

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
COMMISSION ON HEALTH CARE DELIVERY AND ORGANIZATION
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JIM McDERMOTT
7TH DISTRICT, WASHINGTON

ON CHAIRMAN
CONGRESSIONAL URBAN CAUCUS
CHAIRMAN
CONGRESSIONAL TASK FORCE ON
INTERNATIONAL PRIVACY

Congress of the United States
House of Representatives
Washington, DC 20515

January 14, 1997

Representative Nancy Johnson, Chair
Committee on Standards of Official Conduct
HT-2, The Capitol
Washington, D.C. 20515

In the Matter of Representative James McDermott

Exhibit 6

Dear Ms. Johnson:

I learned last evening, to my considerable chagrin, that the tape of Speaker Gingrich conferring with other House Republicans which I transmitted to you as Committee Chairman for inclusion in the Committee record, has been rejected by you without consideration by the Committee. Rather, you unilaterally elected to ignore its content, deprive the Committee of it, and transmit it to the Department of Justice.

This Committee has been charged with the august and Constitutional task of reviewing the conduct of not just a member, but that of the Speaker. The entire world is watching the way we conduct our affairs. We pursue this task after the Speaker—for years—has denied wrongdoing only recently to confess his culpability. We are now in the "sanction" phase and, with respect to it, the Speaker has made solemn commitments to this Committee and the House of Representatives. Concomitant with his commitments appears to be his breach. Rather than evaluate the evidence of the breach and give it such weight as it is fairly entitled to receive, you, without Committee or House approval, have jettisoned the evidence and willfully ignored its content. I regard that as a shameful act in conscious avoidance of the search for truth.

Moreover, and I do not make this charge lightly, by transmitting the evidence elsewhere without first having presented it to the House for its approval, you have violated House Rule X, cl. 4, (e)(1)(C). It provides:

The Committee on Standards of Official Conduct is authorized: ...
(C) to report to the appropriate Federal or State authorities, with the approval of the House, any substantial evidence of a violation, by a Member...of any law applicable to the performance of his duties or the discharge of his responsibilities, which may have been disclosed in a committee investigation....(emphasis added)

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It is manifestly clear that the tape was provided to the Committee for its inclusion in its records. Before disseminating the tape, you were required to present it to the full House for its approval. It is both apparent and ironic that you, as Chair of the Committee whose mission is to scrutinize the ethics of House members, by this unauthorized referral, have yourself violated House rules and brought disrespect to the House of Representatives. This conduct is emblematic of the kind of partisan wrongdoing that is taking place that inspires others to take measures to combat it.

I respectfully request that you endeavor to recall the tape so that the Committee and its counsel may consider it with all the other evidence that bears upon the matter under consideration. In this way relevant evidence of the bona fides of the Speaker's commitment and his integrity may be assessed.

Lastly, in my communication with you yesterday, I sought to conduct the Committee's business through you directly. I am now reluctantly constrained to share this letter and that which I sent you yesterday with the Clerk of the House and the Majority and Minority leaders so as to assure that these letters, the tape, and the business of the House be recorded in the records of the House.

Respectfully submitted,


Jim McDermott
Member of Congress

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