years "spread millions of dollars of campaign contributions to lawmakers.":

Whereas Politico reported on February 13, 2009, that "federal investigators are asking about thousands of dollars in campaign contributions to lawmakers as part of an effort to determine whether they were illegal "straw man" donations.":

Whereas Roll Call reported on February 20, 2009, that they have "located tens of thousands of dollars worth of [the raided firm]-linked donations that are improperly reported in the FEC database.":

Whereas Roll Call also reported that "tracking Federal Election Commission records of campaign donations attributed to [the firm] is a comedy of errors, misinformation and mysteries, providing more questions than answers about how much money the lobbying firm actually raised for Congressional campaigns.":

Whereas CQ Today reported on February 19, 2009, that "104 House members got earmarks for projects sought by [clients of the firm] in the 2008 defense appropriations bills," and that 87 percent of this bipartisan group of Members received campaign contributions from the raided firm;

Whereas The Hill reported on February 10, 2009, that in 2008 clients of this firm had "received \$299 million worth of earmarks, according to Taxpayers for Common Sense.":

Whereas The Hill reported on February 23, 2009, that "clients of a defense lobby shop under investigation are continuing to score earmarks from their patrons in Congress, despite the firm being on the verge of shutting its doors permanently" and that several of the firm's clients "are slated to receive earmarks worth at least \$8 million in the omnibus spending bill funding the federal government through the rest of fiscal 2009 . . .":

Whereas the Washington Post reported on June 13, 2008, in a story describing increased earmark spending in the House version of the fiscal year 2009 defense authorization bill that "many of the earmarks serve as no-bid contracts for the recipients.":

Whereas the Associated Press reported on February 25, 2009, that "the Justice Department's fraud section is overseeing an investigation into whether [the firm] reimbursed some employees for campaign contributions to members of Congress who requested the projects.":

Whereas Politico reported on February 12, 2009, that "several sources said FBI agents have spent months laying the groundwork for their current investigation, including conducting research on earmarks and campaign contributions.":

Whereas the reportedly fraudulent nature of campaign contributions originating from the raided firm, as well as reports of the Justice Department conducting research on earmarks and campaign contributions, raise concern about the integrity of congressional proceedings and the dignity of the institution; and

Whereas the fact that cases are being investigated by the Justice Department does not preclude the Committee on Standards of Official Conduct from taking investigative steps: Now, therefore, be it

Resolved, That (a) the Committee on Standards of Official Conduct, or an investigative subcommittee of the committee established jointly by the chair and ranking minority member shall immediately begin an investigation into the relationship between earmark requests on behalf of clients of the raided firm already made by Members and the source and timing of past campaign contributions related to such requests.

(b) The Committee on Standards of Official Conduct shall submit a report of its findings to the House of Representatives within 2 months after the date of adoption of this resolution.

The SPEAKER pro tempore. 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 gentleman from Arizona 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.

NAMING MEMBERS TO BE AVAILABLE TO SERVE ON INVESTIGATIVE SUBCOMMITTEES OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

The SPEAKER pro tempore. Pursuant to clause 5(a)(4)(A) of rule X, and the order of the House of January 6, 2009, the Chair announces the Speaker named the following Members of the House to be available to serve on investigative subcommittees of the Committee on Standards of Official Conduct for the 111th Congress:

- Ms. BALDWIN, Wisconsin
- Mr. CARNAHAN, Missouri
- Mr. CLEAVER, Missouri
- Mrs. DAVIS, California
- Mr. ELLISON, Minnesota
- Mr. GONZALEZ, Texas
- Ms. HIRONO, Hawaii
- Mr. MILLER, North Carolina

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Republican Leader:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, February 26, 2009.

Hon. NANCY PELOSI,  
Speaker, U.S. Capitol,  
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to clause 5(a)(4)(A) of rule X of the Rules of the House of Representatives, I designate the following Members to be available for service on the investigative subcommittees of the Committee on Standards of Official Conduct during the 111th Congress:

- The Honorable Rob Bishop of Utah.
- The Honorable Marsha Blackburn of Tennessee.

The Honorable Ander Crenshaw of Florida.  
The Honorable Lincoln Diaz-Balart of Florida.

The Honorable Tom Latham of Iowa.  
The Honorable Frank Lucas of Oklahoma.  
The Honorable Sue Myrick of North Carolina.

The Honorable Mike Simpson of Idaho.  
The Honorable Greg Walden of Oregon.  
Sincerely,

JOHN A. BOEHNER,  
*Republican Leader.*

#### COMMEMORATING TEXAS' INDEPENDENCE AND WELCOMING A NEW TEXAN

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Madam Speaker, I rise today to mark two important occasions.

One hundred seventy-three years ago yesterday, March, 2, 1836, Texas declared its independence from Mexico. We celebrate this declaration of freedom from tyranny knowing that during the same time in 1836 the Alamo was under attack by the Army of Mexico's dictator, Santa Anna, and would fall after 13 days of resistance. As Texans and Americans, we honor freedom and those who protect it.

I also want to celebrate the birth of a new Texan, our fourth grandchild, Tristan Michael Green, born February 11, 2009 to our son and our daughter-in-law, Chris and Brandy Green. Tristan was born at 10:37 a.m. at 18¾ inches and weighing 6 pounds, 4 ounces. He is healthy and eating constantly.

We welcome another Texan to join his big brother, Dylan. God bless Texas and the United States of America.

#### FEDERAL BUREAUCRATS WILL BENEFIT THE MOST FROM SO-CALLED STIMULUS PACKAGE

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Madam Speaker, a few days ago, just before we voted on the so-called stimulus package, The Washington Post said in a story that it would mean a "massive financial windfall for Federal agencies." The Post was for the bill, but those were the words the paper used, "massive financial windfall for Federal agencies."

Then on the front page of today's Washington Post is a story saying, "Tens of thousands could be added to Federal payroll" under the President's budget. The story says, "President Obama's budget is so ambitious with vast new spending that experts say he will need to hire tens of thousands of new Federal Government workers."

All over the country, people think they are going to get stimulus money or checks from all this spending, yet the ones who will benefit the most are those who need it the least—Federal bureaucrats. Very little, Madam

Speaker, is going to trickle down to the rest of the country.

□ 1630

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### PUBLICATION OF THE RULES OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT 111TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. ZOE LOFGREN) is recognized for 5 minutes.

Ms. ZOE LOFGREN of California. Madam Speaker, I submit for publication the attached copy of the Rules of the Committee on Standards of Official Conduct the U.S. House of Representatives for the 111th Congress. The Committee on Standards of Official Conduct adopted these rules pursuant to House Rule XI, clause 2(a)(1) on February 10, 2009. I am submitting these rules for publication in compliance with House Rule XI, clause 2(a)(2). The Committee is reviewing its rules and will make revisions to conform with House rules pertaining to the Office of Congressional Ethics. The revised rules will be submitted for publication after they are adopted by the Committee.

#### FOREWORD

The Committee on Standards of Official Conduct is unique in the House of Representatives. Consistent with the duty to carry out its advisory and enforcement responsibilities in an impartial manner, the Committee is the only standing committee of the House of Representatives the membership of which is divided evenly by party. These rules are intended to provide a fair procedural framework for the conduct of the Committee's activities and to help ensure that the Committee serves well the people of the United States, the House of Representatives, and the Members, officers, and employees of the House of Representatives.

#### PART I—GENERAL COMMITTEE RULES

##### RULE 1. GENERAL PROVISIONS

(a) So far as applicable, these rules and the Rules of the House of Representatives shall be the rules of the Committee and any subcommittee. The Committee adopts these rules under the authority of clause 2(a)(1) of Rule XI of the Rules of the House of Representatives, 111th Congress.

(b) The rules of the Committee may be modified, amended, or repealed by a vote of a majority of the Committee.

(c) When the interests of justice so require, the Committee, by a majority vote of its members, may adopt any special procedures, not inconsistent with these rules, deemed necessary to resolve a particular matter before it. Copies of such special procedures shall be furnished to all parties in the matter.

(d) The Chair and Ranking Minority Member shall have access to such information that they request as necessary to conduct Committee business.

##### RULE 2. DEFINITIONS

(a) "Committee" means the Committee on Standards of Official Conduct.

(b) "Complaint" means a written allegation of improper conduct against a Member, officer, or employee of the House of Representatives filed with the Committee with the intent to initiate an inquiry.

(c) "Inquiry" means an investigation by an investigative subcommittee into allegations against a Member, officer, or employee of the House of Representatives.

(d) "Investigative Subcommittee" means a subcommittee designated pursuant to Rule 19(a) to conduct an inquiry to determine if a Statement of Alleged Violation should be issued.

(e) "Statement of Alleged Violation" means a formal charging document filed by an investigative subcommittee with the Committee containing specific allegations against a Member, officer, or employee of the House of Representatives of a violation of the Code of Official Conduct, or of a law, rule, regulation, or other standard of conduct applicable to the performance of official duties or the discharge of official responsibilities.

(f) "Adjudicatory Subcommittee" means a subcommittee designated pursuant to Rule 23(a) that holds an adjudicatory hearing and determines whether the counts in a Statement of Alleged Violation are proved by clear and convincing evidence.

(g) "Sanction Hearing" means a Committee hearing to determine what sanction, if any, to adopt or to recommend to the House of Representatives.

(h) "Respondent" means a Member, officer, or employee of the House of Representatives who is the subject of a complaint filed with the Committee or who is the subject of an inquiry or a Statement of Alleged Violation.

(i) "Office of Advice and Education" refers to the Office established by section 803(i) of the Ethics Reform Act of 1989. The Office handles inquiries; prepares written opinions in response to specific requests; develops general guidance; and organizes seminars, workshops, and briefings for the benefit of the House of Representatives.

(j) "Member" means a Representative in, or a Delegate to, or the Resident Commissioner to, the U.S. House of Representatives.

#### RULE 3. ADVISORY OPINIONS AND WAIVERS

(a) The Office of Advice and Education shall handle inquiries; prepare written opinions providing specific advice; develop general guidance; and organize seminars, workshops, and briefings for the benefit of the House of Representatives.

(b) Any Member, officer, or employee of the House of Representatives may request a written opinion with respect to the propriety of any current or proposed conduct of such Member, officer, or employee.

(c) The Office of Advice and Education may provide information and guidance regarding laws, rules, regulations, and other standards of conduct applicable to Members, officers, and employees in the performance of their duties or the discharge of their responsibilities.

(d) In general, the Committee shall provide a written opinion to an individual only in response to a written request, and the written opinion shall address the conduct only of the inquiring individual, or of persons for whom the inquiring individual is responsible as employing authority.

(e) A written request for an opinion shall be addressed to the Chair of the Committee and shall include a complete and accurate statement of the relevant facts. A request shall be signed by the requester or the requester's authorized representative or employing authority. A representative shall disclose to the Committee the identity of the principal on whose behalf advice is being sought.