

## HRES 895

Establishing within the House of Representatives an Office of Congressional Ethics, and for other purposes.

**Congress:** 110 (2007–2009, Ended)

**Chamber:** House

**Policy Area:** Congress

**Introduced:** Dec 19, 2007

**Current Status:** Pursuant to the provisions of H. Res. 1031, H. Res. 895 is considered passed House as amended. (cons

**Latest Action:** Pursuant to the provisions of H. Res. 1031, H. Res. 895 is considered passed House as amended.

(consideration: CR H1534-1537; text as passed: CR H1534-1536) (Mar 11, 2008)

**Official Text:** <https://www.congress.gov/bill/110th-congress/house-resolution/895>

### Sponsor

**Name:** Rep. Capuano, Michael E. [D-MA-8]

**Party:** Democratic • **State:** MA • **Chamber:** House

### Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. McCollum, Betty [D-MN-4]	D · MN		Mar 6, 2008
Rep. Price, David E. [D-NC-4]	D · NC		Mar 6, 2008
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		Mar 6, 2008

### Committee Activity

Committee	Chamber	Activity	Date
Committee on House Administration	House	Referred To	Dec 19, 2007
Rules Committee	House	Referred To	Dec 19, 2007

### Subjects & Policy Tags

#### Policy Area:

Congress

## Related Bills

Bill	Relationship	Last Action
110 HRES 1039	Related bill	<b>Mar 12, 2008:</b> On motion to table the measure Agreed to by the Yeas and Nays: 215 - 193 (Roll no. 125).
110 HRES 1031	Procedurally related	<b>Mar 11, 2008:</b> Motion to reconsider laid on the table Agreed to without objection.
110 HRES 1018	Related bill	<b>Mar 4, 2008:</b> Referred to the House Committee on Rules.
110 HR 4239	Related bill	<b>Nov 15, 2007:</b> Referred to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
110 HR 2544	Related bill	<b>May 24, 2007:</b> Referred to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
110 HR 1754	Related bill	<b>Mar 29, 2007:</b> Referred to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
110 HR 97	Related bill	<b>Feb 2, 2007:</b> Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.

(Sec. 1) Establishes an independent Office of Congressional Ethics in the House of Representatives.

Establishes a board to govern the Office, consisting of six individuals, three of them nominated by the Speaker of the House, subject to the Minority Leader's concurrence, and three by the Minority Leader, subject to the Speaker's concurrence.

Requires the Speaker and the Minority Leader each to nominate an alternate board member, subject to their respective concurrence.

Sets forth: (1) procedures for filling vacancies on the board; and (2) eligibility qualifications of board members.

Requires the Speaker to designate one member of the board as chairman, and the Minority Leader to designate one as cochairman.

Declares that selection and appointment of members of the board shall be without regard to political affiliation and solely on the basis of fitness to perform their duties.

Prohibits an individual from being eligible for appointment to, or service on, the board who: (1) is a registered lobbyist under the Lobbying Disclosure Act of 1995; (2) has been so registered at any time during the year before the date of appointment; (3) engages in, or is otherwise employed in, lobbying of Congress; (4) is an agent of a foreign principal registered under the Foreign Agents Registration Act; or (5) is a Member or a federal officer or employee.

Imposes a one-year moratorium on appointment to the board of any former Member, officer, or employee of the House.

Limits terms on the board to two Congresses. Prohibits a member of the board from serving during more than four consecutive Congresses.

Requires four of the individuals appointed in the 110th Congress to serve on the board only for the remainder of that Congress. Allows such an individual to be reappointed for an additional term of two Congresses.

Permits a board member's removal from office for cause by the Speaker and the Minority Leader, acting jointly, but not by either, acting alone.

Declares that a board member shall not be considered a House officer or employee. Sets the compensation rate of a board member at a per diem equal to the daily equivalent of the minimum salary payable for GS-15 of the General Schedule.

Prescribes procedures by which all board members, upon the request of two members, shall undertake a preliminary review of any alleged violation by a Member, officer, or employee of the House of any law, rule, regulation, or other standard of conduct.

Requires completion of such preliminary review within 30 calendar days or five legislative days, whichever is later, after receipt of the request.

Requires: (1) a vote, before the end of the applicable time period, on whether to commence a second-phase review of the

matter under consideration; (2) an affirmative vote of at least three board members to commence such review; and (3) the matter to be terminated if no such vote has succeeded by the end of such period.

Authorizes the board, at any point before the end of the applicable time period, to vote to terminate a preliminary review by the affirmative vote of at least four members.

Requires the board to notify in writing: (1) the individual who was the subject of the preliminary review; and (2) the Committee on Standards of Official Conduct of its decision to either terminate the preliminary review or commence a second-phase review of the matter.

Prescribes procedures and a deadline for a second-phase review, as well as the sole contents of a report to the Committee upon completion of such review.

Requires the board to: (1) transmit such report to the individual who is the subject of the second-phase review; (2) hold necessary hearings, only in executive session; (3) solicit testimony, receive relevant evidence, and pay witnesses as prescribed by Rule XI (Procedures of Committees and Unfinished Business) of the Rules of the House; and (4) adopt specified rules to carry out its duties.

Requires the board to refer a matter to the Committee, and cease its own preliminary or second-phase review, upon Committee request.

Prohibits review by the board of any alleged violation: (1) of law, rule, regulation or standard of conduct not in effect at the time of the alleged violation; or (2) that occurred before the adoption of this resolution.

Requires board members and Office staff to execute a specified oath or affirmation in writing public disclosure of certain information relating to their service in the Office.

Requires the board, before voting on a recommendation to or statement for the Committee relating to official conduct of any Member, officer, or employee of the House, to provide that individual the opportunity to present a statement to the board, orally or in writing (at the board's discretion).

Requires any individual, before becoming a member of the board or the Office staff, to execute a signed document declaring that he or she agrees not to be a candidate for a Member of Congress until at least three years after his or her tenure is complete.

Specifies rules for a professional nonpartisan Office staff.

Provides for funding of the Office.

(Sec. 2) Amends Rule XXVI (Financial Disclosure) to require members of the board to file annual financial disclosure reports with the Clerk on or before May 15.

Requires the Clerk to have such reports printed as a House document and made available to the public.

(Sec. 3) Amends Rule XI to permit the Committee to undertake an investigation upon receipt of a report regarding a

referral from the Office board.

Sets forth requirements for public disclosure of board findings, with certain exceptions.

Prohibits the Committee from receiving referrals from the Office board within 60 days before a federal, state, or local election in which the subject of the referral is a candidate.

### **Actions Timeline**

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- **Mar 11, 2008:** Rule H. Res. 1031 passed House.
- **Mar 11, 2008:** Passed/agreed to in House: Pursuant to the provisions of H. Res. 1031, H. Res. 895 is considered passed House as amended.(consideration: CR H1534-1537; text as passed: CR H1534-1536)
- **Mar 11, 2008:** Pursuant to the provisions of H. Res. 1031, H. Res. 895 is considered passed House as amended. (consideration: CR H1534-1537; text as passed: CR H1534-1536)
- **Mar 10, 2008:** Rules Committee Resolution H. Res. 1031 Reported to House. Rule provides for consideration of H. Res. 895 with 1 hour of general debate. Measure will be considered read. Bill is closed to amendments. That H.Res. 895, amended by the amendment printed in the report of the Committee on Rules accompanying this resolution, is hereby adopted.
- **Dec 19, 2007:** Introduced in House
- **Dec 19, 2007:** Referred to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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