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ONE HUNDRED ELEVENTH CONGRESS

U.S. House of Representatives

COMMITTEE ON STANDARDS OF
OFFICIAL CONDUCT

Washington, DC 20515-6328

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STATEMENT OF THE CHAIR AND RANKING REPUBLICAN MEMBER OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

APRIL 21, 2010

FOR IMMEDIATE RELEASE

The Committee on Standards of Official Conduct (the Committee), pursuant to Committee Rule 18(a), has been investigating and gathering additional information concerning matters related to allegations involving former Representative Eric Massa.

The allegations surrounding former Representative Massa are serious and warrant a full and complete investigation. In accordance with Clause 3 of House Rule XI and Committee Rules 14(a)(3) and 18, the Committee has unanimously voted to establish an investigative subcommittee to conduct a full and complete inquiry into whether the conduct of any Member, officer, or employee of the House violated any law, rule, regulation, or other standard of conduct applicable to the performance of their duties with respect to the allegations of misconduct involving former Representative Massa.

The Committee resolution establishing the investigative subcommittee is attached.

Chair Zoe Lofgren and Ranking Republican Member Jo Bonner will lead the subcommittee. The next most senior members of the Committee, Representative Ben Chandler and Representative Mike Conaway, will also serve on the subcommittee.

RESOLUTION

WHEREAS pursuant to Committee Rule 18(a) the Chair and Ranking Republican Member of the Standards Committee have been jointly engaged in an investigation concerning alleged or actual misconduct on the part of former Representative Eric Massa including actions that were offensive, inappropriate, created a hostile work environment, or were otherwise in violation of laws, rules, regulations or other standards of conduct;

WHEREAS Members, officers, or employees of the House of Representatives had or may have had personal knowledge, or were or may have been made aware by or through other persons, of such alleged or actual conduct on the part of former Representative Eric Massa that was in violation of laws, rules, regulations or other standards of conduct applicable to his conduct in the performance of his duties;

WHEREAS Members, officers or employees of the House of Representatives may have failed to properly report or fully disclose allegations of such misconduct;

WHEREAS Members, officers or employees of the House of Representatives who learned of such alleged misconduct may have had a duty to pursue or call attention to such allegations of misconduct;

WHEREAS monies or other payments may have been misappropriated, or otherwise fraudulently or improperly distributed or received in violation of laws, rules, regulations or other standards of conduct;

WHEREAS the conduct of a current or former Member, officer, or employee of the House, in connection with the aforementioned allegations, may have violated one or more laws, rules, regulations, or other standards of conduct applicable to the conduct of a Member, officer or employee of the House in the performance of the duties or the discharge of the responsibilities of such individual; and

WHEREAS the Standards Committee has the authority to empanel an investigative subcommittee regarding such conduct pursuant to House Rule XI, clauses 3(a)(2) and 3(b)(2), and pursuant to Committee Rules 14(a)(3) and 18; and

WHEREAS the Standards Committee has determined pursuant to Committee Rule 1(c) that the interests of justice require the adoption of special procedures in order for the Committee to carry out its investigative and enforcement responsibilities with respect to the aforementioned allegations;

It is HEREBY RESOLVED by the Committee

1. That an Investigative Subcommittee be established with jurisdiction to conduct a full and complete inquiry into whether the conduct of any Member, officer, or employee violated any law, rule, regulation or other standard of conduct applicable to the performance of their duties with respect to the allegations of misconduct recited above;
2. That the scope of the inquiry may extend to any matters related to the jurisdiction of the Investigative Subcommittee as set forth in this resolution;
3. That at the conclusion of the inquiry, the Investigative Subcommittee shall report to the Committee its findings, conclusions, and recommendations;
4. That Members of the Investigative Subcommittee shall be designated pursuant to Committee Rule 19(a);
5. That Committee Rules 7 (Confidentiality), 8(a) (Subcommittees – General Policy and Structure), 9 (Quorums and Members Disqualification), and 10 (Vote Requirements) are fully applicable to this inquiry by the Investigative Subcommittee;
6. That the Investigative Subcommittee is authorized to obtain evidence and relevant information by the means and in the manner set forth in Committee Rules 19(b) – (c), except as those rules apply to respondents;
7. That witnesses before the Investigative Subcommittee shall be provided with a copy of the special procedures for this inquiry (as set forth in this resolution), as well as accorded the rights set forth in Committee Rules 26(k) – (o);
8. That the Standards Committee intends that all witnesses who provide testimony before the Investigative Subcommittee should be sequestered and should not communicate with any other witnesses regarding any aspect of their testimony unless the Investigative Subcommittee permits otherwise;
9. That at any point during its inquiry, or at the conclusion of its inquiry, the jurisdiction of the Investigative Subcommittee may be expanded in accordance with the requirements of Committee Rule 19(d) if the Investigative Subcommittee obtains information indicating that a Member, officer, or employee of the House may have committed a violation of the any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his or her duties of the discharge of his or her responsibilities. If the scope of the jurisdiction of the Investigative Subcommittee is expanded to investigate the conduct of an identified Member, officer or employee of the House, the inquiry regarding the identified Member, officer, or employee shall proceed before the same Investigative Subcommittee and in accordance with all the Rules of the Committee regarding an inquiry involving a respondent; and
10. That except as otherwise provided in this Resolution, the Rules of the Committee shall be applicable in this matter and will be interpreted by the Investigative Subcommittee in a manner not inconsistent with this Resolution.